THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **Record & Return To:** **File Box 9B:** **First Title & Escrow Co., Inc.** **FTEC File No. 21689-08-2003**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $142,000.00 Affiant Subscribed and sworn to before me, this 29th day of August, 2003. Notary Public My Commission Expires: My Commission Expires NOV 29, 2003

GERALD L. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

Address New Owner: Martin J. Burns, Jr. Frances Jane Burns 315 Cana Circle Nashville, TN 37205	**Send Tax Bills To:** NEW OWNER	**Tax Information:** Map No.129.11 Parcel No. 315.00 CO

FOR AND IN CONSIDERATION of the sum of Ten and No/100 Dollars ($10.00), cash in hand paid, and other good and valuable considerations, the receipt of which is hereby acknowledged, **Marie Vaughn Wade, Charles P. Vaughn, Jr. and Judeth Vaughn Warfield, as devisees under the will of Mary Shea Vaughn, deceased**, ("Grantor"), has this day bargained, sold and leased, and does hereby transfer, convey and lease to **Martin J. Burns, Jr. and wife, Frances Jane Burns** ("Grantee"), their heirs and assigns, all that tract or parcel of land in Davidson County, Tennessee, more particularly described on Exhibit "A" hereto.

This is Improved property located at 315 Cana Circle, Nashville, TN, 37205

TO HAVE AND TO HOLD the said condominium apartment, with the appurtenance, estate, title and interest thereto belonging to the said Grantee, their heirs and assigns for the term of the Ground Lease of record in Book 6596, Page 608, Register's Office for Davidson County, Tennessee, and any extension thereof but not further.

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 said 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 Owner's Association all obligations of the Grantor under said Ground Lease, including payment of all real estate taces assessed against both land and buildings.

Whenever used, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, Grantor has executed this instrument on this August 29, 2003.

Marie Vaughn Wade, as devisee under the will of Mary Shea Vaughn, deceased

Charles P. Vaughn, Jr., as devisee under the will of Mary Shea Vaughn, deceased

Judeth Vaughn Warfield, as devisee under the will of Mary Shea Vaughn, deceased

Davidson County DEEDWARR
Recvd: 09/05/03 15:16 2pgs
Fees:13.00 Taxes:525.40

20030905-0130205

STATE OF TENNESSEE, COUNTY OF DAVIDSON SS.:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, **Marie Vaughn Wade, Charles P. Vaughn, Jr. and Judeth Vaughn Warfield** , with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that He/She/They executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 29th day of August, 2003.

GERALD G. PATTERSON NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 29, 2003

Notary Public

My Commission Expires: _____

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 315, together with the appurtenant interest in the common elements of The Cloister at St. Henry Phase IC, a horizontal property regime established by Master Deed, of record in Book 6675, page 173, Register's Office for Davidson County, Tennessee said Unit being depicted on the Condominium Site Plan attached as Exhibit B to the aforementioned Master Deed and being located upon Lot No. 2 on the Plan of Phase 1-D Fifth Revision The Cloister at St. Henry of record in Plat Book 6250, page 979, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Mary Shea Vaughn and husband, Charles Preston Vaughn as to a 28% interest, and Third National Bank in Nashville, Successor Testamentary Trustee under the Will of Kate Fitzgerald, as to a 72% interest by Sublease and Conveyance of Condominium Apartment dated December 26, 1985, from St. Henry's Property Development, Inc. of record in Book 6747, page 750, Register's Office for Davidson County, Tennessee. Third National Bank in Nashville has changed its name to Suntrust Bank, Nashville, National Association by Resolution of the Board of Directors of Third National Bank dated April 24, 1995 and Suntrust Bank, Nashville, National Association is now known as Suntrust Bank as evidenced by Merger Certificate of record in Instrument No. 20000512-0048025, Register's Office for Davidson County, Tennessee. Suntrust Bank as conveyed its 72% interest in said property to Mary Shea Vaughn and husband, Charles Preston Vaughn by Assignment of Sublease and Conveyance of Condominium Apartment dated February 7, 2002, of record in Instrument No. 20020212-0018770, Register's Office for Davidson County, Tennessee. Charles Preston Vaughn has since died. Mary Shea Vaughn has subsequently died and devised said property to Marie Vaughn Wade, Charles P. Vaughn, Jr. and Judeth Vaughn Warfield by Will of record in Instrument No. 5244/1109056 Probate Court for Davidson County, Tennessee.

This conveyance is made subject to:
(1) 2003 Taxes, which have been prorated and assumed by the Grantee
(2) Restrictions of record in Book 6675, page 173;
(3) Easements of record in Book 4191, page 157
(4) By-Laws of record in Book 6042, page 650, amended in Book 6519, page 187, Book 7590, page 273, and in Book 9269, page 285, and in Instrument No. 20020109-0003376;
(5) All matters appearing on the Plan of record in Plat Book 6250, page 979, said Register's Office.