BOOK 6296 PAGE 370

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

J. K. PETWAY, Individually, and as attorney-in-fact, Plaintiff,	)	
vs.	)	No. 73769
EDWARD C. MILLER and ERMA MILLER, and UNKNOWN HEIRS OF EDWARD JACKSON, and UNKNOWN HEIRS OF SAM BRANCH, et ux., Defendants.	)	M.B. 288-369

ORDER OF JUDGMENT

This cause came on to be heard on December 16th, 1983, before Judge James Everett of the Probate Court of Davidson County, Tennessee, upon the Motion of the plaintiff, J. K. Petway, individually and as attorney-in-fact for others, for entry of Judgment by Default against defendants Edward C. Miller, unknown heirs of Edward Jackson and unknown heirs of Sam Branch et ux and the Court, upon consideration of the arguments and submissions of counsel and upon a review of the entire file herein does hereby find as follows:

The Court finds that it has jurisdiction to hear and determine this cause pursuant to Chapter 366, Tennessee Private Acts of 1974. The Court further finds that it has jurisdiction over the defendant Edward C. Miller, service having been accomplished pursuant to the Long Arm Statute, as well as over the unknown heirs of Edward Jackson and unknown heirs of Sam Branch, et ux., service on these defendants having been accomplished by publication pursuant to T.C.A. § 29-29-102. Further, the Court specifically finds that service on these defendants coupled with posting of notice on the

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realty in question pursuant to T.C.A. § 29-29-102 has been properly accomplished and as a result thereof this Court has jurisdiction to hear and determine the claims of any and all persons, known or unknown, in being or to be in being, to the subject realty and barring all others from hereinafter making a claim thereto.

The Court further finds that there has been no responsive pleadings filed by or on behalf of any of the named defendants in this cause, Edward C. Miller, unknown heirs of Edward Jackson and unknown heirs of Sam Branch, et ux., despite the fact that said defendants were properly brought before the Court and that the time for filing such responses has passed. The Court further finds that there has likewise been no responsive pleading filed in this cause for or on behalf of any other person, known or unknown, in being or to be in being, making claim to the subject realty. Accordingly, the Court does hereby enter Judgment by Default against all named defendants and against all other persons, known or unknown, in being or to be in being, forever barring them from making claim to the subject realty.

The Court further finds, determines and hereby declares that all right, title and interest in the realty described as follows:

> Land in Davidson County, Tennessee, being lot No. 125 of Block 10 on the Plan of the Murphy Land Company's Division "B", a plan of said property is of record in book 161, page 126, Register's Office for said County, showing the same divided into blocks, but not showing the blocks subdivided into small lots. According to a printed copy of an unregistered plan subdividing said blocks into small lots, said lot 125 is described as follows:
>
> Beginning on the westerly margin of 21st Ave., North, formerly Vanderbilt Ave., a distance of 106 feet north of the northerly margin of Murphy, Ave.; thence northerly along the westerly margin of said Ave., 50 feet; thence westwardly and parallel with Murphy Ave. 168 feet to an alley; thence southwardly with the easterly margin of said alley 50 feet; thence eastwardly and parallel with Murphy Ave., 168 feet to the beginning.

shall henceforth be held by the following individuals, in fee simple and as tenants in common, each holding an undivided fractional interest in the realty as is hereinafter determined and set forth, free from the claims of all others

The Court further finds that J. K. Petway, Fleetwood A. Petway, Jr., Nannie B. Petway and Jennie P. Kelly shall each hold a 45/240 interest in the subject realty; that John Thomas Shook, Henry Shook, Jr., and Mercedes Shook shall each hold a 12/240 interest in the subject realty; that Verna Mae Shook and Samuel J. D. Shook, Jr., shall each hold a 6/240 interest in the subject realty; and that Mary E. Walker, Etta Mai Palmer and Erma Miller shall each hold a 4/240 interest in the subject realty.

It is so ORDERED this 21st day of Dec, 1983.

JUDGE

APPROVED FOR ENTRY:

DODSON, HARRIS, ROBINSON & ADEN

By Jere R. Lee
Jere R. Lee
Attorneys for Plaintiff

900 Nashville City Bank Building
P.O. Box 2524
Nashville, Tennessee 37219
615/244-6840

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon Mr. Edward C. Miller and Erma Miller, P.O. Box 44373, Indianapolis, IN 46244 by U.S. Mail on this the 1st day of December, 1983.

Jere R. Lee
Jere R. Lee

BILL McPHERSON
COUNTY CLERK
244-1000

Davidson County

STATE OF TENNESSEE, DAVIDSON COUNTY

BOOK 6296 PAGE 373

I, BILL McPHERSON, Clerk of the Probate Court of Davidson County, State aforesaid, do certify that the foregoing is a full, true and complete copy of IN RE: ORDER OF JUDGMENT ON PETWAY VS UNKNOWN HEIRS , MINUTE BOOK 288, PAGE 369 , FILED DECEMBER 21, 1983

which remains of record on file in said office.

Given under my hand and official seal, at office, in Nashville, this 21st *day of* May *19* 84

Bill McPherson
Clerk of Probate Court.

D. Flemming
Deputy Clerk.