IN PART I OF THE CHANCERY COURT FOR DAVIDSON COUNTY AT

NASHVILLE, TENNESSEE

BOOK 6230 PAGE 278

GUSSIE TEAGUE and PAULINE SETTLES, Co-Administratrices of the Estate of GEORGE EDMUND TEAGUE, GUSSIE TEAGUE as Widow of GEORGE EDMUND TEAGUE, and BRIDGET MARIE TEAGUE, CAROLYN RAMONA TEAGUE, YVETTE ENID TEAGUE and REX RENARD TEAGUE, etc.

vs.

EULA V. STEWART

ORDER FILED & ENTERED 5-23-83
MINUTE BOOK 243 PAGE 620

No. 82-382-I

O R D E R

This cause came on to be regularly heard upon the entire record, together with the testimony of witnesses and depositions heard in open Court, from all of which the Court finds the following facts:

At the time of the filing of the original bill of complaint in this cause, the defendant, Eula Stewart, was a citizen and resident and domiciled in Davidson County, Tennessee. Personal service of process was had upon the said Eula Stewart, and she made a number of appearances in this cause, including the filing of an answer to the original bill of complaint, and therefore, this Court had in personam jurisdiction over the defendant herein. That in due course an injunction was issued by this Court enjoining and restraining the said defendant from disposing of any bank accounts or other properties held, either wholly or partly, in the name of the deceased, George Edmund Teague. In addition thereto, an Order was heretofore entered in this cause directing the said Eula Stewart to cause to be transferred a certain bank account from the Chemical Bank in New York into the hands of the Clerk and Master of this Court.

Despite the aforesaid Order and injunction, the said Eula Stewart, in violation of the said injunction and in violation of the above referred to Order, removed a certain 1978 Mark V Lincoln automobile outside the jurisdiction of this Court, and further, in direct violation of the orders of this Court, caused the aforesaid bank account with the Chemical Bank in New York to be transferred into her name individually. A petition for contempt, accompanied by an order of attachment for the body of Eula Stewart was issued, to be heard on Friday, May 13, 1983, at 1:30 p.m., at which time the said Eula Stewart failed to appear, although the Honorable Ralph Z. Levy, Jr., a respected member of the Bar of this Court, did appear as the attorney representing the said defendant, Eula Stewart, at which time the defendant, Eula Stewart, was adjudged to be in contempt of the orders of this Court. Upon the hearing of this cause, the said defendant again failed to appear, although Mr. Levy was present for the purpose of representing her interest, from all of which the Court finds that the said Eula Stewart stands in willful and wanton contempt of the orders of this Court, and upon her return to the jurisdiction of this Court should be arrested and taken into custody without bail, pending her purging herself of contempt.

The Court further finds that at the time of his death on February 13, 1982, the deceased, George Edmund Teague, was in fact the true owner of a certain house and lot located at 148 Oak Valley Drive, Nashville, Tennessee, said property being more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 13 on the Plan of Oak Park Subdivision, Section One, as of record in Book 3600, page 84, Register's Office for said County.
>
> Said Lot No. 13 fronts 100 feet on the South side of Oak Valley Drive and extends back 142.63 feet on the east line and 142.12 feet on the west line to a dead line in the rear, measuring 100.04 feet thereon.

Being the same property conveyed to George Teague and wife, Eula Stewart (Teague), by deed from Charles E. Burroughs, III and James Lee Myrick, sole heirs at law of Roberta Burroughs, deceased, of record in Book 5811, page 390, Register's Office for Davidson County, Tennessee.

The Court finds that while record title to the said property was in the name of the defendant, Eula Stewart, as the result of two deeds, one to George Teague and wife Eula Stewart (Teague) by deed from Charles E. Burroughs, III and James Lee Myrick, of record in Book 5811, page 390, Register's Office for Davidson County, Tennessee, and the other by recorded deed from George Edmund Teague to Eula Stewart (Teague), of record in Book 5852, page 291, the Court finds that the said Eula Stewart was not in fact the wife of George Teague and that to the extent such deeds attempt to convey any title to the said Eula Stewart, the said deeds were the result of undue influence exercised by the said Eula Stewart upon the deceased, George Edmund Teague, and that therefore, the same should be set aside, leaving full title to the said property in the name of George Edmund Teague at the time of his death. The Court further finds that the plaintiff, Gussie Teague, was the true widow of the said George Edmund Teague, and that the plaintiffs, Bridget Marie Teague, Carolyn Ramona Teague, Yvette Enid Teague and Rex Renard Teague, were the children of the said George Edmund Teague and therefore, together with their mother, constitute the sole heirs at law of the deceased, George Edmund Teague. The Court therefore finds that title to the aforesaid property is vested one-third (1/3) in the plaintiff, Gussie Teague, and one-sixth (1/6) each in the Bridget Marie Teague, Carolyn Ramona Teague, Yvette Enid Teague and Rex Renard Teague, and that the Clerk and Master of this Court should, pursuant to this Decree, cause a deed to the aforesaid property to be issued to the named plaintiffs as herein provided, subject to a lien for attorney's fees as hereinafter fixed.

The Court is further of the opinion that at the time of the death of George Edmund Teague, he was the true owner of certain personal property, including the household furniture and furnishings located in the real property hereinabove described at 146 Oak Valley Drive, Nashville, Tennessee, a 1978 Mark V Lincoln automobile, which has been converted by the defendant, Eula Stewart, and which had a value at the time of the death of the said George Edmund Teague of $6,500.00, and that further the said deceased held a bank account in the amount of $64,732.66, which said bank account has been converted by the defendant, Eula Stewart, all of which personal property belongs to and should be in the possession of Gussie Teague and Pauline Settles, whom the Court finds to be the duly appointed and acting Co-Administratrices of the Estate of George Edmund Teague. The Court finds, however, that in view of the conversion of the said bank account and automobile, a judgment should be entered against the defendant, Eula Stewart, for the total amount of $71,232.66. The Court further finds that at the time of their employment in this cause, the attorneys representing the plaintiffs herein had agreed to a contingent fee of one-third (1/3) of the amount recovered for the plaintiffs and each of them for their representation of the plaintiffs in this cause, as well as the compensation to plaintiffs' attorneys for the handling of the administration of the Estate of George Edmund Teague, which contingent fee is approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the defendant, Eula V. Stewart, be and she is hereby adjudged to be guilty of willful contempt of the orders of this Court, and that upon coming into the jurisdiction of this Court, a certified copy of this Order will serve as an arrest warrant for the said Eula V. Stewart, who will be taken into custody by the Sheriff and held without bail until she appears before this Court for the purpose of purging herself of contempt of Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk and Master of this Court shall be and is hereby appointed Special Master in this cause and expressly authorized and empowered to execute a deed to the real property described above, vesting title in said property one-third (1/3) in the name of Gussie Teague and one-sixth (1/6) each in the names of Bridget Marie Teague, Carolyn Ramona Teague, Yvette Enid Teague and Rex Renard Teague. Said deed will further provide for a lien in favor of the law firm of Dodson, Harris, Robinson & Aden for one-third (1/3) of the value of the entire property.

IT IS FURTHER ORDERED that title to all of the household furniture and furnishings located in the home at 146 Oak Valley Drive, Nashville, Tennessee, be and the same is hereby vested in Gussie Teague and Pauline Settles as Co-Administratrices of the Estate of George Edmund Teague.

IT IS FURTHER ORDERED that the plaintiffs, Gussie Teague and Pauline Settles, as Co-Administratrices of the Estate of George Edmund Teague, be and they are hereby awarded a judgment against the defendant, Eula Stewart, in the amount of Seventy-One Thousand, Two Hundred Thirty-Two Dollars and Sixty-Six Cents ($71,232.66), for which execution or other appropriate process of the Court may issue. There is a lien hereby fixed upon said judgment in the amount of one-third (1/3) of the collection made thereunder in favor of plaintiffs' attorney, Dodson, Harrison, Robinson & Aden.

The costs of this cause are adjudged against the defendant, Eula Stewart, for which execution or other appropriate process may issue, if necessary.

O. K. FOR ENTRY:

CHANCELLOR

DODSON, HARRIS, ROBINSON & ADEN

By _____

Attorneys for Plaintiffs

I hereby certify that this is a true copy of original instrument filed in my office.

This 13th day of February 1984

CHRISTINA NORRIS, Clerk & Master

By _____ Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify that I have this day forwarded a copy of the above Judgment Order to the Honorable Frank Z. Levy, Jr., at 13th Floor, Third National Bank Building, Nashville, Tennessee 37219, as Attorney for the Defendant, Eula Stewart.

This _____ day of May, 1983.

/s/

RUSH

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