DECREE ENTERED IN MINUTE BOOK 191, PAGE 49, AUGUST 7, 1964

IN PART I OF THE CHANCERY COURT AT NASHVILLE, TENNESSEE

GEORGE T. HICKS)

VS.) RULE NO. 83989

MARY HICKS PROCTOR)

D E C R E E

This cause came on to be heard on this 7th day of August, 1964, before the Honorable Ned Lentz, Chancellor, on the entire record in the cause, and especially upon the decree of sale made by this Court on May 5, 1964, and the report of sales made by the Clerk & Master filed herein on July 28, 1964, which report is in words and figures as follows:

TO THE CHANCELLOR:

By a decree entered in this cause at the April Term, 1964, at page 479 of Min. Book No. 190 the Clerk and Master was ordered to sell upon the terms hereinafter set out, the following described property, to wit:

PARCEL NO. 1

FIRST TRACT:

A tract of land in the 10th, formerly the 22nd, Civil District of Davidson County, Tennessee, being the northeast corner of lot No. 4 and the northwest corner of lot No. 5 on the Plat showing partition of the lands of Isaac Newland, deceased, as of record in Minute Book "J", page 182, Circuit Court for said County, the northwest corner of said Lot No. 5 being also the northwest corner of lot No. 6 on the Plan of David Hays Property, of record in Book 39, page 546, Register's Office for said County, described as follows:

Beginning at a point on the northern line of said Lot No. 5, being 1176 feet westerly from the northeast corner of said lot No. 5; and running thence north 86 degrees west, with the northern line of said lot No. 5, 589 feet to the northwest corner of said Lot No. 5, being also the northeast corner of said lot No. 4; thence north 86 degrees west 100 feet to a point; thence south 86 degrees west 100 feet to a point in the northern line of said lot No. 4; thence south 80 degrees west 188 feet to a point; thence south 4 degrees west 108 feet; thence south 15 degrees west 100 feet; thence south 53 degrees west 100 feet; thence south 55 degrees west 100 feet; thence south 15 degrees west 100 feet; thence south 20 degrees west 136 feet to a branch, said branch or creek being along the northern boundary line of a tract of 129 acres of land conveyed to A. Kirshner by deed from R. H. DuRard and wife, of record in book 564, page 194, said Register's Office; thence with the meanders of said branch, south 63 degrees east 18 feet, south 55 degrees east 104 feet and south 56 degrees east 569 feet to a point in the western

line of said lot No. 5; thence north 78 degrees east 100 feet; thence north 61 degrees east 561 feet to a well; thence north 36 degrees west 181 feet to a rock; and thence north 16 degrees east 508 feet to the beginning, containing 10.06 acres out of the northwest corner of said Lot No. 5 and 8.87 acres out of the northeast corner of said lot No. 4.

SECOND TRACT:

Two tracts of land in the 10th, formerly the 22nd, Civil District of Davidson County, Tennessee, being the southerly part of lots Nos. 1, 2, 3, and 4 and part of lot No. 5 on the Plat showing partition of the lands of Isaac Newland, deceased, as of record in Minute Book "J", page 182, Circuit Court for said County, a plan of said southerly part of lots Nos. 1, 2, 3, and 4 being of record in book No. 421, page 171, Register's Office for said County, and together described, according to a survey made in December, 1936, by W. B. Southgate, Surveyor, and one made May 25, 1938, by John Wilkes, Civil Engineer, as follows:

Beginning in the center of a Creek, South 64 degrees East 400 feet, North 84 degrees East 200 feet, North 74 degrees East 550 feet and North 78 degrees East 1200 feet from the center of Lickton Pike; and running thence with the center of said Creek north 77 degrees east 320 feet, North 86 degrees East 100 feet, South 68 degrees East 265 feet, south 65 degrees East 147 feet, North 77 degrees East 234 feet, North 70 degrees East 263 feet, South 68 degrees East 345 feet; South 63 degrees East 227 feet, South 55 degrees East 104 feet and South 56 degrees East 569 feet to a gate post in the western line of said lot No. 5; thence leaving said Creek North 78 degrees East 100 feet; thence North 61 degrees East 561 feet; thence North 36 degrees West 181 feet; thence North 16 degrees East 508 feet to a point in the Northern line of said Lot No. 5; thence South 86 degrees East with the Northern line of said Lot No. 5, 1176 feet to a stone, the Northeast corner of said lot; thence South 1 degree East, with the Eastern line of said lot 1089 feet to the southeast corner of said lot; thence South 68 degrees West, with the southern line of said lot, 1962 feet to a stone, the southwest corner of said lot; thence South 42 degrees West 530 feet; thence South 15 degrees West 198 feet; thence South 8 degrees West 132 feet; thence South 21 degrees West 241 feet; thence South 28 degrees West 289 feet to a stone and elm, the extreme southeast corner of said Lot No. 4; thence North 83 degrees West 1288 feet; thence North 87 degrees West 598 feet to a stake and pointers the southwest corner of said lot No. 1; thence with the western line of said Lot No. 1, North 4½ degrees east 900 feet, North 1½ degrees E. 300 ft. N. 5 degrees E. 300 ft., North 6 degrees East 300 feet, North 1 degree East 100 feet and North 566 feet to the beginning, containing in all 180 acres, more or less.

All of the above is described in the deed from L. E. Stephens and wife to George T. Hicks and Mary Hicks Proctor and recorded in Book 3165, page 48, Register's Office of Davidson County.

PARCEL NO. 2

Certain land lying and situate in Davidson County, Tennessee, and described in deed from George H. Buquo and wife, Gertrude B. Buquo, to the parties hereto, dated November 2, 1954, and

recorded in Book 2304, page 399, Register's Office, Davidson County, Tennessee, as two tracts (which adjoin, and constitute, in fact, a single tract of land), as follows:

TRACT NO. 1:

Being Lot No. 5 and parts of Lots Nos. 3 and 4 on the map of the Plumlee Farm on River Road, not of record, and shown on a copy of a survey made by John Wilkes, Civil Engineer, December 17, 1938, as follows:

Beginning at a point in the east margin of a road running through Lot No. 4 in the intersection of the north line of River Road, said point being 203 feet west of the common corner of Lots 3 and 4, as measured around the north margin of River Road; thence northeastwardly 384 feet to a point on the easterly margin of said road where the same crosses the lines of Lots 3 and 4, said point being marked by an iron pin; thence with the east margin of said road, north 25 degrees east 228 feet to an iron pin, and continuing with the east margin of said road, parallel to the boundary line of Lot 3, north 5 degrees east 100 feet to an iron pin, north 26 degrees west 140 feet to an iron pin on the margin of said road, and in the original line of Lots 3 and 4; thence with the original boundary line of Lots 3 and 4, north 5 degrees east 920 feet to a stake in the low water mark of Cumberland River, the common corner of Lots 3 and 4; thence westerly with the low water mark of said river, 691 feet more or less to the common corner Lots 4 and 5 and continuing with the low water mark of said river, north 79 degrees west 450 feet to the corner of Lots 5 and 6; thence with the line between said lots, south 3-3/4 degrees west 1900 feet to a stake in the north margin of said River Road; thence with the margin of said road, south 87½ degrees east 450 feet to the corner of Lots 4 and 5, and continuing in the same direction, along the margin of River Road, easterly, 60 feet to a turn in the same; thence with the margin of said road, south 80½ degrees east 190 feet more or less, to the beginning.

TRACT NO. 2:

Being a narrow strip of land which is part of Lot No. 4 on the map of the Plumlee Farm on River Road, not of record, and described according to a survey made by T. R. Sanford, Surveyor, August 11, 1952, as follows:

Beginning at a point on the north margin of River Road, at the southeast corner of a tract of land conveyed to Owen L. Daniel and wife by deed from H. C. Cole and wife, of record in Book 1847, page 367, Register's Office for said County, said point also being on the east margin of a private road running north from River Road through Lot No. 4 and other lots on said plan; thence along the west boundary line of the property conveyed to Daniel as aforesaid northeasterly 427 feet more or less to a point on the south margin of said private road where the same crosses the line between Lots 3 and 4 on said plan; thence along a fence line, south 30 degrees 14' west 154 feet to a point, and continuing with said fence, south 0 degrees 48' east 12 feet to a point; thence south 34 degrees 39' west 263 feet, more or less, to the beginning.

Included in the above, but to be excluded therefrom, is the following:

Beginning at a point on the northerly margin of River Road at the southwest corner of the property conveyed to Robert L. Johnson and wife, by deed from Roy T. Pierce and wife, of record in Book 2302, page 279, Register's Office for said

County; thence with said Johnson's western boundary line, north 34 degrees 39' east 200 feet; thence north 55 degrees 21' west 180 feet; thence south 34 degrees 39' west 286 feet, more or less, to the northerly margin of said River Road; thence with same south 80 degrees 30' east 200 feet, more or less, to the beginning.

Being part of the real property conveyed to Mary Hicks Proctor and George T. Hicks by deed from George H. Buquo and wife, dated November 2, 1954, filed November 8, 1954, and recorded in Book 2304, page 399, said Register's Office.

In obedience to said order, I respectfully report that I advertised, for the required time, in the Nashville Record a newspaper published in the city of Nashville, stating that at the south door of the Courthouse in Nashville, at 12 o'clock Noon on Thursday, July 23, 1964, I would sell said above described property upon said terms at which time and place I attended and offered the same, when said property was fairly struck off and sold as follows: Tract #1 to Mary Hicks Proctor for $16,100.00. Tract #2 to Mary Hicks Proctor for $21,100.00. The purchaser being the owner of a 1/2 interest was required to deposit in the hand of the Clerk and Master $21,500.00 to comply with her bids, which I accepted subject to the approval of the Court.

Respectfully submitted,
JAS. E. COVINGTON, CLERK AND MASTER
BY L. S. Cato, D. C. & M.

Filed July 28, 1964.

and said report having been on file more than five days and being unexcepted to, is by the Court, on motion of the complainant, in all things ratified, approved and confirmed.

It is, therefore, ordered, adjudged and decreed by the Court that all the right, title and interest of the complainant, George T. Hicks, in and to the tracts and parcels of real estate described in the said report and therein shown to have been sold to to the defendant be, and the same hereby is, divested out of him and vested in the defendant, Mary Hicks Proctor, the purchaser thereof at the said sales held as shown in said report, as indefeasible inheritances in fee simple forever, but subject to the liens of all 1964 taxes.

Upon application by the defendant, Mary Hicks Proctor, the Clerk & Master will execute, acknowledge for registration, and deliver to the said Mary Hicks Proctor, deed conveying said two parcels of land to her, as aforesaid, or furnish her a certified copy of this decree as a muniment of title, at her election, upon her paying to the Clerk & Master the legal fees for such deed or certified copy of decree.

Upon application of complainant, the Court finds that this is a proper case in which to order the fees of solicitors for the complainant and for the defendant to be paid out of the proceeds of the sales. It is, therefore,

Further ordered, adjudged and decreed by the Court that the fees of Norman R. Minick, solicitor for the complainant, and Stanley M. Chernau, solicitor for the defendant, are hereby fixed in the following respective amounts: $1600.00 as the fee for complainant's solicitor, and $900.00 as the fee for defendant's solicitor, and which fees the Court finds to be reasonable, and same shall be taxed as a part of the costs of this cause.

The costs of this cause shall be paid one-half by the complainant, George T. Hicks, and one-half by the defendant, Mary Hicks Proctor.

There shall be paid by the Clerk & Master to the complainant, George T. Hicks, or to his solicitor of record, out of the proceeds of sales in the hands of the Master, the sum of $18,600.00, less one-half of the costs of this cause.

There shall be paid by the Clerk & Master to the defendant, Mary Hicks Proctor, or to her solicitor of record, the balance of the proceeds of sales in the hands of the Master, after deducting from such balance the one-half of the costs of this cause taxed against the defendant.

O. K. for entry:

NORMAN R. MINICK
Solicitor for Complainant,
George T. Hicks

STANLEY M. CHERNAU
Solicitor for Defendant,
Mary Hicks Proctor

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I, JAS. E. COVINGTON, Clerk and Master of the Chancery Court of Davidson County, Tennessee, do hereby certify that the foregoing is a full, true and correct copy of the decree entered the 7th day of August, 1964, in Minute Book 191, page 49, in the cause wherein GEORGE T. HICKS is Complainant and MARY HICKS PROCTOR is Defendant, Rule No. 83989, as the same appears of record and now on file in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Court at my office in the Courthouse at Nashville, Tennessee, this the 27th day of August, 1964, and 189th year of American Independence.

JAS. E. COVINGTON, CLERK AND MASTER

BY L. A. Cato.
Deputy Clerk and Master

STATE TAX $ 2.70
PROBATE .50
TOTAL $ 3.20

AUG 28 1964

R. E. WORRALL
COUNTY COURT CLERK
DAVIDSON COUNTY, TENN.

PAID AUG 28 1964
C.T

48199

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY
STATE OF TENN

AUG 28 11 05 AM '64

RECORDED IN BOOK 109 PAGE 798
RECORDING FEE $ 450
DEP. REG. L

4.50

Leo T. Hicks
vs
Mary Hicks Proctor