Davidson County DEEDWARR
Recvd: 05/28/02 13:25 2pgs
Fees:12.00 Taxes:0.00

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Prepared by
Saturn & Mazer
212 3rd Av North
Nashville, TN 37201

SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

ADDRESS NEW OWNER:	NAME OF MORTGAGEE:	MAP & PARCEL
Robert Alden Swasey et al 264 Cana Circle Nashville, TN 37205	SAME	129-11-A-264

FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS (10.00), cash in hand paid by the hereinafter named Grantee, and other good and valuable consideration the receipt of which is hereby acknowledged, the undersigned, Being all of the heirs at law of Arthur H. Frazier, deceased (the "Grantor"), has bargained, sold and leased, and by these does transfer, convey and lease unto

Robert Alden Swasey and wife, Billie Jean Swasey
Richard S. Miller and wife, Karen S. Miller, ALL AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP,

(the "Grantee"), their heirs and assigns, a certain Condominium Apartment in Davidson County, Tennessee, described as follows, to wit:

Unit No. 264 created under Title 66, Chapter 27, Section 101, et seq., as amended, Tennessee Code Annotated, and as established by the Master Deed for The Cloister at St. Henry, Phase IC, of record in Book 6675, Page 173, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the common elements appurtenant to said unit, as set forth in said Master Deed. Reference is hereby made to the Plat for The Cloister at St. Henry, Phase IC, attached as Exhibit "B" to said Master Deed for proper identification.

Being the same property conveyed to Arthur H. Frazier and wife, Margaret H. Frazier, by Sublease and Conveyance of Condominium Apartment from St. Henry's Property Development, Inc., of record in Book 6847, Page 39, Register's Office for Davidson County, Tennessee. The said Margaret H. Frazier having since died leaving Arthur H. Frazier as surviving tenant by the entireties. The said Arthur H. Frazier having since died. The Last Will and Testament of Arthur Harrison Frazier probated in Case No. 02P-58, 7th Circuit Court of Davidson County, Tennessee, gave no authority to Alternate Executrix, Penny Frazier Smithson, to sell real property so that the beneficiaries named above execute this deed as all of the heirs at law.

This conveyance and lease is subject to the following:

1. Provisions of Tennessee Code Annotated, Section 64-2701, et seq.
2. Conditions, restrictions, options, encumbrances, liens, assessments and undertakings contained in the Master Deed and Bylaws for the Cloister at St. Henry, recorded in Book 6042, page 602; as amended by Amendments to Master Deed of record in Book 6071, page 149; and Book 6519, page 187; and as corrected by Correction of Master Deed of record in Book 6237, page 660, Register's Office for Davidson County, Tennessee.
3. Sanitary Sewer and/or Storm Easement of record in Book 4191, page 157, Register's Office for Davidson County, Tennessee.
4. Easements and other matters of record in Plat Book 5200, page 455, and Plat Book 5200, page 529, Register's Office for Davidson County, Tennessee.
5. Ground Lease by and between James D. Niedergeses, Bishop of the Diocese of Nashville and St. Henry's Property Development, Inc., dated August 31, 1982, of record in Book 5961, page 657, Register's Office for Davidson County, Tennessee.
6. Real estate taxes for 2002.

This is improved property known as 264 Cana Circle, Nashville, Tennessee 37205

T.A.V.

TO HAVE AND TO HOLD the said condominium apartment, with the and interest thereto belonging to the said Grantee, her heirs and assigns for the term of the Grantor's Ground Lease of record in Book 5961, page 657, Register's Office for Davidson County, Tennessee.

Grantee understands that Grantor is not conveying the real estate in fee simple and this conveyance is both a sublease by Grantor to Grantee of the above described condominium apartment for the full term of Grantor's Ground Lease and any extension thereof, and a conveyance by Grantor of all right, title and interest of the Grantor in the described condominium apartment. By acceptance of this conveyance, Grantee agrees to assume jointly with The Cloister Owners' Association all obligations of the Grantor under Grantor's Ground Lease, including payment of all real estate taxes assessed against both land and buildings.

WITNESS our hands this 3rd day of May, 2002

ESTATE OF ARTHUR HARRISON FRAZIER

Penny Frazier Smithson

PENNY FRAZIER SMITHSON, Heir

Reid Harrison Frazier

REID HARRISON FRAZIER, Heir

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

Personally appeared before me, THE UNDERSIGNED, a Notary Public in and for said County and State, the within named Penny Frazier Smithson and Reid Harrison Frazier, the bargainors, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at Nashville, Tennessee, this the 3rd day of May, 2002

NOTARY PUBLIC

My Commission Expires: 6/28/2002

ALAIN L. SATURN
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.