FILE NO. SP42858
FILE BOX "7"

RE-RECORD

Davidson County DEEDWARR
Recvd: 04/26/04 12:44 3pgs
Fees:18.00 Taxes:577.20
[redacted]
20040426-0047095

PREPARED BY:
SATURN AND MAZER
212 Third Avenue, North
Nashville, TN 37201

JANET S. DAVIS
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.
My Commission Expires JULY 24, 2004

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $156,000.00.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS 22ND day of April, 2004.

NOTARY PUBLIC

My Commission Expires: 7-24-2004

Davidson County DEEDWARR
Recvd: 06/11/04 08:59 3pgs
Fees:17.00 Taxes:0.00
20040611-0069279

SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

ADDRESS NEW OWNER:
THEODORE A. SMEDLEY, et ux
452 Siena Drive
Nashville, TN 37205

SEND TAX BILLS TO:
SAME AS NEW OWNER

MAP & PARCEL
129-11-A-452
9DZ 72918

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, CHARLES CANDLER ZACHRY, JR., and McCOY CAMPBELL ZACHRY, as Alternate Co-Executors and Individually, (the "Grantor"), have bargained, sold and leased, and by these presents Hereby transfer, convey and lease unto: THEODORE A. SMEDLEY and wife,

NANCY I.SMEDLEY

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

A certain Condominium Apartment in Davidson County, Tennessee, described as follows, to-wit:

UNIT NO. 452 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 1B, of record in Book 6237, Page 665, 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 1B, attached as Exhibit "B" to said Master Deed for proper identification.

BEING the same property transferred, conveyed and leased to Charles C. Zachry, Sr., and wife, Harriet C. Zachry, by deed in Book 6546, page 462, Register's Office for Davidson County, Tennessee, the said Charles C. Zachry,Sr., having died on Mary 27, 1989, and the said Harriet Campbell Zachry having died on December 17, 2003. The Will of Harriet Campbell Zachry, probated in Case No. 04P137, Seventh Circuit Court of Davidson County, names Charles Candler Zachry, Jr., and McCoy Campbell Zachry as Alternate Co-Executors and leaves them the subject property.

THIS DEED IS BEING RE-RECORDED TO CORRECT THE INITIAL OF THE BUYER'S NAME FROM NANCY J. SMEDLEY TO NANCY I. SMEDLEY.

This conveyance and lease is subject to the following:

1. Provisions of Tennessee Code Annotated, Section 64-27-101, et seq.

2. Conditions, restrictions, options, encumbrances, liens, assessments, easements and undertakings contained in the Master Deed for The Cloister at St. Henry, Phase ID, recorded in Book 6933, Page 927, as amended by instrument of record in Book 7404, page 766, Register's Office for Davidson County, Tennessee, and the Bylaws for The Cloister at St. Henry, recorded in Book 6042, Page 650, 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. Matters shown on the Plan of Fifth Revision of The Cloister at St. Henry, Phase ID, of record in Book 6250, Page 979, Register's Office for Davidson County, Tennessee.

5. Storm Water Detention Agreement by and between St. Henry's Property Development, Inc., and The Metropolitan Government of Nashville and Davidson County, of record in Book 6862, Page 384, Register's Office for Davidson County, Tennessee.

6. Real estate taxes for 2004.

This is improved property known as 452 Siena Drive, Nashville, Tennessee 37205

TO HAVE AND TO HOLD the said condominium apartment, with the appurtenances, Estate, title and interest thereto belonging to the said Grantee, his, her or their heirs and assigns for the term of the Grantor's Ground Lease of record in Book 6922, Page 282, 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 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 1st day of April, 2004.

CHARLES CANDLER ZACHRY, JR.
Alternate Co-Executor

McCOY CAMPBELL ZACHRY
Alternate Co-Executor

CHARLES CANDLER ZACHRY, JR.
INDIVIDUAL

McCOY CAMPBELL ZACHRY
INDIVIDUAL

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 CHARLES CANDLER ZACHRY,JR., and McCOY CAMPBELL ZACHRY, Alternate Co-Executors, 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 1ST day of April, 2004.

Beth LaVeau
NOTARY PUBLIC

BETH LeVEAU NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: May 30, 2004

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 CHARLES CANDLER ZACHRY, an Individual, and McCOY CAMPBELL ZACHRY, an Individual, 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 1ST day of April, 2004.

Beth LaVeau
NOTARY PUBLIC

BETH LeVEAU NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: May 30, 2004