Book 85-B
Page 1313
To be assigned
P.W.

THE STATE OF TENNESSEE, DEPARTMENT OF HIGHWAYS, DAVID M. PACK, COMMISSIONER, Petitioner	)	No. 75111
AUG 13 MISC	)	BOOK 4259 PAGE 133
	)	A* 6.00 * 6.00
v.	)	IN THE THIRD CIRCUIT
	)	COURT OF DAVIDSON
MADISON SUBURBAN UTILITY DISTRICT, Defendant	)	COUNTY, TENNESSEE

JUDGMENT

This is a condemnation case filed by the petitioner pursuant to the provisions of Chapter 216 of the Public Acts of 1959. The case is submitted to the court for approval of a compromise.

Upon the deposition filed and the entire record the court finds the following facts:

1. The defendant Madison Suburban Utility District is the owner of the fee.

2. The taking is for a public use.

3. On July 8, 1964 when the petition was filed, the petitioner deposited One Thousand Five Hundred Fifteen Dollars ($1,515.00). On March 14, 1967 the petitioner deposited an additional One Hundred Thirty-five Dollars ($135.00), making a total deposit of One Thousand Six Hundred Fifty Dollars ($1,650.00).

4. The parties have agreed that the value of the land taken and incidental damages to the remainder, if any, is One Thousand Six Hundred Fifty Dollars ($1,650.00).

It is therefore ORDERED, ADJUDGED, and DECREED:

1. The defendant Madison Suburban Utility District shall have and recover of the petitioner the total sum of One Thousand Six Hundred Fifty Dollars ($1,650.00) for the property taken and incidental damages to the remainder. This judgment has been fully satisfied by the petitioner.

2. All the title to the following described property hereby is divested out of the defendant and is vested in the State of Tennessee for the use and benefit of the Department of Highways as an indefeasible inheritance in fee simple, forever, said property being more particularly described as follows:

> Land in the Eleventh Civil District of Davidson County, Tennessee, and being part of Lot No. 1 on the Plan of lots layed off for Charles O. DuBois on Halls Lane, now Old Hickory Boulevard by William L. Bratten, and more particularly described as follows:
>
> Parcel No. 1:
> Beginning at a point in the southwest corner of the lands of Madison Suburban Utility District and runs with Alvin E. Boyd's east boundary line north 23 degrees 03 minutes 10 seconds east, 228 feet to a point; thence

south 17 degrees west, 120 feet to a point; thence south 65 degrees 45 minutes east, 182 feet to a point in Ray Bogle's west boundary line; thence with said boundary line south 8 degrees 38 minutes 40 seconds west, 110 feet to a point in the north margin of Old Hickory Boulevard, thence with said margin westerly 220 feet to the point of beginning, containing 0.52 acres, more or less.

Said above described land is to be used for the construction of a controlled access highway and all right of ingress or egress to, from and across the same to and from abutting lands is hereby condemned.

Parcel No. 2:
Beginning at a point in the north corner of the lands of the Madison Suburban Utility District and runs with their east boundary line south 8 degrees 38 minutes 40 seconds west, 630 feet to a point; thence north 2 degrees 30 minutes west, 230 feet to a point; thence northeast 50 feet to a point 20 feet left of centerline station 8 plus 50 of the proposed access road; thence north 8 degrees 38 minutes 40 seconds east, 210 feet to a point in Alvin E. Boyd's east boundary line; thence with said boundary line north 23 degrees 03 minutes 10 seconds east, 150 feet to the point of beginning, containing 0.39 acres, more or less.

Parcels Nos. 1 and 2 are parts of the same land conveyed to Madison Suburban Utility District of Davidson County, Tennessee, by deed from the Lakewood Water Company of record in Book 1129, page 11, Register's Office of Davidson County, Tennessee.

3. The costs are taxed against the petitioner.

s/ Don R Binkley Jud
DON R. BINKLEY, JUDGE

APPROVED FOR ENTRY:

James C. Dale, Jr.
Attorney for defendant

Howell & Fisher
(Douglas M. Fisher)
Attorneys for petitioner

IDENTIF. REFERENCE →

AUG 13 10 42 AM '68
FELIX Z. WILSON CLERK & REGISTER
DAVIDSON COUNTY, TENN.

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Of record in Minute Book 85-B, page 1313, Third Circuit Court of Davidson County, Tennessee

STATE OF TENNESSEE

George L. Rucker
I, ~~ALF RUTHERFORD~~, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* State of Tennessee, *Plaintiff, and* Madison Suburban Utility District *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 9th *day of* August *in the year one thousand nine hundred and* sixty-eight *and in the* 193rd *year of American Independence.*

George L. Rucker
~~ALF RUTHERFORD~~, *Clerk.*

By George Mc[illegible], *D. C.*