THIS INSTRUMENT PREPARED BY:

JEFFREY MOBLEY
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STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

The actual consideration or value, whichever is greater, for this transfer is $NONE.

Regina Haggard
AFFIANT

Subscribed and sworn to before me this 16th day of December, 2009.

Dianne Jaynes
Notary Public

My Commission Expires: DIANNE JAYNES STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires JULY 8, 2012

Address of New Owner:	Send Tax Bills To:	Tax Map and Parcel Number
Regina Haggard, Successor Co-Trustee and Ann S. Polly, Co-Trustee P.O. Box 58252 Nashville, TN 37205	-SAME-	Map: 129 11 0A Parcel: 291.00

TRUSTEE'S QUITCLAIM DEED

LEASEHOLD INTEREST

KNOW ALL PERSONS by these presents that Bank of America, N.A., Co-Trustee of the Trust Under Will of Leah Berg Shyer FBO Ann S. Polly, for and in consideration of the sum of Ten and no/100 Dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby releases, remises and quitclaims unto Regina Haggard, Successor Co-Trustee, and Ann S. Polly, Co-Trustee of the Trust Under Will of Leah Berg Shyer FBO Ann S. Polly, all of its right, title and interest in and to a certain tract or parcel of land in the State of Tennessee, being more particularly described on Exhibit A attached hereto and incorporated herein by reference.

BILL GARRETT, Davidson County
Trans:T20090085206 DEEDQC
Recvd: 12/18/09 09:09 8 pgs
Fees:42.00 Taxes:0.00
20091218-0115160

Said property is quitclaimed subject to such limitations, restrictions and encumbrances as may affect the premises.

WITNESS my hand this the 11th day of December, 2009.

BANK OF AMERICA N.A., Co-Trustee of Trust
Under Will of Leah Berg Shyer FBO Ann Polly

By: _____
Fran Schmieman, Vice President

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared FRAN SCHMIEMAN, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, ~~upon oath,~~ acknowledged such person to be the vice president (or other officer authorized to execute the instrument) of BANK OF AMERICA, N.A., the within named bargainor, a corporation, and that such vice president or officer as such, executed the foregoing instrument for the purpose therein contained, by personally signing the name of the corporation.

WITNESS my hand and seal, at office, this the 11th day of December, 2009.

_____
Notary Public

My Commission Expires: Sept. 24, 2010

ENEIDA MONTANEZ
Notary Public, State of Florida
Commission# DD597994
My comm. expires Sept. 24, 2010

EXHIBIT A
Legal Description

A Condominium Apartment in Davidson County, Tennessee, being Unit No. 101-R if the Cloister at St. Henry Phase 1-D, a horizontal property regime pursuant to the Tennessee Horizontal Property Act, as shown on Exhibit B to the Master Deed of record in Book 6933, Page 927 Register's Office for said County, to which source reference is hereby made for a more complete details of description, together with the said Apartment's appurtenant undivided interest in the general and limited common elements of the Condominium.

Being the same property conveyed to Mary Catherine Beehan, a widow by deed from St. Henry's Property Development, Inc., of record in book 7342, Page 695, said Register's Office. The said Mary Catherine Beehan has since died. The Last Will and Testament of Mary Catherine Beehan of record in Docket No. 06P-976 in the Seventh Circuit Court for Davidson County, Tennessee, Probate Division, devised subject property to Thomas Leo Beehan, Kathleen Beehan Prezocki, Margaret Ann Beehan, and Eileen Theresa Beehan.

Also, being the same property conveyed to Bank of America, N.A. Successor Co-Trustee and Ann S. Polly, Co-Trustee of the Trust Under Will of Leah Berg Shyer FBO Ann S. Polly, by deed from Thomas Leo Beehan, Kathleen Beehan Prezocki, Margaret Ann Beehan, and Eileen Theresa Beehan of record as Instrument No. 20060901-0108357, Register's Office for Davidson County, Tennessee. Bank of America, N.A. has resigned as Trustee per the attached. A Certificate of Trust is also attached.

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 Grantors Ground Lease and any extension thereof, and 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 Grantors Ground Lease including payment of all real estate taxes assessed against both land and buildings. The attached copy of a resolution of the Board of Directors of St. Henry Property Development, Inc. is incorporated herein as Exhibit B to this instrument.

This conveyance is subject to the current year's taxes, and subsequent years; The Plan, with Owner's Certificate, of record shown as Exhibit "B" to the Master Deed and By-Laws in Book 6933, Page 927, 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 thereof. Non-disturbance Agreement of record in Book 7306, Page 289, said Register's Office. Subject to terms and conditions of Ground Lease by and between James D. Nicdergeses, Bishop of the Diocese of Nashville and St. Henry's Property Development, Inc., of record in Book 6922, Page 282, said Register's Office. Easement for sanitary sewer and/or storm drainage of record in Book 4191, page 157, said Register's Office. The provisions of the condominium Master Deed of record in Book 6933, Page 927, Book 7404, Page 766, Book 7590, Page 273, Book 9269, Page 285, Doc. No. 20020109-0003376, 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, liens and other matters.

This is improved property known as 291 Cana Circle, Nashville, Tennessee, 37205.

EXHIBIT B

RESOLUTION

WHEREAS, the Master Deeds for The Cloister at St. Henry provide at Section 18(d) circumstances under which a unit owner may sell his unit to the developer, St. Henry Property Development, Inc. ("S.H.P.D.") for 80% of appraised fair market value; and,

WHEREAS, a question has arisen regarding whether or not S.H.P.D. may on the death of a unit owner compel the succeeding owners to sell to S.H.P.D. at 80% of appraised fair market value; and,

WHEREAS, S.H.P.D. has never intended to compel any owner to sell to it at 80% of appraised fair market value; and,

WHEREAS, S.H.P.D. understands that Section 18(d) does not grant it any right to compel such a sale at the death of an owner or otherwise;

NOW, THEREFORE, Be It:

RESOLVED, that for the purpose of clarifying interpretation of the Master Deeds' Section 18(d) and with express understanding that prospective unit purchasers of The Cloister at St. Henry will rely on the statements in this resolution, S.H.P.D. declares that it will not under any circumstances compel any unit owner to sell a unit to S.H.P.D. at 80% of appraised fair market value, but will purchase units at 80% of appraised fair market value upon request of a unit owner provided such unit owner has fully complied with all pre-requisites to the obligations of S.H.P.D. as provided in Section 20(d).

Resolution unanimously adopted by Board of Trustees for St. Henry Property Development, Inc. at its regular monthly meeting on Wednesday, March 6, 1985.

Karol F. Grace
Board Member and Secretary.

Apr-11-2003 1:41PM Wilkins & Ivey (D'Wood) No.7103 P. 5
Received Tue Apr 11 2:12PM

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR
PRINTING IN THIS DOCUMENT
UNSATISFACTORY WHEN RECEIVED

TRUST UNDER WILL OF LEAH BERG SHYER

FBO ANN S. POLLY

RESIGNATION OF TRUSTEE

U.S. Trust, Bank of America Private Wealth Management, by its authorized officer, hereby resigns as a Successor Co-Trustee of the Trust under the Will of Leah Berg Shyer for the benefit of Ann S. Polly, and assigns all of its right, title and interest in the Trust as its Trustee to Ann S. Polly and Regina Haggard as Co-Trustees of the Trust.

Ann S. Polly and Regina Haggard sign below to evidence their acceptance of the resignation of U.S. Trust, Bank of America Private Wealth Management, as a Trustee.

Dated: August 5, 2009

U.S. Bank, Bank of America Private Wealth Management Ron Grimes

By Ron Grimes Vice President
Name **Title**

Dated: ~~August~~ Aug 14, 2009

Ann S. Polly
Ann S. Polly

Dated: August 14, 2009

Regina Haggard
Regina Haggard

State of Arkansas
County of Ouachita
I hereby certify that this instrument was FILED FOR RECORD and is RECORDED on the DATE and TIME and in the BOOK and PAGE as stamped hereon.

DATE: 10/28/2009 TIME: 9:55a

INSTRUMENT NUMBER: D-2009-2136

BOOK: D188 PAGE: 431

BETTY WILSON
Recorder of Ouachita County

BY: Shirley Gilbert
Deputy Clerk

SEAL OF CIRCUIT COURT OUACHITA COUNTY, ARKANSAS

BOOK D188 PAGE 432

D-2009-2136

FILED
2009 OCT 28 AM 9 55
OUACHITA COUNTY, ARK
BETTY WILSON
CIRCUIT CLERK

APPOINTMENT OF SUCCESSOR CO-TRUSTEE OF IRREVOCABLE TRUST BY CONSENT OF QUALIFIED BENEFICIARIES

T.C.A. § 35-15-704

THE TRUST UNDER WILL OF LEAH BERG SHYER FBO ANN S. POLLY

In accordance with Tenn. Code Ann. § 35-15-704, the undersigned, constituting all of the qualified beneficiaries of the Trust under the Will of Leah Berg Shyer for the benefit of Ann S. Polly, with U.S. Trust, Bank of America Private Wealth Management, and Ann S. Polly as current Trustees (the "Trust"), upon the consent of all the qualified beneficiaries, and upon notice that U.S. Trust, Bank of America Private Wealth Management, is resigning as Trustee, hereby appoint Regina Haggard as a Co-Trustee to fill the vacancy caused by the resignation of U.S. Trust, Bank of America Private Wealth Management.

Regina Haggard signs below to evidence her acceptance of the office of Co-Trustee.

Dated: August 14, 2009 Ann S. Polly
Ann S. Polly, Qualified Beneficiary & Co-Trustee

Dated: August 20, 2009 Regina Haggard
Diann Shyer Polly, Qualified Beneficiary

By: Ann S. Polly
Ann S. Polly, Co-Conservator

By: Regina Haggard
Regina Haggard, Co-Conservator

Dated: August 14, 2009 Regina Haggard
Regina Haggard, new Co-Trustee

SEAL OF THE CIRCUIT COURT NEVADA COUNTY, ARKANSAS

State of Arkansas—County of Nevada
I hereby certify that this instrument was FILED FOR RECORD and is RECORDED on the DATE and TIME and in the BOOK and PAGE as stamped hereon.
DATE: 10-19-09 TIME: 11:00 A.m.
BOOK: 2009 INST.: 1916
RITA REYENGA, Recorder of Nevada County
By: Pat Marbury Deputy Clerk

BOOK D188 PAGE 431

THIS DOCUMENT PREPARED BY:

JEFFREY MOBLEY
Howard & Mobley, PLLC
200 31st Ave., North Suite 100
Nashville, Tennessee 37203
(615) 627-4444

CERTIFICATE OF TRUST

TRUST UNDER WILL OF LEAH BERG SHYER FBO ANN S. POLLY

The undersigned Trustees, pursuant to Tennessee Code Annotated Section 35-15-1013, declare under oath that the following is a summary of the information and provisions contained in, and is intended to serve as evidence of the existence and validity of, a certain irrevocable trust called The Trust under the Will of Leah Berg Shyer for the benefit of Ann S. Polly (the "Trust").

1. **Existence of Trust.** The Trust is currently in existence. The Trust came into existence by the duly-probated Last Will and Testament of Leah Berg Shyer dated September 2, 1992, after her death in 1995. Said Will was probated in Davidson County, Tennessee, on February 27, 1995, under docket # 95P351, Probate Clerk's Office.

2. **Trustor, Currently Acting Trustee, and Successor Trustees.** The name of the Trustor is Leah Berg Shyer, deceased. The name of the currently acting Trustees are Ann S. Polly and Regina Haggard.

3. **Administrative and/or Managerial Powers of Trustee.** The Trustee may exercise all of the powers that trustee may exercise under the Uniform Trust Code as adopted in Tennessee in Title 35, Chapter 15, of the Tennessee Code.

4. **Irrevocability.** The Trust is irrevocable. No person has the power to revoke the Trust.

5. **Signature Authority of Multiple Trustees or Multiple Successor Trustees.** Multiple Trustees are to serve jointly and the signatures of all then-serving Trustees are required in order to exercise the powers of the Trustee.

6. **Proof of Succession of Successor Trustees.** The Trust does not designate a successor Trustee.

7. **Trust Identification Number.** The identification number of the Trust is 61-6230343.

8. **Title to Trust Assets.** The assets of the Trust should be titled in the name of Ann S. Polly and Regina Haggard, Trustees of The Trust U/W/O Leah Berg Shyer FBO Ann S. Polly.

9. Trustees' Statement Regarding Revocation, Modification, or Amendment. To the best of the Trustees' knowledge, the Trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this Certificate of Trust to be incorrect.

Dated: August 14, 2009

Ann S. Polly

Ann S. Polly

Dated: August 14, 2009

Regina Haggard

Regina Haggard

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 Ann S. Polly, Trustee, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person executed the within instrument for the purposes therein contained.

WITNESS my hand and seal, at office, this 14th day of August, 2009.

My Commission Expires: DIANNE JAYNES STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAY 8, 2012

Dianne Jaynes
Notary Public

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 Regina Haggard, Trustee, the bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that such person executed the within instrument for the purposes therein contained.

WITNESS my hand and seal, at office, this 14th day of August, 2009.

My Commission Expires: _____

Dianne Jaynes
Notary Public

DIANNE JAYNES STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY, TENN. My Commission Expires MAY 8, 2012