20312

B0436

RECORD & RETURN TO:
FILE BOX 36 if Davidson County

SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

STATE OF TENNESSEE, COUNTY OF WILLIAMSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $142,000.00.

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME THIS 19th DAY OF AUGUST, 2004.

NOTARY PUBLIC

NOTARY PUBLIC AT LARGE
Julie Bhattacharya Peak
My Commission Expires May 28, 2006
STATE OF TENNESSEE

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN. JULIE BHATTACHARYA PEAK

Davidson County DEEDWARR
Recvd: 08/20/04 14:01 2pgs
Fees:13.00 Taxes:525.40

20040820-0101014

THIS INSTRUMENT WAS PREPARED BY:
Douglas A. Bracet, Esq.
ORTALE, KELLEY, HERBERT & CRAWFORD
200 Fourth Avenue North
Nashville, TN 37219-0375
Our File #20312

NAME/ADDRESS OF NEW OWNER:	SEND TAX BILLS TO:	MAP – PARCEL #
POLLY W. RILEY and PATRICK J. RILEY, JR., TRUSTEE 421 Siena Drive Nashville, TN 37205	New Owner	129-11-A-421.00 CO

FOR AND IN CONSIDERATION of Ten ($10.00) Dollars, cash in hand paid by the hereinafter named Grantee, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **John C. Pope, a widower** hereinafter called **"GRANTOR,"** has bargained and sold, and by these presents does transfer and convey unto **Polly W. Riley and Patrick J. Riley, Jr., Trustee, with right of survivorship, with full power to sell, convey and/or encumber without the approval and joinder of any beneficiary** hereinafter called **"GRANTEES,"** their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

A certain condominium apartment in Davidson County, Tennessee, described as follows:

A certain condominium apartment in Davidson, Tennessee, being Unit 421, of Phase 1-B Lot 2, The Cloister at St. Henry, a Tennessee Horizontal Property Act as the same is set out in Section 66-27-101, et seq., of Tennessee Code Annotated, and as established by the Master Deed for The Cloister at St. Henry, as shown on the Plan to the Master Deed of record in Book 6237, page 665, revised in Book 5200, page 665, and as further set out as Exhibit "B" to the Master Deed 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.

Being the same property conveyed to John C. Pope and spouse Nancye J. Pope, by deed from Ellen G. Kerrigan, of record in Book 10536, page 582, Register's Office for Davidson County, Tennessee. The said Nancye J. Pope having since died.

The conveyance of the above-described parcel of land is subject to the following:

1. 2004 Davidson County taxes which have been prorated by the parties and assumed by the Grantees; and
2. The Plan, with Owner's Certificate, of record in Plat Book 5200, page 529 and revised in Book 5200, page 676 and as further set out as Exhibit "B" to the Master Deed of record in Book 6237, page 665, as amended in Book 6834, page 449, said Register's Office, which Plan shows minimum building set back lines and easements and to which Plan reference is hereby made for a more complete description; and

3. Subject to the provisions of the condominium Master Deed of record in Book 6237, page 665, amended in Book 6519, page 197; Book 6834, page 449, By-Laws of record in Book 6042, page 602, amended in Book 7590, page 273 and Resolution of record in Book 6527, page 700, said Register's Office, which submits said property to a Horizontal Property Regime pursuant to the provisions of the Tennessee Horizontal Property Act and sets forth restrictions, assessments, lines and other matters, to which Master Deed reference is hereby made for more particulars; and
4. Subject to an Easement for Sanitary Sewers and/or Storm Drainage of record in Book 4191, page 157, said Register's Office for Davidson County, Tennessee; and
5. Sanitary Sewer and/or Storm Drainage Easements of record in Book 4191, page 157, said Register's Office for Davidson County, Tennessee; and
6. Subject to a Ground Lease by and between James D. Niedergeses, Bishop of The Dioceses of Nashville, and St. Henry's Property Development, Inc., of record in Book 6208, page 137, Register's Office for Davidson County, Tennessee; and
7. Subject to any and all zoning regulations, building restrictions, setback lines, if any, and easements and rights of way for public utilities applicable to this property.

This property is also known as improved property located at 421 Siena Drive, Nashville, TN 37205.

TO HAVE AND TO HOLD the said condominium apartment, with the appurtenances, estate, title and interest thereto belonging to the said Grantees, their heirs and assigns for the term of the Grantor's Ground Lease of record in Book 6208, Page 137, Register's Office for Davidson County, Tennessee, and any extension thereof but not further.

By acceptance of delivery of this instrument, the Grantees agrees that this conveyance shall constitute both a sublease by Grantor to Grantees 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. Grantees understand that Grantor is not conveying the real estate in fee simple.

WITNESS our hands this 19th day of August, 2004.

John C. Pope

STATE OF TENNESSEE, COUNTY OF WILLIAMSON

On August 19, 2004, before me personally appeared John C. Pope to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Witness my hand and official seal this 19th day of August, 2004.

NOTARY PUBLIC

NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

Julie Bhattacharya Peak
My Commission Expires
May 28, 2006
STATE OF TENNESSEE