IN PART II OF THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

M. C. DAVIS,

Complainant,

VS.

GERALD H. NELSON, ET AL,

Defendants.

RULE NO. 88424

D E C R E E

This cause came on to be heard before the Honorable Alfred T. Adams, Chancellor holding Part II of the Chancery Court for Davidson County, Tennessee, upon the Petitioner's Motion to confirm the report of sale which report is as follows: (Here copy in report of sale filed October 23, 1969, in full.), and it appearing to the Chancellor that said report has been filed for more than five (5) days and is unexcepted to,

IT IS ORDERED, ADJUDGED AND DECREED that the report is in all matters and things confirmed by the Court.

IT IS FURTHER, ORDERED, ADJUDGED AND DECREED that each and every interest of the parties to this suit in and to the land described in the report of sale be divested out of each of them and be vested in the Purchasers, subject to the terms and conditions of the sale.

IT IS FURTHER, ORDERED, ADJUDGED AND DECREED that the Clerk and Master make, acknowledge, and deliver to M. C. Davis and wife, Mary E. Davis, the Purchasers, a deed conveying the tract of land aforesaid, as their muniment of title, and shall charge the fee for preparing same as a part of the costs of this cause.

IT IS FURTHER, ORDERED, ADJUDGED AND DECREED that the Defendants, Gerald H. Nelson and wife, Martha Lorene Tucker Nelson, pay to Security Federal Savings and Loan Association of Nashville, Tennessee, the sum of Two Hundred Fifteen and no/100 Dollars ($215.00), prior to November 10, 1969, in satisfaction and final adjustment of the rents due on the premises, and shall deliver the possession of the premises to the Purchasers by December 1, 1969, after which date the

Purchasers may apply to the Clerk and Master for the writ of possession, this being the agreement of the parties as evidenced by the signatures of their respective Counsel of record.

It further, appears to the Chancellor that by virtue of his Decree in Minute Book 81, Page 110, that the partners advanced a total sum of Six Thousand, Two Hundred Thirty-Eight and 29/100 Dollars ($6,238.29), and that of said sum the Complainant contributed 71.2% or Four Thousand, Four Hundred Thirty-Nine and 60/100 Dollars ($4,439.60), and the Defendants contributed 28.8% or One Thousand, Seven Hundred Ninety-Eight and 69/100 Dollars ($1,798.69).

And further, it appears that the costs of this cause in the amount of Four Hundred Fifty-Seven and 85/100 Dollars ($457.85), to be deducted from the proceeds of the sale that is Six Thousand, Six Hundred and no/100 Dollars ($6,600.00), leaves a balance of Six Thousand, One Hundred Forty-Two and 15/100 Dollars ($6,142.15), and is an amount insufficient to discharge the advancements made by the parties and any interest due on said advancements;

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the costs of this cause be paid and from the balance the Clerk and Master pay over to the Complainant, M. C. Davis, 71.2% of the balance in his hands the sum of Four Thousand, Three Hundred Seventy-Three and 21/100 Dollars ($4,373.21), and to the Defendants, Gerald H. Nelson and wife, Martha Lorene Tucker Nelson, 28.8%, the sum of One Thousand, Seven Hundred Sixty-Eight and 94/100 Dollars ($1,768.94), in discharge of the advancements heretofore made and to adjust the accounts between the parties as partners.

This the _____ day of November, 1969.

Chancellor - Part II Chancery Court

O K FOR ENTRY

E. L. Edwards, Jr.
Solicitor for Complainant

James R. McKinney
Solicitor for Defendants

I hereby certify that I have mailed a copy of this Decree to the Honorable James R. McKinney, Attorney for the Defendants, at his office at 608 Gallatin Road, Madison, Tennessee 37115.

E. L. Edwards, Jr.

M. C. DAVIS

versus

GERALD H. NELSON, ET AL.,

88424

BOOK 5147 PAGE 136

To the Chancellor:

By a decree entered in this cause at the APRIL *Term, 19* 69*,*

at page 142 *of Min. Book No.* 81 *the Clerk and Master was ordered to*

sell at public auction *upon the terms hereinafter set out,*

the following described property, to wit:

Land in Davidson County, Tennessee, being Lot No. 7 on the plan of Candace Hgts. as of record in Book 2339, Page 78, Register's Office for Davidson County, Tennessee: Said Lot No. 7 fronts 108.3 feet on the southerly side of Berwick Trail, and extends back 391 feet, more or less, on the westerly line and 410 feet, more or less on the easterly line to the waters edge of the Cumberland River, on which it measures 157 feet, more or less.

Being the same property conveyed to Gerald H. Nelson and wife, by deed of record in Book 3531, page 543, Register's Office for said County.

TERMS OF SALE: Cash to the highest and best bidder, subject to the lien of the deed of trust as of record in Book 3953, page 975.

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

at 12:00 Noon *in Nashville,* *M., on* October 23, *19* 69*,*

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 M. C. Davis and wife, Mary E. Davis for $6,600.00. The purchasers complied with their bid by paying $6,600.00 into the hands of the Clerk & Master.

Respectfully submitted
RAYMOND L. BARRETT
CLERK & MASTER

PER
D.C. & M.

STATE OF TENNESSEE
COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 6,600.00

Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 13 DAY OF May 1969.

Deputy Register

88424

M. C. DAVIS

vs. } REPORT OF SALE

GERALD H. NELSON, ET AL.,

October 23 69

Filed ----------, *19* ---

BOOK 5147 PAGE 137

BOOK 5147 PAGE 138

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 10th day of November, 1969, in Minute Book 81, Page 235, in the cause wherein M. C. DAVIS the Plaintiff, and GERALD H. NELSON, ET AL the Defendants, Rule Number 88424, 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 10th day of November, 19 77, and 201st year of American Independence.

E03710

IDENTIFICATION REFERENCE

MAY 13 1 28 PM '77

REGISTER
DAVIDSON COUNTY, TENN.

RAYMOND L. BARRETT, Clerk and Master

BY: Doris Willis

Deputy Clerk and Master

CONV *6,600.00

B* 17.16
B* .50
W'DEED B* 10.00 * 27.66