BOOK 5843 PAGE 907
5843 907

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

IN RE: ESTATE OF THEODORE H. LIGHTFOOT) NO. 69780

AGREED ORDER M.B. 275-621

Pursuant to the prior Order of this Court enjoining the Trustee's sale of that property more particularly described in the deed of trust at Book 5229, page 952, Register's Office for Davidson County, Tennessee and Ordering a judicial sale of the property pursuant to T.C.A. §35-501 et seq. The property was duly sold at auction at 12:00 noon on Thursday, December 3, 1981 in accordance with the Clerk's Reports of Sale attached hereto and made a part hereof as if fully set forth herein. It appearing to the Court that the property was sold in three separate tracts, and that Bruce Johnston, agent for Bassel E. Taylor, d/b/a Private Realty Company bid with respect to Tract III by reason of an error with respect to the identification of the tract, but all the bidders having entered into an agreement to correct the error a copy of which agreement is attached hereto and made a part hereof as if fully set forth herein, ownership of the property will be vested in accordance with the sale and the bidders' agreement.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that all right, title and interest previously vested in Walter G. Knestrick, Karl E. Haury, Ervin M. Entrekin, the heirs of Theodore H. Lightfoot and Justin P. Wilson, substitute trustee is divested from Justin P. Wilson, substitute trustee, his successors and assigns and pursuant to the authority of this Court and the terms of the deed of trust in Book 5229, page 952, Register's Office for Davidson County, Tennessee default having been found in the obligation secured thereby and pursuant to T.C.A. §35-501 et seq, all right, title and interest in and to the property described in the attached Clerk's Reports of Sale is hereby vested as follows:

1. All right, title and interest in and to tracts I and III is hereby vested in Ervin M. Entrekin, trustee, his successors and assigns with full power to mortgage, sell, transfer and convey without the joinder of any beneficiary.

2. All right, title and interest in and to tract II is hereby vested in Bassel E. Taylor, d/b/a Private Realty Company, his heirs, successors and assigns; and,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the purchasers may upon payment of copying costs receive from the Clerk of this Court a certified copy of this Order which may be recorded in the Register's Office of Davidson County, Tennessee evidencing exclusive ownership and title in accordance with this decree, or in the alternative upon payment of costs the purchasers may receive from the Clerk of this Court a Clerk's Deed evidencing their ownership in the property; and,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk shall forthwith distribute the proceeds of the sale as follows: BOOK 5843 PAGE 908

1. The Clerk will pay to American Trust and Mortgage Company the amount of $74,612.71 representing the principal balance of the obligations secured by the deed of trust of record in Book 5229, page 952, Register's Office for Davidson County, Tennessee.

2. The Clerk will pay to American Trust and Mortgage Company $802.55 representing costs of collection expended by it in accordance with the promissory note secured by the deed of trust of record in Book 5229, page 952, Register's Office for Davidson County.

3. The Clerk will pay to American Trust & Mortgage Company interest in the amount of $5,900.03 accrued through December 31, 1981 together with interest from that date to the date of payment hereunder at the rate of $34.71 per diem.

4. The balance, if any the clerk will divide into four equal portions distributing one-fourth each to Walter G. Knestrick, Karl E. Haury and Ervin M. Entrekin, retaining the remaining one-fourth for the benefit of the creditors of the Estate of Theodore H. Lightfoot.

ENTERED this 19th day of January, 1982.

SHELTON LUTON, JUDGE

APPROVED FOR ENTRY:

MARK H. WESTLAKE
Attorney for Alma Marie Lightfoot, Executrix
for the Estate of Theodore H. Lightfoot
TUNE, ENTREKIN & WHITE
26th Floor, First American Center
Nashville, TN 37238
(615)244-2770

JUSTIN P. WILSON
Substitute Trustee
~~Dearborn & Ewing~~ Waller Lansden Dortch & Davis
~~Suite 1200~~, One Commerce Place, Suite 2100
Nashville, TN ~~37219~~ 37239

RUSH

IDENTIF. REFERENCE

JAN 22 3 55 PM '82

FELIX E. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

G 76794

01/22 334.70 CHECK

8932

TRACT I, ELM HILL BUSINESS CENTER

DAVIDSON COUNTY, TENNESSEE

Beginning at an iron pin in the Northern R.O.W. margin of Old Tree Court said pin also being 318.0 feet east of the centerline of Twin Elms Drive; thence leaving said R.O.W. N 10° 39' 06" E 221.36 feet to an iron pin; thence S 57° 41' E 253.03 feet to an iron pin; thence S 58° 39' 02" W 185.22 feet to a concrete monument in the R.O.W. of Old Tree Court; thence with the chord of said curve, having a radius of 60.0 feet and a length of 93.63 feet, N 76° 03' 27" W 84.41 feet to a point the beginning of another curve having a radius of 60.0 feet and a length of 15.98 feet; thence with the chord of said curve S 66° 51' 46" W 15.93 feet to the point of beginning, said tract containing an area of 0.70 Acres, more or less.

Being a portion of the same property conveyed to Walter G. Knestrick, Karl E. Haury, Theodore H. Lightfoot and Ervin M. Entrekin by Installment Deed from Mount Olivet Cemetary Company, a Tennessee corporation, of record in Book 4775, page 514, Register's Office for said County.

TRACT II, ELM HILL BUSINESS CENTER

DAVIDSON COUNTY, TENNESSEE

Beginning at an iron pin in the Southern R.O.W. margin of Old Tree Court said pin being 284.4 feet east of the center-line of Twin Elms Court; thence with said R.O.W. S 79° 20' 54" E 6.23 feet to a point, the beginning of a curve to the right; thence with the chord of said curve having a radius of 60.0 feet and a length of 43.36 feet S 58° 38' 25" E 42.43 feet to a point, the beginning of a curve to the left; thence with the chord of said curve having a radius of 60.0 feet and a length of 113.40 feet N 87° 54' 51" E 97.26 feet to a point; thence S 56° 13' 58" E 176.86 feet to a point; thence S 7° 09' W 90.0 feet to a point; thence N 82° 51' W 302.50 feet to a point; thence N 75° 57' 50" W 7.01 feet to a point; thence N 10° 39' 06" E 170.87 feet to the point of beginning, said tract containing 0.97 Acres, more or less.

Being a portion of the same property conveyed to Walter G. Knestrick, Karl E. Haury, Theodore H. Lightfoot and Ervin M. Entrekin by Installment Deed from Mount Olivet Cemetary Company, a Tennessee corporation, of record in Book 4775, page 514, Register's Office for said County.

CLERK'S REPORT OF SALE

IN RE: ESTATE OF THEODORE H. LIGHTFOOT
versus Deceased

BOOK 5843 PAGE 911

RULE No. 69780

To the HONORABLE SHELTON LUTON, *Judge:*

By a decree entered in this cause at the October *Term, 196*81*,*

at page 177 *of Min. Book No.* 274 *the Clerk was ordered to*

sell at public auction upon the terms hereinafter set out, the following described property, situated in Davidson

County, Tennessee to wit:

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS
$ 82,000.-
Affiant
SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 22nd DAY OF Jan 1982.
Deputy Register

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, December 3, *, 196*81*,*

I would sell

said above described property upon said terms, at which time and place I attended and offered the same, when

same *was fairly struck off and sold* to Ervin Entrekin upon his bid of $30,000.00 cash for Tract I and Upon his bid of $20,000.00 cash for Tract II, to which bid he has complied

Bill McPherson *Clerk*

By D. Spiller Campbell Jr. *D. C.*

CLERK'S REPORT OF SALE

IN RE: ESTATE OF THEODORE H. LIGHTFOOT
versus Deceased

BOOK 5843 PAGE 912

RULE No. 69780

To the HONORABLE SHELTON LUTON, *Judge:*

By a decree entered in this cause at the October *Term, 196*81*,*

at page 177 *of Min. Book No.* 274 *the Clerk was ordered to*

sell at public auction upon the terms hereinafter set out, the following described property, situated in Davidson

County, Tennessee to wit:

TRACT III, ELM HILL BUSINESS CENTER
DAVIDSON COUNTY, TENNESSEE

Beginning at a point in the R. O. W. margin of Twin Elms Court at the end of said court, said point also being the southeast corner of Elm Hill Business Center Section 12, thence leaving said R. O. W. N 18° 43' 26" W 73.46 feet to a point, thence N 5° 32' 19" E 159.83 feet to a point; thence S 57° 41' E 288.33 feet to a point; thence S 10° 39' 06" W 163.78 feet to a point; thence N 79° 20 ' 39" W 128.0 feet to a point in the R. O. W. margin of Twin Elms Court; thence with the chord of a curve having a radius of 60 feet and a length of 125.1 feet N 49° 04' 36" W 103.64 feet to the point of beginning, said tract containing 1.13 Acres, more or less.

Being a portion of the same property conveyed to Walter G. Knestrick, Karl E. Haury, Theodore H. Lightfoot and Ervin M. Entrekin by Installment Deed from Mount Olivet Cemetery Company, a Tennessee corporation, of record in Book 4775, page 514, Register's Office for said County.

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 12:00 o'clock noon *M., on* Thursday, December 3, *, 196*81*,*

I would offer for sale at Public Auction to the highest bidder, for cash, each tract to be sold separately

said above described property upon said terms, at which time and place I attended and offered the same, when

Tract III *was fairly struck off and sold* to Bruce Johnston, an agent for Robert J. Taylor d/b/a Private Realty Company, upon his bid of $32,000.00, said bid being complied with by deposit of a certified check in the amount of $32,000.00 on December 31, 1981.

Bill McPherson *Clerk*

By D&C *D. C.*

STATE OF TENNESSEE, DAVIDSON COUNTY

BOOK 5843 PAGE 913

I, BILL McPHERSON, Clerk of the County Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy of AGREED ORDER IN RE: ESTATE OF THEODORE H. LIGHTFOOT, DECEASED, to distribute proceeds of sale, Pay interest on promissory notes,, etc. Filed January 19, 1982, Entered in Minute Book 275 Page 621. *which remains of record on file in said office.*

Given under my hand and official seal, at office, in Nashville, this 22nd *day of* January *19*82

Bill McPherson
Clerk of the County Court.

By Lucy Foster
Deputy Clerk.

OFFICIAL RECEIPT

FELIX Z. WILSON, II

REGISTER OF DAVIDSON COUNTY
NASHVILLE, TENNESSEE

RECEIVED OF _____

FOR _____ BOOK 5843 PAGE 914

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
			82000.00-	CO
			213.20	CO TX
			.50	PRFEE
			21.00	MISC.
			CHECK	234.70-
8992A01/22/82			BAL	.00

RECEIPT IS NOT VALID UNTIL CHECK IS PAID BY BANK

G 7 6 7 9 4

IDENTIF. REFERENCE

JAN 22 3 55 PM '82

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

No. 863670