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M 91-16
P 264

DECREE ENTERED OCTOBER 4, 1974--MB. 208, PAGE 300

W. V. TROXEL SR. ET ALS	)	IN THE CHANCERY COURT OF
	)	DAVIDSON COUNTY, TENNESSEE
VS.	)	PART I
	)	NO. A-2873
MRS. FRANCES TROXEL GRAY ET ALS	)	

DECREE CONFIRMING SALE AND REPORT OF THE CLERK AND MASTER AS AMENDED

This cause came on to be heard this fourth day of October, 1974 before the Honorable Ben Cantrell, upon the whole record in the cause, including the decree of sale and the Master's report made in obedience thereto and the amended report of the Clerk and Master, which report of sale and amended report are as follows:

I hereby swear or affirm that the actual consideration or true value for this transfer, whichever is greater, is $40,000.00. Affiant Leonard Taylor
Subscribed and sworn to before me this 7th day of Nov 1974
Deputy Register W C Williams

NOV-7	CONV	40,000.00			
NOV-7 S'TAX			A*	104.00	
NOV-7 PR'FEE			A*	.50	
NOV-7	W'DEED		A*	12.00	* 116.50

Burger & Jeep Bills
Mrs. Ruby Trapp Mayner
4016 Nebraska Ave
Nashville Tenn 37209

To the Chancellor:

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

at page 470 *of Min. Book No.* 207 *the Clerk and Master was ordered to*

Sell *upon the terms hereinafter set out,*

the following described property, to wit:

A lot or parcel of land in the 11th, formerly the 24th Ward of the City of Nashville, Davidson County, Tennessee, described as follows:

Beginning at the northeast corner of Dakota, formerly Fourth Avenue and 42nd Avenue North, formerly First Street; thence with the northerly margin of said Dakota Avenue, 200 feet; thence northwardly and parallel with the easterly margin of 42nd Avenue North, 150 feet to the southerly margin of an alley; thence with the southerly margin of said alley, westwardly 200 feet to the easterly margin of 42nd Avenue North; thence with the easterly margin of said Avenue, southwardly 150 feet to the beginning.

Being the same property conveyed to Marshall M. Troxel and wife, Lelia E. Troxel by deed from Richard Francis Taylor and wife, of record in Book 1279, page 278, Register's Office for said County. The said Marshall M. Troxel subsequently died. The said Lelia E. Troxel subsequently died intestate, the subject property being inherited by W.V. Troxel, Sr., Stella Troxel Maynard, Frances Troxel Gray, Christine Troxel Eicker, Ruby Troxel Maynor, and Elizabeth Troxel Russell as her only heirs-at-law. The said Christine Troxel Eicker subsequently died intestate, devising her interest in the subject property under the terms of her will, of record in Will Book 108, page 277, Office of the County Court Clerk of Davidson County, Tennessee, to the following: Frances Troxel Gray (as to an undivided 10 per cent interest), Ruby Troxel Maynor (as to an undivided 80 per cent interest); the said Christine Troxel Eicker having died intestate with respect to the subject property, as to an undivided 10 per cent interest (the said undivided 10 per cent interest was inherited by W.V. Troxel, Sr., Stella Troxel Maynard, Frances Troxel Gray, Ruby Troxel Maynor, Gerald Dennis Russell, and Wendell Dean Russell as the only heirs-at-law of the said Christian Troxel Eicker). The said Elizabeth Troxel Russell subsequently died intestate, her interest in the subject property being inherited by Gerald Dennis Russell and Wendell Dean Russell, as her only heirs-at-law, but subject to the right of courtesy in Roy K. Russell.

TERMS OF SALE: Cash To the highest and best bidder.

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 *M., on* Thursday Aug. 15, *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 Ruby Troxel Maynor for $40,000.00. The purchaser complied by paying $40,000.00.

Respectfully Submitted:

Raymond L. Barrow Clerk & Master

By L. D. Cate D.C.&M.

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

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M. V. TROXEL, SR., et al) IN THE CHANCERY COURT
) OF NASHVILLE, DAVIDSON
VS. NO. A-2879) COUNTY, TENNESSEE
MRS. FRANCES TROXEL GRAY, etal) PART

R. A. BARRETT, CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.

FILED
1974 SEP 17 AM 9:03

AMENDED REPORT OF THE CLERK AND MASTER

TO THE CHANCELLOR:

Pursuant to an order of reference entered March 15, 1974 in Minute Book 206, Page 578, I report as follows:

1. Who are the owners of the premises sought to be sold, and the respective rights, titles and interests, of the parties therein, and what share or part belongs to each?

Proof in this matter having been presented by complaint, interrogatories and title letter, the Clerk and Master is of the opinion that the owners of the premises and their respective rights and shares are as follows:

W. V. Troxel, Sr.	1/6
Mrs. Stella Troxel Maynard	1/6
Mrs. Frances Troxel Gray	1/6
Devisees of Mrs. Christine Troxel Eicker.	1/6
Mrs. Rubye Troxel Maynor	1/6
Wendell Russell	1/12
Jerry Russell	1/12
Roy Russell curtesy in	1/6

(See complaint, interrogatory of Mrs. Stella Maynard, and title letter)

2. Whether the premises are so situated that partition thereof cannot be equitably made, or whether they are of such description that it would be manifestly for the advantage of the parties that the same should be sold, instead of partitioned?

Proof in this matter having been presented by complaint, answers and interrogatories, the Clerk and Master is of the opinion that the property is not susceptible to partition in kind and that it would be manifestly in the best

interest of the parties if the property were sold.

(See complaint, answer of Frances Troxel Gray, Christine Troxel Eicker, and Mrs. Rubye Troxel Maynor, and interrogatory of Mrs. Stella Maynard.)

3. Whether there are any encumbrances on the premises not disclosed in the pleadings; and if so, what, and to whom belonging?

Proof in this matter having been presented by title letter, interrogatory and tax reports, the Clerk and Master is of the opinion that there are no encumbrances on the said premises.

(See title letter, interrogatory of Mrs. Stella Maynard and tax reports.)

4. What would be a reasonable minimum price for the premises?

Proof in this matter having been presented by interrogatory and letter from real estate agent, the Clerk and Master is of the opinion that $45,000.00 would be a reasonable minimum price for the premises.

(See interrogatory of Mrs. Stella Maynard and letter from Park Owen of Dobson & Johnson, Inc.)

It is further determined by the Master that Christine Troxel Eicker died testate as to the ten percent (10%) of the property in the residuary clause in her will to be distributed 1/9 to Frances Troxel Gray and 8/9 to Rubye Troxel Maynor.

Respectfully submitted,

RAYMOND L. BARRETT
CLERK AND MASTER

BY James V. Barr III
James V. Barr III
Deputy Clerk and Master

Filed September 17, 1974

xc: Harry Chitwood
Fitzgerald Parker

And said r ports, being unexcepted to, are by the Court, on motion of the complainants, in all things confirmed.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that all the right, title and interest of W. V. Troxel Sr., Mrs. Stella Troxel Maynard, Mrs. Frances Troxel Gray, Mrs. Rubye Troxel Maynor, Wendell Russell, Jerry Russell and Roy Russell, being the parties to this suit, in and to said tract of land in both law and equity be divested out of them and each of them and be vested in the said purchaser Mrs. Rubye Troxel Maynor as an indefeasible inheritance in fee simple forever.

Said purchase money having been paid in full, the Clerk and Master will make, acknowledge for registration and deliver to Mrs. Rubye Troxel Maynor, a deed conveying said tract of land to her, as aforesaid, or will give her a duly certified copy of this decree, as a muniment of title.

Ben H. Cantrell
CHANCELLOR

ATTORNEY FOR COMPLAINANTS

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 4th day of October, 19 74, in Minute Book 208, Page 300, in the cause wherein W. V. TROXEL SR.,ET ALS, are the Plaintiffs, Vs. MRS. FRANCES TROXEL GRAY,ET ALS, are the Defendants, Rule Number A-2879, 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 6th day of November, 19 74, and 19 9th year of American Independence.

RAYMOND L. BARRETT, CLERK & MASTER

BY _____
Deputy Clerk and Master

C 7 7 4 4 7

IDENTIF. REFERENCE

NOV 7 12 56 PM '74

FELIX [illegible] REGISTER
DAVIDSON COUNTY, TENN.