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IN THE CHANCERY COURT FOR THE 20TH JUDICIAL DISTRICT
DAVIDSON COUNTY, PART III

JOHN VAUGHN III, ET AL,
PETITIONERS

v. No. 86-1291-III

ELIZABETH ANN SMITH, A Minor,
RESPONDENT

ORDER FILED & ENTERED 1-16-87
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ORDER

This cause came on to be heard on the 16th day of January, 1987, before The Honorable Robert S. Brandt, Chancellor, on Petition by JOHN VAUGHN III and LARRY WAYNE SMITH for an Order divesting ownership of certain real estate out of LARRY WAYNE SMITH and ELIZABETH ANN SMITH and vesting it in JOHN VAUGHN III. Now, based upon statements of counsel for the Petitioners, statements of the Guardian Ad Litem for the minor child, and the entire record in this cause, the Court makes the following findings:

1. That as a consequence of the death of the mother of the minor child, ELIZABETH ANN SMITH, in the fall of 1985, the minor child became the owner of an undivided one-half interest in Unit 223, 5025 Hillsboro Road, Nashville, Tennessee 37215, more particularly described as follows:

> A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:
>
> Being Unit No. 223 as shown on the Plat of Georgetown Apartments, a condominium of record in Book 5200, page 4, Register's Office for Davidson County, Tennessee, together with an undivided .310% interest in the common elements of 5025 Hillsboro Homeowners' Association, as described in Book 5211, page 325, et seq., said Register's Office. Said unit is also known as Apartment No. 24C.
>
> Being part of the same property conveyed to Georgetown of Nashville Limited Partnership by deed from 109 Corporation, of record in Book 5208, page 421, said Register's Office.
>
> Being the same property conveyed to Lynne Vaughn by deed from Georgetown of Nashville Limited Partnership, of record in Book 5259, page 434, Register's Office of Davidson County.

2. As a consequence of the death of the child's mother, the Petitioner, LARRY WAYNE SMITH, as her surviving spouse, became the owner

in fee simple by right of survivorship of a certain parcel of property located in Sumner County, Tennessee, located at 105 Sioux Court, Hendersonville, Tennessee 37075, more particularly described as follows:

> Land in the 5th. Civil District of Sumner County, Tennessee, being Lot No. 76 on the Plan of CUMBERLAND HILLS, PART 2, SECTION 3, as of record in Plat Book 10, pages 201 through 203, Register's Office for said County, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to Larry Wayne Smith and wife, Lynne Vaughn Smith, by deed from Carl J. Jett and wife, Sally L. Jett, of record in Deed Book 470, page 20, Register's Office for Sumner County, Tennessee.

3. The equity value of the child's interest in the Davidson County property is in the amount of $20,000.00. The total current equity in the Sumner County property is $28,000.00.

4. It is in the best interests of the minor child and adequately protects the interest of the minor child to divest title to the Davidson County property out of the minor child and vest it in the name of JOHN VAUGHN III, the uncle of the minor child, in return for granting the minor child a Deed of Trust in a like amount in the Sumner County property. However, it is further in the interest of all the parties that the Deed of Trust in the Sumner County property be made in the name of the present Guardian Ad Litem, J. Randall LaFevor, as trustee for the minor child, ELIZABETH ANN SMITH, in order that no futher Court proceedings need occur in order to provide clear title to either parcel of real estate.

5. The Court is satisfied that the Guardian Ad Litem, J. Randall LaFevor, is entitled to a fee for his services on behalf of the minor child in the amount of $_____, pursuant to an Affidavit of time expended which has been submitted by him for the benefit of the Court.

IT IS THEREFORE ORDERED that title to and ownership of the condominium located in Davidson County, Tennessee, legally described previously, be divested out of LARRY WAYNE SMITH and ELIZABETH ANN SMITH and vested in JOHN VAUGHN III.

IT IS FURTHER ORDERED that the minor child be granted a lien against the property located at 105 Sioux Court in Sumner County in the amount of Twenty Thousand Dollars ($20,000.00) to be held in the name of

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"J. Randall LaFevor, Trustee" to secure her interest in said real estate.

IT IS FURTHER ORDERED that the Guardian Ad Litem, J. Randall LaFevor, be entitled to and is hereby awarded a fee in the amount of $ 450.00 for his services in this cause.

Costs of this cause are assessed against the Petitioners for which execution may issue if necessary.

DONE this _____ day of January, 1987.

CHANCELLOR

APPROVED FOR ENTRY:

JOHN D. KITCH,
ATTORNEY FOR PETITIONERS
Suite 102
2300 Hillsboro Road
Nashville, Tennessee 37212

mail

J. RANDALL LaFEVOR,
GUARDIAN AD LITEM
Forty Rutledge Street
Nashville, Tennessee 37210

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

This 22 day of January 1987
CHRISTINA NORRIS, Clerk & Master
By Debbie G. Smith
Deputy Clerk

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document has ~~been sent by postage prepaid mail~~ hand delivered to Mr. J. Randall LaFevor, Forty Rutledge Street, Nashville, Tennessee 37210, this 16th day of January, 1987.

JOHN D. KITCH

85940

IDENTIFICATION REFERENCE

JAN 22 8 13 AM '87

FELIX Z. WILSON CLERK & REGISTER
DAVIDSON COUNTY, TN