THIS INSTRUMENT PREPARED BY: & Return to:
Rudy Title & Escrow, LLC
2012 21st Avenue South
Nashville, TN 37212

Davidson County DEEDWARR
Recvd: 05/18/05 10:22 2 pgs
Fees:12.00 Taxes:0.00
20050518-0055931

# SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

| ADDRESS OF NEW OWNER | SEND TAX BILLS TO: | MAP & PARCEL NO. |
|---|---|---|
| **Mary Porter Field** | **Mary Porter Field** | **129-11-0-A-106.00CO** |
| **106 Cloister Drive** | **106 Cloister Drive** | |
| **Nashville, TN 37205** | **Nashville, TN 37205** | |

FOR AND IN CONSIDERATION of the sum of Ten dollars and no/100 ($10.00), cash in hand paid by the Grantee(s) and other good and valuable considerations accepted as cash, the receipt and sufficiency of which is hereby acknowledged, **Ruth S. Cole ,unmarried**, has this day bargained and sold, and does hereby transfer and convey unto the said **Mary Porter Field, unmarried** , the Grantee herein, her (successors), heirs and assigns, certain real estate in Davidson County, Tennessee, more particularly described as follows:

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

Being Unit No. 106, The Cloister at St. Henry, created under Title 66, Chapter 27, Section 101, et seq., as amended, Tennessee Code Annotated, and as established by a Master Deed of record in Book 6042, page 602, and amended in Book 6071, page 149, correction to amendment of record in Book 6237, page 660, Register's Office for Davidson County, Tennessee, together with the undivided percentage interest in the common elements appurtenant to said Unit described in said Master Deed, as amended. Reference is hereby made to Revised Plats of Phase I-A of Lot No. 2, The Cloister at Saint Henry, of record in Book 5200. page 656 and Book 5200, page 676,said Register's Office, for a more complete identification and description of such Unit.

Being the same property conveyed to Ruth S. Cole, unmarried, by Warranty Deed from B. J. Waldrop and wife, Judith A. Waldrop and Michael R. Clardy and wife, Melanie B. Clardy as shown of record in Instrument No. 20021030-0133144, Register's Office for Davidson County, Tennessee.

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

1. 2005 Davidson Country taxes which have been prorated by the parties and assumed by the Grantees; and
2. 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; and
3. The premises herein described is a condominium apartment established pursuant to the provisions of the Tennessee Horizontal Property Act as the same as set out in Section 66-72-101, et seq. of the Tennessee Code Annotated, and is subject to the provisions and requirements thereof; and is subject to the By-Laws for the administration thereof; also subject to easements, rights and interests in favor of other unit owners, and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through or upon the land embracing the regime and buildings thereof; and also including, without limitation, all conditions, covenants, restrictions, options, burdens, assessments and other undertakings contained in the Master Deed and By-Laws establishing a Horizontal Property Regime of The Cloister at Saint Henry Condominiums of record in Book 6042, page 602, and amended in Book 6071, page 149, correction to amendment in Book 6237, page 660, Register's Office for Davidson County, Tennessee.
4. Matters shown on plan of record in Book 5200, page 65 and, Book 5200, page 676, Register's Office for Davidson County, Tennessee.
5. By-Laws of record in Book 6042, page 650 and amended in Book 6519, page 187; Book 7590, page 273; Book 9269, page 285 and Instrument No. 20020109-0003376, Register's Office for Davidson County, Tennessee.
6. Sanitary sewer and/or storm drainage easements of record in Book 4191, page 157, in said Register's Office for Davidson County, Tennessee.
7. Subject to the terms and conditions of a Ground Lease by and between James D. Niedergeses, Bishop of the Dioceses of Nashville, and St. Henry's Property Development, Inc., dated August 31, 1982, of record in Book 5961, page 657, in said Register's Office.
8. Subject to the rights of others in and to the common areas/elements.
9. Subject to the lien for special assessments contained in the Master Deed and By-Laws.

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 5961, page 657, 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 taxes assessed against both land and buildings.

Wherever 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 the 11th day of May 2005.

This is a leasehold interest in improved property, known as **106 Cloister Drive, Nashville, TN 37205.**.

Ruth S. Cole by Paulette Cole, attorney-in-fact

**STATE OF TENNESSEE**
**COUNTY OF DAVIDSON**

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Paulette Cole, to me known (or proved to me on the basis of satisfactory evidence), to be the person who executed the foregoing instrument in behalf of Ruth S. Cole and acknowledged that he/she executed the same as the free act and deed of the said Ruth S. Cole.

Witness my hand and official seal at Nashville, Tennessee, on this the 11th day of May, 2005.

NOTARY PUBLIC

My Commission Expires: 7-29-06

MARY FRANCES RUDY NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

**STATE OF TENNESSEE**
**COUNTY OF DAVIDSON**

## AFFIDAVIT

The undersigned declares that the actual consideration or value whichever is greater, for this Sublease and Conveyance of the **Leashold is Exempt from tax**.

Affiant

Subscribed and sworn to before me this 11 day of May 2005

Notary Public

My Commission Expires:

JOHN GLEAVES STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN.

Commission Expires JULY 29, 2006