M. & P. # 103-16-31

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IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE,	)	
Petitioner,	)	
vs.	)	No. B-10535
LYDA HELEN ROBERTSON, TRUSTEE, et al.,	)	
Respondents.	)	

FINAL ORDER

It appearing to the Court, as evidenced by the signatures of the parties below, that the parties having appeared in this cause have reached an agreement as to the fair market value of the condemned property described below and as to the rights of the party respondents in this cause; and it appearing to the Court that Respondent Stafford is before the Court by publication; and it appearing that the parties agree that the Trustee of the aforementioned property, Theodore Hudson, Successor to Lyda Helen Robertson, is entitled to Forty-one Thousand Five Hundred ($41,500.00) Dollars), Thirty-seven Thousand Five Hundred ($37,500.00) Dollars of which was previously withdrawn, such being the fair market value of the land and improvements taken; and it further appearing that said amount is fair and reasonable and, therefore, approved by the Court,

It is, therefore, ORDERED and ADJUDGED by the Court that all of the title to the following described property be and the same is hereby divested out of the

Respondent Theodore Hudson and all other persons claiming an adverse interest therein and hereby is vested in The Metropolitan Government of Nashville and Davidson County, Tennessee, as an indefeasible inheritance in fee simple forever, said property being more particularly described as follows:

> Being Lot No. 6 on the plan of the Rainbow Subdivision of the Harding Pike and runs back between parallel lines, with the westerly margin of Whitland Circle, 175 feet to the northerly line of Lot No. 8 on said plan.
> Being property vested in Lyda Helen Robertson, Trustee for Mary Louise George and Betty Jean Thornton under the Will of Irene Gertrude Thornton of record in Will Book 75, page 481, Probate Court of Davidson County, Tennessee.

It further appearing to the Court that the property hereinabove described may be subject to a lien for taxes due, interest and penalty, if any, owing to The Metropolitan Government of Nashville and Davidson County, Tennessee, on August 29, 1972, in accordance with Sections 26-711 and 26-712, Tennessee Code Annotated, and the Clerk of the Court, prior to the payment of any part of the judgment to Respondents, shall ascertain if there are any taxes due and unpaid to The Metropolitan Government of Nashville and Davidson County, Tennessee, which are a lien upon said real estate, and shall issue to each of the officials charged with the collection of any tax which might be a lien on said property a statement, giving the style and number of the cause, a description of the property, and the name of the party or parties out of whom title is divested; whereupon each of said officials shall certify to said Clerk an itemized statement of the taxes, interest and penalty, if any, that were a lien upon said land as of August 29, 1972.

It is, therefore, ORDERED, ADJUDGED and DECREED and the Clerk is directed to pay out of the money deposited by the condemnor all unpaid taxes that may be determined to be owing by the above references, and the Clerk shall pay any remaining funds over to the Respondent Theodore Hudson, Substitute Trustee for Lyda Helen Robertson.

It is further ORDERED, ADJUDGED and DECREED by the Court that the costs of this cause be and the same are hereby taxed against the Petitioner, for which execution may issue, if necessary.

Entered this 26th day of August, 1974.

James H. Rutgart
Judge

APPROVED FOR ENTRY:

DEPARTMENT OF LAW OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

By _____
Peter H. Curry
Metropolitan Attorney

_____
Attorney for MARY LOUISE GEORGE, FELIX GEORGE, and THEODORE HUDSON, TRUSTEE

_____
Attorney for JAMES B. TURNER, Agent for KANSAS CITY LIFE INS. CO.

_____
Attorney for LYDA HELEN ROBERTSON

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IDENTIF. REFERENCE

SEP 17 10 28 AM '74

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SEP 17 MISC A* 8.00 * 8.00

STATE OF TENNESSEE

Minute Book 14B
page 712

I, GEORGE L. ROOKER, *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* The Metropolitan Government of Nashville & Davidson County *Plaintiff, and* Lyda Helen Robertson, Tr., et al *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* 16th *day of* September *in the year one thousand nine hundred and* Seventy-four *and in the* 199th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By D. Lackey, *D. C.*