128C/2508

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY AT NASHVILLE

FILED
1983 DEC 22 PM 12:50
GEORGE L. BOOKER, CLERK
D.C.

STATE OF TENNESSEE, ON RELATION OF THE COMMISSIONER OF THE DEPARTMENT OF TRANSPORTATION, FOR AND ON BEHALF OF SAID DEPARTMENT Petitioner vs. TENNESSEE FOUNDRY AND MACHINE CO.; FEEDTECH. INTERNATIONAL, INC.; AMES DAVIS, Trustee; METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE Defendants	Docket 83C-2643 Project 19033-2207-54 M-447(1) Tract 38 BOOK 6222 PAGE 343

JUDGMENT AND FINAL DECREE

BE IT REMEMBERED that this cause came to be heard before the Honorable Harry S. Lester, Judge of the Second Circuit Court of Tennessee for the 10th Judicial Circuit, at Nashville, by consent of the parties, for the entry of a Judgment and Final Decree, it appearing to the Court that the defendant owners have agreed to accept the sum of $35,950.00 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 September 13, 1983, the petitioner deposited with the Clerk of this Court the sum of $30,950.00 in this cause; that an additional sum of $5,000.00 is being deposited with the entry of this Judgment; that the defendant owner warrants that there are no unaccounted for liens or encumbrances and that they have the right to convey said property free from all lawful claims; and it appearing further that there are no city or county taxes due or owing on this property; and that the Petition for Condemnation filed by the State of Tennessee should be sustained on the basis set out hereinbelow;

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IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECRE. the Court that the defendant owners have and recover of t. petitioner the total of $35,950.00 without interest, of which $30,950.00 has previously been deposited with the Clerk of this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that the right, title, claim, and interest of all defendants 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 them, and each one of them, and vested in the State of Tennessee, its successors and assigns, to have and to hold for the use of the State of Tennessee, said property being located in Davidson County, Tennessee, and being more particularly described as follows:

FEE SIMPLE

Beginning at the point of intersection of the southerly right-of-way of I.C.G. Railroad and the westerly margin of 14th Avenue North; thence with the said westerly margin south 27 degrees 40 minutes east 121 feet more or less to a point; thence with the proposed right-of-way of proposed Tract Connector; (1) north 86 degrees 02 minutes 29 seconds west 96.99 feet to a point; (2) south 84 degrees 40 minutes 26 seconds west 141.56 feet to a point; (3) south 69 degrees 40 minutes west 134.49 feet to a point; thence with the said southerly right-of-way north 62 degrees 31 minutes east 347 feet more or less to the point of beginning and containing 15,551 square feet and being part of the property conveyed to Tennessee Foundry and Machine Company (1) by E.D. Bradley in Book 1291, page 587, (2) by Maclin Davis in Book 4591, page 553, both of record in Register's Office for Davidson County, Tennessee.

The above described property is hereby condemned in fee simple and the lien for property taxes against the same is to be removed as provided for in Section 67-404, Tennessee Code Annotated.

This property is improved and is located south of the I.C.G. Railroad between 14th Avenue North and 16th Avenue in the City of Nashville, Davidson County, Tennessee.

The consideration mentioned herein includes payment for the property taken, also payment for incidental damages to the remainder compensable under eminent domain.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Court that the award set out hereinabove includes the

actual fair cash market value of the property and property rights acquired, and any and all damages, both actual and incidental, to the remainder of the property of the defendant landowners, including full settlement of all claims for compensation of any nature due the defendants because of the taking of the property described above and because of the construction of the roadway project for which this condemnation was necessary.

The Clerk of this Court will make out and certify to the State of Tennessee this Judgment, together with a costs bill for the lawful costs of this cause, for payment by the State of Tennessee.

JUDGE

12/22/83
DATE

William O. Kelly
WILLIAM O. KELLY
Assistant Attorney General

Chester C. Whitaker
CHESTER C. WHITAKER
President, Tennesee Foundry & Machine

~~FEEDTECH~~ INTERNATIONAL, INC.

JAMES L. MURPHY, III
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IDENTIF. REFERENCE
Jan 30 8 58 AM '84
DAVIDSON CO. TENN.
100306

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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 *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* State of Tennessee *Plaintiff, and* Tennessee Foundry and Machine Co, et al *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* 25th *day of* January *in the year one thousand nine hundred and* eighty-four *and in the* 208th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*