THIS INSTRUMENT PREPARED BY: **Mudter Morgan & Patterson** **Attorneys-at-Law** **2000 Richard Jones Road** **Suite 110** **Nashville, Tennessee 37215** **FTEC File No. 25741-07-2006** **Record & Return To:** **First Title and Escrow Company, Inc.** **2000 Richard Jones Road, Suite 110** **Nashville, TN 37215**	STATE OF TENNESSEE, COUNTY OF DAVIDSON: The actual consideration or value, whichever is greater, for this transfer is: $160,000.00. Affiant Subscribed and sworn to before me this 4th day of August, 2006. Notary Public My Commission Expires:

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires NOV. 24, 2007

SUBLEASE AND CONVEYANCE OF CONDOMINIUM APARTMENT

Address New Owner: Meyer D. & Dorothy C. Silverman 261 Cana Circle Nashville, TN 37205	**Send Tax Bills To:** New Owner	**Tax Information:** Map No.129.11-0A Parcel No. 261.00-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, **Horace F. Smith, Jr. and Frances Ganguzza and Cheryl Sawyer as Heirs At Law of Jane S. Smith, Deceased**, ("Grantor"), has this day bargained and sold, and leased and does hereby transfer and convey to **Meyer D. Silverman and wife, Dorothy C. Silverman** ("Grantee"), its successors, 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 261 Cana Circle, Nashville, TN 37205

TO HAVE AND TO HOLD the said condominium apartment, with the appurtenances, estate, title and interest thereto belonging, to Grantee, its successors, 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 hereof 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 the 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 the Ground Lease, including payment of all real estate taxes 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 the 4th day of August, 2006.

Horace F. Smith Jr. by Cheryl Sawyer
Horace F. Smith, Jr. by Cheryl Sawyer as Attorney-In-Fact

Frances Ganguzza by Cheryl Sawyer
Frances Ganguzza by Cheryl Sawyer as Attorney-In-Fact

Cheryl Sawyer
Cheryl Sawyer

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Before me, the undersigned Notary Public in and for said County and State, personally appeared the within named **Cheryl Sawyer**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that she executed the within instrument on behalf of **Horace F. Smith, Jr. and Frances Ganguzza** as their Attorney-In-Fact, as the free act and deed of the within named **Horace F. Smith, Jr. and Frances Ganguzza**.

Witness my hand and official seal at Nashville, Tennessee this 4th day of August, 2006.

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

NOTARY PUBLIC

My Commission Expires NOV. 24, 2007

STATE OF TENNESSEE, COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, aforesaid, Cheryl Sawyer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand, at office, this 4th day of August, 2006.

NOTARY PUBLIC

ELIZABETH J. SMITH NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

My Commission Expires: My Commission Expires NOV. 24, 2007

Davidson County DEEDWARR
Recvd: 08/10/06 10:45 2 pgs
Fees:13.00 Taxes:592.00

20060810-0098539

EXHIBIT "A"

Land in Davidson County, Tennessee, being Unit No. 261, together with the appurtenant interest in the common elements of The Cloister at St. Henry Phase IC 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 Jane S. Smith by Sublease & Conveyance of Condominium Apartment dated April 21, 1986 from St. Henry's Property Development, Inc. of record in Book 6834, page 445, Register's Office for Davidson County, Tennessee. Jane S. Smith having died on June 4, 2006 leaving her three (3) children, Horace F. Smith, Jr., Frances Ganguzza and Cheryl Sawyer, as her sole heirs at law.

This conveyance is made subject to:

1. 2006 City/County taxes which have been prorated by the parties and assumed by the Grantee.
2. By-Laws of The Cloister at St. Henry Phase 1A, of record in Book 6042, page 650, amended in Book 6519, page 187, Book 7590, page 273, Book 9269, page 285 and in Instrument No. 20020109-0003376, Register's Office for Davidson County, Tennessee.
3. Charter of Incorporation of The Cloister Owner's Association of record in Book 6076, page 203, Register's Office for Davidson County, Tennessee.
4. Covenants, Conditions, Restrictions and Agreements, including the agreement to pay assessments for the maintenance of common areas, contained in the Master Deed (and By-Laws) for The Cloister at St. Henry Phase 1C, of record in Book 6675, page 173, Register's Office for Davidson County, Tennessee.
5. Terms and limitations imposed by Tennessee Horizontal Property Act, T.C.A. § 66-27-101, et seq.
6. Easements to the Metropolitan Government of Nashville and Davidson County for sanitary sewers and/or storm drainage, of record in Book 4191, page 157, Register's Office for Davidson County, Tennessee.
7. All matters appearing on the Plan of record as Book 6250, page 979, Register's Office for Davidson County, Tennessee.
8. Storm water detention agreement of record in Book 6145, page 293 and Book 6824, page 870, Register's Office for Davidson County, Tennessee.
9. Resolution recorded in Book 6527, page 700, Register's Office for Davidson County, Tennessee.
10. Ground Lease recorded in Book 6596, page 608, Register's Office for Davidson County, Tennessee.