6-30-80
464/1822

IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Map 71-14
Par 20 Is

AMERICAN PAPER & TWINE COMPANY	)	
VS.	)	NO. E-99 and E-100
	)	Consolidated to E-100
TENNESSEE SANDPAPER CORPORATION	)	

ORDER CONFIRMING SALE

This cause came on to be heard on the 27th day of June, 1980 before the Honorable James M. Swiggart, holding the 6th Circuit Court, at Nashville, Davidson County, Tennessee, upon the motion of the plaintiff, American Paper & Twine Company, to confirm the report of the Sheriff of Davidson County, Tennessee of the sale of certain real property owned by the defendant, Tennessee Sandpaper Corporation, and to order the distribution of the proceeds of said sale, and the entire record.

It appearing to the Court that on the 19th day of June, 1980, at 12:00 noon, at the South door of the Metropolitan Courthouse, Nashville, Davidson County, Tennessee, real property owned by the defendant, Tennessee Sandpaper Corporation, described as follows:

> Lots #32, 33 and the southerly 38 feet of Lot 34 on the map of J. B. Haynie's Grove Plan, of record in Book 57, page 64, Register's Office for Davidson County, Tennessee. Said Lots 32 and 33 front 50 feet on the east side of Birch Avenue and the southerly 38' of Lot #34 fronts 38' on the east side of Birch Avenue and all run back between parallel lines 125 feet to an alley.
>
> Being a portion of the same property conveyed to Tennessee Sandpaper Corporation by Thomas J. Hyde and Hunter B. Hyde, by instrument of record dated January 9, 1936, recorded at Book 982, page 488, Register's Office for Davidson County, Tennessee;
>
> as well as an easement with respect to said tract of real estate described as follows:

An easement for adequate water and adequate sewerage with respect to Lot No. 32, 33 and the southerly portion of Lot No. 34 on the map of said J. B. Haynie's Grove Plan which easement is of record in Book 3159, page 175, Register's Office for said County. This is improved property known as 103 Fern Ave., Nashville, Tennessee.

was sold at public auction, with the last and highest bid being in the amount of $4,800.00 and which bid was offered by M. H. Webb, 914 North 1st Street, Nashville, Tennessee 37207; and it appearing to the Court that the sum of $4,800.00 was received by the Sheriff's office, which conducted said sale, and was deposited into the Registry of the Circuit Court Clerk on June 23, 1980; and it appearing to the Court that on May 22, May 29 and June 5, 1980, notice of said sale was published in the NASHVILLE RECORD,all pursuant to previous order of this Court authorizing said sale.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest of the defendant, Tennessee Sandpaper Corporation, in real property located in Davidson County, Tennessee, and which is described as follows:

Lots #32, 33 and the southerly 38 feet of Lot 34 on the map of J. B. Haynie's Grove Plan, of record in Book 57, page 64, Register's Office for Davidson County, Tennessee. Said Lots 32 and 33 front 50 feet on the east side of Birch Avenue and the southerly 38' of Lot #34 fronts 38' on the east side of Birch Avenue and all run back between parallel lines 125 feet to an alley.

Being a portion of the same property conveyed to Tennessee Sandpaper Corporation by Thomas J. Hyde and Hunter B. Hyde, by instrument of record dated January 9, 1936, recorded at Book 982, page 488, Register's Office for Davidson County, Tennessee;

as well as an easement with respect to said tract of real estate described as follows:

An easement for adequate water and adequate sewerage with respect to Lot No. 32, 33 and the southerly portion of Lot No. 34 on the map of said J. B. Haynie's Grove Plan which easement is of record in Book 3159, page 175, Register's Office for said County.

This is improved property known as 103 Fern Avenue, Nashville, Tennessee.

be divested out of Tennessee Sandpaper Corporation and be vested in the purchaser, M. H. Webb, and the Circuit Court Clerk will make, acknowledge for registration and deliver to the said M. H. Webb, a deed conveying said land to M. H. Webb or will make a duly certified copy of its decree as muniment of title, at its election.

It is further ORDERED that the proceeds of said sale will be distributed in the following manner:

First, the Clerk will pay the costs of this cause, including costs attributable to cases E-99 and E-100, and other expenses incident to the sale, including the sum of $71.40 to the NASHVILLE RECORD as costs of advertisement of sale of said real property;

Second, the proceeds remaining, if any, shall be distributed to the plaintiff in this cause and/or his attorney as partial satisfaction of the outstanding balance of the judgments of the plaintiff in actions number E-99 and E-100, in the aggregate amount of $6,119.75, with lawful interest on $6,251.19, the sum of the original judgments, at the rate of 8% per annum, from September 12,1979 to December 17, 1979 and with lawful interest on $6,119.75, the balance now outstanding on said judgments, at the rate of 8% per annum, from December 17, 1979.

31.00
222.00
253.00

It appearing to the Court that the proceeds from said sale will be insufficient to satisfy judgments rendered in this cause in full, it is further ORDERED, ADJUDGED AND DECREED that upon plaintiff's request, the Clerk of this Court will issue execution against the defendant for the remaining deficiency on such judgment.

BE IT SO ORDERED.

Entered this 30th day of June 1980.

James M. Swiggart, Judge

APPROVED FOR ENTRY:

Ralph Z. Levy, Jr.
Barksdale, Whalley, Gilbert, Frank,
Ludwick & Milom
13th Floor, Third National Bank Bldg.
Nashville, Tennessee 37219
Attorney for Plaintiff

CERTIFICATE

I hereby certify that a true and correct copy of the foregoing order has been sent by U. S. Mail, postage prepaid, to Donald D. Hildebrand, Attorney for Defendant, for Leon Wright, and for other interested parties, 214 Third Ave. North, Nashville, Tennessee 37201 and to M. H. Webb, 914 North First Street, Box 8044, Nashville, Tennessee 37207 this 30 day of June, 1980.

Ralph Z. Levy, Jr.

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STATE OF TENNESSEE

COUNTY OF DAVIDSON

The actual consideration or value, whichever is greater, of this transfer is $4800.00.

Affiant

Sworn to and subscribed before me this 5th day of June 1980.

Notary Public

My Commission Expires:

10/17/82

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.
JUL 9 10 53 AM '80

IDENTIF. REFERENCE

F. 9. 6. 8 2. 9.

RUSH

Minute Book 26C Page 1802

STATE OF TENNESSEE

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* true copy ~~correct transcript~~ *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* American Paper & Twine *Plaintiff, and* Tennessee Sandpaper Corp. *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* 9 *day of* July *in the year one thousand nine hundred and* eighty *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By _____, *D. C.*

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____

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CO - CONVEYANCE	CC - CERTIFIED COPY	MISC - MISCELLANEOUS
MO - MORTGAGE	REL - RELEASE	CO TX - STATE TAX CONVEY
WD - WARRANTY DEED	UCC - UNIFORM COMMERCIAL CODE	MO TX - STATE TAX MORT
TD - TRUST DEED		PRFEE - PROBATE FEE

DATE	SYMBOL	VALUATION	TAX AND FEES	TOTAL PAID
			4800.00-	CO
			12.48	CO TX
			.50	PRFEE
			15.00	WDEED
			CHECK	27.98-
8604A07/09/80			BAL	.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

F. 9 6 8 2 9

T
IDENTIF. REFERENCE

JUL 9 10 53 AM '80

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

No. 766930