DECREE ENTERED MARCH 16, 1978, M.B. 5, PAGE 112

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

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BRENDA COVINGTON, ANNIE COVINGTON, JACQUELINE SIMMONS, and EDWARD COVINGTON, JR.,	)	
Plaintiffs,	)	
VS.	)	DOCKET NO. 78-140-III
DELORES McKINNEY,	)	
Defendant.	)	

AGREED ORDER

It appearing to the Court as evidenced by the signatures of the parties below that they have agreed as follows:

That the plaintiffs, Brenda Covington, Annie Covington, Jacquelyn Simmons, and Edward Covington, Jr., and the defendant, Delores McKinney, are the surviving natural children of Edward and Vera Covington, who during their lifetime were joint owners by a tenancy by the entirety of land in Nashville, Davidson County, Tennessee generally known as 301 Whitsitt Avenue. That Vera Covington died on December 3, 1963, survived by her husband, Edward Covington, who subsequently died on July 24, 1969 without leaving a Will, and being survived by the parties herein. That by operation of law title to the subject property passed in equal shares to the parties each receiving an undivided one-fifth (1/5) interest in the subject property, more particularly described as follows:

> Being the westerly 25 feet of Lot 17 on the map of N. D. Overall's Subdivision of the northeast part of Lot No. 1 of the Patterson Land as of record in Book 421, page 57, Register's Office for said County.
> Said part of Lot No. 17 fronts 25 feet on the southerly side of Whitsitt Road and runs back on the easterly line with the westerly margin of Foster Avenue extended 140 feet, more or less, and 140 feet on the westerly line to an alley on which it measures 32 feet.
> Being the same property conveyed to Edward Covington and wife, Vera Covington, by deed from Robert L. Slayden and wife, Amelia Slayden as of record in Book 2242, page 262, Register's Office for Davidson County, Tennessee.

The parties herein further agree that the defendant,

Delores McKinney, should be allowed to continue to reside on the property and that she will pay all taxes, insurance, and for any repairs for as long as she resides thereon and that she will not be liable to the plaintiffs for rent, so long as she is living on the property and paying the taxes, insurance and for repairs. Provided, however, that if the defendant, Delores McKinney, is of the opinion that an improvement must be made to the property that will be of a substantial cost, then if all the parties herein agree to the improvement it would be made with each bearing a responsibility for their proportional share of the cost based on their proportionate interest in the property. However, if all the parties do not agree to the improvement, then if the defendant, Delores McKinney, were to proceed with the said improvement, she would be required to bear the entire cost.

The parties further agree that plaintiffs will not hold the defendant liable for any rent which may have been due prior to this agreement and that the defendant will make no claim against the plaintiffs for any taxes, insurance, repairs or improvements made upon the property prior to the execution of this agreement.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that by operation of law title to the subject property is vested in equal shares in Brenda Covington, Annie Covington, Jacqueline Simmons, Edward Covington, Jr. and Delores McKinney, each having an undivided one-fifth (1/5) interest in the subject property, more particularly described as follows:

> Being the westerly 25 feet of Lot 17 on the map of N. D. Overall's Subdivision of the northeast part of Lot No. 1 of the Patterson Land as of record in Book 421, page 57, Register's Office for said County.
> Said part of Lot No. 17 fronts 25 feet on the southerly side of Whitsitt Road and runs back on the easterly line with the westerly margin of Foster Avenue extended 140 feet, more or less, and 140 feet on the westerly line to an alley on which it measures 32 feet.
> Being the same property conveyed to Edward Covington and wife, Vera Covington, by deed from Robert L. Slayden and wife, Amelia Slayden as of record in Book 2242, page 262, Register's Office for Davidson County, Tennessee.

IT IS FURTHER, ORDERED, ADJUDGED and DECREED that as

long as Delores McKinney resides on the property, she will pay all taxes, insurance and for any repairs. She will not be liable to the plaintiffs for rent. If the defendant, Delores McKinney, is of the opinion that an improvement must be made to the property that will be of a substantial cost, then all the parties herein must agreed to the improvement with each bearing a responsibility for their proportional share of the cost based on their proportionate interest in the property. However, if all the parties do not agree to the improvement, then if the defendant, Delores McKinney, were to proceed with the improvement, she would be required to bear the entire cost.

IT IS FURTHER, ORDERED, ADJUDGED and DECREED that the costs of this cause are taxed one-half (1/2) to the plaintiffs and one-half (1/2) to the defendant.

ENTERED this 16 day of March, 1978.

CHANCELLOR

APPROVED FOR ENTRY:

RONALD K. NEVIN
Attorney for Plaintiffs
2108 Parkway Towers
Nashville, Tennessee 37219
244-7706

DELORES McKINNEY
Defendant

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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 16th day of March, 1978, in Minute Book 5, Page 112, in the cause wherein Brenda Covington, et al., Complainant and Delores McKinney, Defendant File No. 78-140-III, as the same appears of record and now on file in my office.

MISC 8* 8.00 * 8.00

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 28th day of April, 19 78, and 202nd year of American Independance.

RAYMOND L. BARRETT,
CLERK AND MASTER

BY _____
DEPUTY CLERK AND MASTER

IDENTIF. REFERENCE

APR 28 10 23 AM '78

FELIX 7 WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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