BEING THE SAME PROPERTY CONVEYED TO J. H. FERGUSON AND WIFE VIVIAN C. FERGUSON BY DEED FROM FRANK M. DRAKE, JR. AND WIFE OF RECORD IN BOOK 879, PAGE 100, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE, AND THE SAID J. H. FERGUSON HAVING SINCE DIED.

THE SAID EDWARD E. SCHIEL, FURTHER AVERS THAT THE SAID CONTRACT OR PURCHASE PRICE HAS A BALANCE OF $11.00 WHICH HAS NOT BEEN PAID, AND THAT LESS THAN ONE YEAR SINCE THE WORK WAS COMPLETED AND THE MATERIALS FURNISHED, THAT THE SAID MRS VIVIAN C. FERGUSON, HAS FAILED TO PAY THE BALANCE OF CONTRACT OR PURCHASE PRICE FOR THE WORK OR MATERIAL, NAMELY $11.00, EDWARD E. SCHIEL, AVERS THAT THE CLAIM IS JUST, DUE AND OWING HIM, AND THAT THERE ARE NO CREDITS DUE SAME, AND THAT HE HEREBY CLAIMS HIS MATERIAL AND MECHANICS LIENS AGAINST THE ABOVE DESCRIBED LAND, TO SECURE THE PAYMENT OF THE BALANCE DUE ON CONTRACT OR PURCHASE PRICE, NAMELY $11.00.

AND FURTHER THIS DEPONENT SAITH NOT,

EDWARD E. SCHIEL

SWORN AND SUBSCRIBED BEFORE ME, THIS 31ST DAY OF MAY, 1941.

(SEAL) J. D. WILLIAMS,
NOTARY PUBLIC.

MY COM. EXPIRES: JAN. 5, 1944.

RECEIVED MAY 31, 1941, AT 11:20 A.M.

FH

I declare [illegible] ...ormed by the instrument with [illegible] ...ction thereof and charge of the [illegible] ...6th day of Sept. 1942
Attest: [illegible]

NUMBER 61393 RECORDED JUNE 17, 1941

M.D. COHEN NO. 57094

VS

MRS. ANNE C. O'BRIEN ET AL

CERTIFIED COPY OF DECREE

DECREE MINUTE BOOK 149 PAGE 196 MAY 15 1941.

IN PART 1, CHANCERY COURT DAVIDSON COUNTY, TENN

M.D. COHEN

VS NO 57094

MRS. ANNE C. O'BRIEN, ET AL

IN THE CHANCERY COURT
PART ONE
DAVIDSON COUNTY, TENN

DECREE

THIS CAUSE SAME ON TO BE HEARD BEFORE THE HONORABLE THOMAS A. SHRIVER, CHANCELLOR, UPON THE PLEADINGS, THE ANSWER OF THE GUARDIAN AD LITEM, THE TESTIMONY IN OPEN COURT, UPON THE STIPULATION FOR ORAL HEARING, AND UPON THE STATEMENT OF THE GUARDIAN AD LITEM, FROM ALL OF WHICH IT APPEARS TO THE COURT THAT THE COMPLAINANT, M.D. COHEN, IS ENTITLED TO THE RELIEF SOUGHT BY HIS BILL, AND SHOULD HAVE A DECREE FOR THE FORECLOSURE OF THE PROPERTY HEREINAFTER DESCRIBED.

NEVERTHELESS, IT APPEARING FROM THE STATEMENT SAID M.D. COHEN IN OPEN COURT, THE STATEMENT OF THE DEFENDANT, MRS. ANNE C. O'BRIEN, AND THE STATEMENT OF

45780 MARSHALL & BRUCE CO. NASHVILLE

THE GUARDIAN AD LITEM THAT ALL THE PARTIES ARE DESIROUS OF PRESERVING TO THE INFANT DEFENDANTS THEIR EQUITY IN THE PROPERTY SO FAR AS IT IS PRACTICABLE;

AND IT APPEARING TO THE COURT THAT THE DEFENDANT, MRS. ANNE C. O'BRIEN, IS DESIROUS OF PURCHASING THE PROPERTY HEREINAFTER DESCRIBED, AT THE FORECLOSURE SALE, IN ORDER TO IMPROVE THE SAME AND PROVIDE A HOME FOR THE INFANT DEFENDNATS, WHOSE MOTHER SHE IS; AND IT APPEARING THAT THE COMPLAINANT IS WILLING THAT SHE MIGHT PURCHASE SAID PROPERTY FOR TERMS WHICH HAVE ALREADY BEEN AGREED UPON BY THE PARTIES, TO WIT, THE SUM OF $580.00; AND IS APPEARING TO THE COURT THAT IT IS FOR THE BEST INTEREST OF THE MINOR CHILDREN THAT THIS BE DONE;

IT IS, THEREFORE, BY THE COURT ORDERED, ADJUDGED AND DECREED THAT THE COMPLAINANT HAVE AND RECOVER OF THE INFANT DEFENDANTS AND MRS. B.M. FERGUSON AND LUCIAN J.O'BRIEN, THE SUM OF $580.00, AND THAT, TO SECURE THE PAYMENT OF THE SAME, THE PROPERTY HEREINAFTER DESCRIBED BE SOLD BY THE CLERK AND MASTER.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THIS SALE BE MADE TO THE DEFENDANT, MRS. ANNE C. O'BRIEN , FOR THE SUM OF $580.00, SAME TO BE PAID THREE HUNDRED FIFTY AND NO/100 DOLLARS IN CASH, AND THE BALANCE IN MONTHLY NOTES, PAYABLE MONTHLY, COMMENCING THIRTY (30) DAYS AFTER THE PAYMENT OF THE SAID $350.00, AT THE RATE OF $6.00 PER MONTH UNTIL PAID. SAID NOTES WILL BE SECURED BY A LIEN ON THE PROPERTY DESCRIBED HEREINAFTER AS TRACT NO.2, BUT NO ANY LIEN UPON TRACT NO.1. SAID SALE WILLBE IN BAR OF THE EQUITY OF REDEMPTION, FREE OF ALL RIGHTS OF HOMESTEAD.

THE PROPERTY HEREIN FORECLOSED AND ORDERED TO BE SOLD TO THE DEFENDNAT, MRS. ANNE C. O'BRIEN, IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT NO.1 :

LOT NO.73 OF THE PLAN OF MAPLEWOOD HEIGHTS SUBDIVISION, A PLAN OF WHICH IS OF RECORD IN BOOK 547 PAGE 77, R.O.D.C. TENNESSEE.

SAID LOT NO.73 FRONTS 100 FEET ON THE WEST SIDE OF SAUNDERS AVENUE AND RUNS BACK BETWEEN PARALLEL LINES, 300 FEET TO A DEAD LINE.

TRACT NO.2:

LOT NO.96 ON THE MAP OF MAPLEWOOD HEIGHTS SUBDIVISION, A PLAN OF WHICH IS OF RECORD IN BOOK 547, PAGE 77, R.O.D.C., TENNESSEE.

SAID LOT NO.96 FRONTS 100 FEET ON THE EAST SIDE OF EDWARDS AVENUE AND RUNS BACK BETWEEN PARALLEL LINES, 300 FEET TO A DEAD LINE.

SAID LOTS NOS.73 AND 96 ARE A PART OF THE SAME LOTS CONVEYED TO M.D.COHEN BY DEED FROM J.E. SAUNDERS ET AL, AS OF RECORD IN BOOK 679 PAGE 729 R.O.D.C., TENNESSEE.

UPON THE PAYMENT INTO COURT BY MRS. ANNE C. O'BRIEN, OR BY HER PAYMENT TO THE COMPLAINANT, M.D. COHEN, OF THE SUM OF $350.00, WITH PROPER ACKNOWLEDGEMENT MADE BY THE SAID M.D. COHEN OF THE RECEIPT WHEREOF TO THE CLERK AND MASTER, AND THE EXECUTION OF THE NOTES AS PROVIDED HEREIN, THE CLERK AND MASTER WILL EXECUTE TO THE DEFENDANT, MRS. ANNE C. O'BRIEN, AT HER REQUEST, A DEED TO THE PROPERTY HEREINDESCRIBED, OR WILL FURNISH HER WITH A CERTIFIED COPY OF THIS DECREE TO BE USED AS HER MONUMENT OF TITLE.

THE DEFENDNAT, MRS. ANNE C.O'BRIEN, WILL PAY THE COSTS OF THIS CAUSE,