IN THE CIRCUIT COURT FOR TENNESSEE FOR THE TENTH JUDICIAL DISTRICT
AT NASHVILLE

STATE OF TENNESSEE, ON RELATION OF THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION STATE OF TENNESSEE, FOR AND ON BEHALF OF SAID DEPARTMENT, Petitioner VS. HARRY H. CHITWOOD, and the METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, Defendants	BOOK 5721 PAGE 424 DOCKET E-2002 Project 19042-2232-04 Tract 22A

FINAL JUDGMENT AND DECREE

BE IT REMEMBERED that this cause came to be heard before the Honorable J. M. Swiggart, Judge of the Sixth Circuit Court of Tennessee for the Tenth Judicial District, at Nashville, by consent of the parties, for the entry of a final judgment and decree, it appearing to the court that the defendant owner has agreed to accept the sum of $5,175.00 offered by the Petitioner to acquire the property and property interests hereinafter described, said amount representing the fair market value of the property and property interests taken and compensation for any and all damages, actual and incidental, to the remaining land and improvements;

It further appearing to the court that on May 27, 1980, the Petitioner deposited with the clerk of this court the sum of $3600.00 in this cause and that an additional sum is being deposited herewith in the amount of $1,575.00; that title to the hereinafter described property is vested in Harry H. Chitwood; that the said Harry H. Chitwood has subscribed his name to this Final Judgment and Decree for the purpose of conveying to the State of Tennessee any right, title, claim, or interest which he has in the subject property; and that

the said Harry H. Chitwood warrants that said property is unencumbered in any way;

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that Harry H. Chitwood have and recover of the Petitioner the sum of $5,175.00, $3600.00 of which he has already received and the balance of $1,575.00 to be paid by the clerk of this Court to Harry H. Chitwood upon the entry of this Final Judgment and Decree.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that the right, title, claim, and interest of Harry H. Chitwood in and to the condemned property hereinafter described, to the extent and in the manner indicated in said description, be and it is hereby, divested out of him, and vested in the State of Tennessee, its successors and assigns, to have and to hold for the use of the State of Tennessee and for the use and benefit of its Department of Transportation, for public highway purposes, said property being in the Fourth Civil District of Davidson County, Tennessee, the tax reference for which is map 75-1, parcel 1, field book 4D28360, and being more particularly described as follows:

FEE SIMPLE

PARCEL 1

Beginning at the point of intersection of the north margin of Old Hickory Boulevard (old) and the east margin of Old Hickory Boulevard; thence along the said east margin northwardly 190 feet, more or less to a point; thence south 13 degrees 38 minutes 30 seconds east 202 feet, more or less to a point in the north margin; thence along the said north margin north 79 degrees 18 minutes west 29 feet, more or less to the point of beginning.

PARCEL 2

Beginning at the point of intersection of the north margin of a street that adjoins the Hermitage property and the west margin of Old Hickory Boulevard; thence along the said north margin north 83 degrees 15 minutes west 104 feet, more or less to a point; thence north 6 degrees 45 minutes east 5 feet, more or less to a point; thence north 85 degrees 49 minutes east 101 feet, more or less to a point in the said west margin; thence along the said west margin southwardly 24 feet, more or less to the point of beginning.

Parcels 1 and 2 together contain 4,128 square feet and are parts of the property conveyed to H. H. Chitwood in two deeds; the first by J. G. Grissim and wife, of record in Book 1174, Page 242; the second by Genie Jones and wife, of record in Book 1140, Page 353, Register's Office for Davidson County, Tennessee.

PERMANENT DRAINAGE EASEMENT

Beginning at a point in the west margin of Old Hickory Boulevard said point being 40 feet right of station 209 + 45; thence along the said west margin south 14 degrees 21 minutes 20 seconds east 30.0 feet to a point; thence south 75 degrees 38 minutes 40 seconds west 30.0 feet to a point; thence north 75 degrees 38 minutes 40 seconds east 30.0 feet to the point of beginning and containing 900 square feet.

The land upon which the drainage facility is to be constructed is to remain the property of the defendant and may be used for any purpose desired, provided such use does not interfere with the use or maintenance of the drainage facility.

TEMPORARY CONSTRUCTION EASEMENT

Beginning at the point of intersection of the south boundary of the Genie Jones property and the west margin of Old Hickory Boulevard; thence along the said west margin southwardly 1,728 feet, more or less to a point; thence south 85 degrees 49 minutes west 10 feet more or less to a point; thence along the meander of the slope northwardly 1,731 feet, more or less to a point in the said south boundary, thence along the said south boundary north 89 degrees 23 minutes east 5 feet, more or less to the point of beginning and containing 14,259 square feet. Included in the description but excluded is a portion of the drainage easement described above.

The title to the property described above for the temporary construction easement remains vested in the defendant and is to be used by the State of Tennessee, its contractors or its assigns for a period of 3 years.

IT IS FURTHER ORDERED by the Court that the Clerk of this Court make out and certify a copy of this decree for the Petitioner.

IT IS FURTHER ORDERED by the Court that all lawful court costs be paid by the Petitioner, for which let execution issue, if necessary.

CIRCUIT JUDGE

Entered Feb. 5, 1981
DATE

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Donald W. Schiendimann
DONALD W. SCHIENDIMANN
Assistant Attorney General

H. H. Chittwood
HARRY H. CHITTWOOD

Don Jones by DWS
Lawyer for Metropolitan Government

G 33225

Mail

IDENTIF. REFERENCE

MAR 16 9 09 AM '81

FEE $ WILLIAM HUNTER REGISTER
DAVIDSON COUNTY, TENN.

M.B. 28A / 654

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* ~~correct transcript~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* State of Tennessee et al, *Plaintiff, and* Harry H. Chittwood & Metro Govt. of Davidson Co. *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* 19th *day of* Feb. *in the year one thousand nine hundred and* 81 *and in the* 205 *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L Dyer, *D. C.*

Form #GR-117