DECREE ENTERED SEPTEMBER 27, 1974--MB. 90, PAGE 790
IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE, PART II

90-15
154
PW

COMMERCE UNION BANK	§	
	§	
VS.	§	NO. A3154
	§	
CHARLES BURKLOW, ET UX, ET AL	§	BOOK 4858 PAGE 515

ORDER

This cause came on to be heard before the Honorable C. Allen High, Chancellor holding the Chancery Court, Part II, at Nashville, Davidson County, Tennessee, upon the report of the Clerk and Master of the sale of the real estate which is the subject of this suit, the Motion of the purchaser, Commerce Union Bank, to confirm the report of the Clerk and Master, and the entire record. Said report of the Clerk and Master is in words and figures as follows:

(Here copy report of the Clerk.)

and, it appearing that said report has been on file more than five (5) days, and is unexcepted to, said report is confirmed.

IT IS THEREFORE, ORDERED AND DECREED by the Court that all right, title and interest of the defendant, Charles Burklow, including the right of survivorship in said property which is the subject of this suit and which is described as follows:

> Being Lot No. 1166 on the Plan of Charlotte Park, Section 16, as of record in Book 3300, Page 97, Register's Office for said County.
>
> Said Lot No. 1166 is described as follows: Beginning at a point in the northwesterly margin of Capri Drive, said point being the common front corner of Lots Nos. 1166 and 1167; thence northwestwardly with the line between said two lots, 113 feet to the common corner of Lots Nos. 1166, 1167 and 1165; thence in an eastwardly direction along the line between Lots Nos. 1165, 1166, 131.8 feet to a point in the southwesterly margin of Capri Court; thence in a southerly direction along said margin of Capri Court; thence in a southerly direction along said margin of Capri Court 61.6 feet to a point which is the beginning of a curve to the right; thence southwestwardly around said curve having a radius of 25 feet, a distance of 39.3 feet to a point in the northwesterly margin of Capri Drive; thence northwestwardly along said margin of Capri Drive, 98 feet to the point of beginning.

I hereby swear or affirm that the actual consideration or true value for this transfer, whichever is greater, is $150.00, Affiant H. O. Lamb

Subscribed and sworn to before me this 8th day of October 19 74

Deputy Register J. Nead

Being part of the same property conveyed to Cumberland Valley Builders, Inc. by deed from Consolidated Developments, Inc. of record in Book 3507, Page 209, Register's Office for Davidson County, Tennessee. The name of Cumberland Valley Builders, Inc. has been changed to Hudson and Driver Construction Company by instrument dated July 19, 1963, of record in Book 3588, Page 311, Register's Office for Davidson County, Tennessee.

be divested out of Charles Burklow and be vested in the purchaser, Commerce Union Bank, and the Clerk and Master will make, acknowledge for registration and deliver to the said Commerce Union Bank a deed conveying said land to the banking corporation aforesaid, or will make a duly certified copy of its muniment of title, at its election.

The Clerk will pay the cost of this cause, and other expenses incident to the sale. The balance remaining of said proceeds shall be distributed to the plaintiff in this cause and/or its solicitor, in accordance with the orders of this Court.

All other matters are reserved.

C. Allen Hugh
CHANCELLOR

APPROVED FOR ENTRY:

Herman O. Loewenstein
HERMAN O. LOEWENSTEIN
Attorney for Plaintiff
Commerce Union Bank

CERTIFICATE

I hereby certify that a true and correct copy of the foregoing Order has been sent by U. S. mail, postage prepaid, to the defendants at their last known address: Charles Burklow and wife, Beverly H. Burklow, 443 Capri Drive, Nashville, Tennessee; and Home Federal Savings and Loan Association, Life and Casualty Tower, Nashville, Tennessee. This the 27 day of September, 1974.

Herman O. Loewenstein
HERMAN O. LOEWENSTEIN

Commerce Union Bk

versus

Charles Burklow

BOOK 1858 PAGE 517

To the Chancellor:

By a decree entered in this cause at the April *Term, 19* 74,

at page 9 *of Min. Book No.* 90 *the Clerk and Master was ordered to*

Sell *upon the terms hereinafter set out,*

the following described property, to wit:

(Sell all right, title, and interest including the right of survivorship of the defendant Charles Burklow in the following tract of land)

Being Lot No. 1166 on the Plan of Charlotte Park, Section 16, as of record in Book 3300, Page 97, Register's Office for said County.

Said Lot No. 1166 is described as follows: Beginning at a point in the northwesterly margin of Capri Drive, said point being the common front corner of Lots Nos. 1166 and 1167; thence northwestwardly with the line between said two lots, 113 feet to the common corner of Lots Nos. 1166, 1167 and 1165; thence in an eastwardly direction along the line between Lots Nos. 1165, 1166, 131.8 feet to a point in the southwesterly margin of Capri Court; thence in a southerly direction along said margin of Capri Court; thence in a southerly direction along said margin of Capri Court 61.6 feet to a point which is the beginning of a curve to the right, thence southwestwardly around said curve having a radius of 25 feet, a distance of 39.3 feet to a point in the northwesterly margin of Capri Drive; thence northwestwardly along said margin of Capri Drive, 98 feet to the point of beginning.

Being part of the same property conveyed to Cumberland Valley Builders, Inc. by deed from Consolidated Developments, Inc. of record in Book 3507, Page 209, Register's Office for Davidson County, Tennessee. The name of Cumberland Valley Builders, Inc. has been changed to Hudson and Driver Construction Company by instrument dated July 19, 1963, of record in Book 3588, Page 311, Register's Office for Davidson County, Tennessee.

TERMS OF SALE: Sold subject to any mortgages or prior liens of record, the sale is made on credit of not less than six (6) months nor more than twenty-four (24) months to the highest and best bidder. A note with security bearing interest from date for purchase money and retain a lien.

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 1 o'clock *Noon M., on* Thursday Sept 5, *19* 74,

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* to Commerce Union Bank for 150.00. The purchaser complied by paying 150.00.

Respectfully Submitted;
Rayeman L. Barrett Clerk & Master
By L. D. Cato D.C.

RECORDER'S MEMO:
Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received.

BOOK 4858 PAGE 518

CERTIFICATE OF THE CLERK AND MASTER

STATE OF TENNESSEE)

COUNTY OF DAVIDSON)

I, RAYMOND L. BARRETT, 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 27 day of September, 19 74, in Minute Book 90, Page 790, in the cause wherein COMMERCE UNION BANK, the Plaintiff, Vs. CHARLES BURKLOW, ET UX, ET AL, the Defendants, Rule Number A-3154, 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 8th day of October, 19 74, and 19 9th year of American Independence.

RAYMOND L. BARRETT, CLERK & MASTER

BY Ruth Duncan
Deputy Clerk and Master

C 7 4 1 3 4

IDENTIF. REFERENCE

OCT 8 2 33 PM '74

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

OCT-8 CONV * 150.00
OCT-8 S'TAX A* .26
OCT-8 PB'FEE A* .50
OCT-8 MISC A* 8.00 * 8.76