20558

(1)
Bk 36

Davidson County DEEDWARR
Recvd: 02/11/05 14:52 6 pgs
Fees:33.00 Taxes:629.00
20050211-0016149

THIS INSTRUMENT PREPARED BY:
A. HARRISON JOHNSON, JR., ATTORNEY
401 Church Street
L & C Tower
Nashville TN 37219

Address New Owner:	Send Tax Bills to:	Map/ Parcel #
Anne Neely Ford	SAME	Map 129-11-A
402 Siena Drive		Parcel 402
Nashville, TN 37205		

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $170,000.00.

Subscribed and sworn to before me, this the 9th day of February, 2005.

Affiant

Notary Public

My Commission Expires:

NOTARY PUBLIC
AT LARGE
Amy Adams Gowan
My Commission Expires
November 25, 2006
STATE OF TENNESSEE

ASSIGNMENT OF SUBLEASE

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 considerations, the receipt of which is hereby acknowledged, we, the Grantors herein,

Tommy E. Warner, Richard H. Warner and Dudley W. Warner, Co-Executors under the Will of Sara Womack Warner, deceased, whose Will was probated and recorded at Case No. 04P1856 of the records of the Seventh Circuit Court (Probate Division) of Davidson County, Tennessee, pursuant to an Order of Probate entered on November 18, 2004, and of record at Case No. 04P1856 of the Probate Court of said County, have bargained, sold, assigned and subleased, and by these presents do transfer, sell, assign and sublease unto Anne Neely Ford, an unmarried person ("Grantee"), the leasehold interest in a certain condominium in Davidson County, Tennessee, described as follows, to-wit: Unit No. 402, created under Title 66, Chapter 27, Section 101, etseq., as amended, Tennessee Code Annotated, and as established by the Master Deed for the Cloister at St. Henry, Phase IB, of record in Book 6237, page 665, Register's Office for Davidson County, Tennessee (the "Master Deed"), together with the undivided percentage interest in the common elements appurtenant to the said unit, as set forth in the said Master Deed. Reference is hereby made to the Plat for The Cloister at St. Henry, Phase IB, attached as Exhibit "B" to the said Master Deed for a more particular description of said unit, and for proper identification.

Being the same property conveyed to Dudley A. Warner and wife, Sara W. Warner, by Joan Remer Parker, legatee under the Will of Dorothy A. Remer, deceased, of record in Book 7576, page 707, said Register's Office. Dudley A. Warner having predeceased his wife, leaving Sara W. Warner as the sole surviving tenant by the entirety. Sara W. Warner died testate on November 14, 2004, devising the said Property to Dudley W. Warner, Richard H. Warner and Tommy E. Warner, as evidenced by The Last Will and Testament of Sara Womack Warner, Probate No. 04P1856, filed in the Office of the Probate Clerk for Davidson County, Tennessee.

This conveyance is subject to the following:

1. Provisions of Tennessee Code Annotated, Section 64-27-101, etseq.
2. Conditions, restrictions, options, encumbrances, liens, assessments, charges, easements and undertakings contained in the Bylaws for the Cloister at St. Henry, recorded at Book 6042, page 650, as amended in Book 6042, page 653 and Book 6519, page 187, Book 7590, page 273, and Instrument No. 20020109-0003376; and Master Deed of record in Book 6237, page 665, as amended in Book 6834, page 449, said Register's Office; including, but not limited to, a lien for special assessments and approval of purchaser

and/or waiver of right of first refusal by the Homeowners Association of this instrument of conveyance. Also, subject to the Charter for the Homeowners Association, of record in Book 6076, page 203, said Register's Office.

3. Plat of record in Book 5200, page 529, revised in Book 5200, page 455, said Register's Office.
4. Sanitary Sewer and/or Storm Easement of record in Book 4191, page 157, said Register's Office. Also, Storm Water Detention Agreement in Book 6824, page 870, said Register's Office.
5. The terms and conditions of 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, and of record in Book 6208, page 137, said Register's Office.
6. Real estate taxes for 2005, which have been prorated between the parties and assumed an paid by the Grantee.

This is a leasehold interest in improved property known as 402 Siena Drive, Nashville, TN 37205.

TO HAVE AND TO HOLD the said leasehold interest in the said unit condominium apartment, with the appurtenances, estate, title and interest thereunto belonging to the said Grantee, her heirs, administrators and assigns, for the term of the Ground Lease of record in Book 6208, page 137, said Register's Office for Davidson County, Tennessee, and any extension thereof, but no further or otherwise.

Grantee understands that Grantors are not conveying the real estate in fee simple and this conveyance is both a sublease by Grantors to the Grantee of the above described condominium apartment unit for the balance of the full term of the Ground Lease and any extension thereof, and a conveyance by Grantor of all, title and interest of the Grantors in the described condominium apartment. By acceptance of this conveyance and from the date hereof, the Grantee agrees to assume and to perform all the obligations of the owner of the said condominium apartment, for the payment of amounts due under the Ground Lease, as well as real estate taxes assessed against both the land and the buildings.

The Property is transferred "As-Is, Where-Is", without any representations or warranties, express or implied, as to its condition or fitness for any use or purpose. The Grantors have never lived on the Property. The Grantee has made an inspection of the Property and is satisfied with respect thereto.

Dated as of this the 7th day of February, 2005.

GRANTORS:
Dudley W. Warner, Tommy E. Warner and Richard H. Warner, each of them, as individuals and as Co-Executors under the Will of Sara Womack Warner, deceased:

Richard H. Warner, individually and as Co-Executor under the Will of Sara Womack Warner, deceased

Tommy E. Warner, individually and as Co-Executor under the Will of Sara Womack Warner, deceased

Dudley W. Warner, individually and as Co-Executor under the Will of Sara Womack Warner, deceased

Spousal Joinder: The undersigned spouses of Tommy E. Warner and Dudley W. Warner join herein for the sole purpose of quitclaiming and relinquishing to the Grantee all of their present ant future rights and claims with respect to the Property, including, but not limited to, spousal share claims and rights, any dower or marital rights and homestead rights, if any.

Janet Warner

Janet Warner

Beth G. Warner

Beth G. Warner

Individual Acknowledgement for Janet Warner

STATE OF GEORGIA)
COUNTY OF Clarke)

On this the 7th day of February, 2005, before me personally appeared Janet Warner, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she as such person executed the same as her free act and deed.

Witness my hand and seal at Athens, Georgia, the day and year set forth above.

Marquita A Reese

NOTARY PUBLIC

NOTARY PUBLIC ATHENS-CLARKE COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 24, 2009

MY COMMISSION EXPIRES:

Individual Acknowledgement for Tommy E. Warner

STATE OF GEORGIA)
COUNTY OF Clarke)

On this the 7th day of February, 2005, before me personally appeared Tommy E. Warner, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he such person executed the same as his free act and deed.

Witness my hand and seal at Athens, Georgia, the day and year set forth above.

Marquita A Reese

NOTARY PUBLIC

MY COMMISSION EXPIRES:

NOTARY PUBLIC ATHENS-CLARKE COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 24, 2009

Acknowledgement

STATE OF GEORGIA)
COUNTY OF Clarke)

Before me, the undersigned, of the state and county aforementioned, personally appeared Tommy E. Warner, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged such himself to be the Co-Executor of The Estate of Sara Womack Warner, deceased, the within named bargainor, a decedent's estate, and that he as such Co-Executor, being authorized to do so, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the said estate by himself as Co-Executor thereof.

Witness my hand and seal, at office in Athens, Georgia, this 7th day of February, 2005.

Marquita A Reese
NOTARY PUBLIC

NOTARY PUBLIC, ATHENS-CLARKE COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 24, 2006

My Commission Expires:

Individual Acknowledgement for Richard H. Warner

STATE OF GEORGIA)
COUNTY OF Clarke)

On this the 7th day of February, 2005, before me personally appeared Richard H. Warner, to me known 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 seal at Athens, Georgia, the day and year set forth above.

Marquita A Reese
NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC, ATHENS-CLARKE COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 24, 2006

Acknowledgement for Richard H. Warner's Co-Executor

STATE OF GEORGIA)
COUNTY OF Clarke)

Before me, the undersigned, of the state and county aforementioned, personally appeared Richard H. Warner, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the Co-Executor of The Estate of Sara Womack Warner, deceased, the within named bargainor, a decedent's estate, and that he such person, as such Co-Executor, being authorized to do so, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the said estate by himself as Co-Executor thereof.

Witness my hand and seal, at office in Athens, Georgia, this 7th day of February, 2005.

Marquetta A. Reese
NOTARY PUBLIC

NOTARY PUBLIC, ATHENS-CLARKE COUNTY, GEORGIA
MY COMMISSION EXPIRES NOVEMBER 24, 2006

My Commission Expires:

Individual Acknowledgement for Beth Warner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this the 9th day of February, 2005, before me personally appeared Beth G. Warner, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

Witness my hand and seal at Nashville, Tennessee, the day and year set forth above.

Amy Adams Gowan
NOTARY PUBLIC

My Commission Expires:

NOTARY PUBLIC
AT LARGE
Amy Adams Gowan
My Commission Expires
November 25, 2006
STATE OF TENNESSEE

Individual Acknowledgement for Dudley W. Warner

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

On this the 9th day of February, 2005, before me personally appeared Dudley W. Warner, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he as such person executed the same as his such person's free act and deed.

Witness my hand and seal at Nashville, Tennessee, the day and year set forth above.

Amy Adams Gowan
NOTARY PUBLIC

My Commission Expires:



NOTARY PUBLIC
AT LARGE
Amy Adams Gowan
My Commission Expires
November 25, 2006
STATE OF TENNESSEE

Dudley W. Warner's Co-Executor Acknowledgement

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, the undersigned, of the state and county aforementioned, personally appeared Dudley W. Warner, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged himself to be the Co-Executor of The Estate of Sara Womack Warner, deceased, the within named bargainor, a decedent's estate, and that he as such Co-Executor, being authorized to do so, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the said estate by himself as Co-Executor thereof.

Witness my hand and seal, at office in Nashville, Tennessee, this 9th day of February, 2005.

Amy Adams Gowan
NOTARY PUBLIC

My Commission Expires:



NOTARY PUBLIC
AT LARGE
Amy Adams Gowan
My Commission Expires
November 25, 2006
STATE OF TENNESSEE