RECEIVED
JUL - 3 1987
DAV. CO. CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

PART I

BOOK 7325 PAGE 668

MILDRED L. BATTLE RUCKER,

Plaintiff,

vs.

KATHERINE SMITH OWENS, ROBERTA BATTLE COMER, ELIZABETH BURNS, JENNIE MAE BURNS, ELI SHANNON, ROBERT SHANNON, OZETTA SHANNON SILAS, MINNIE BATTLE GOOCH, JAMES GOOCH, ROBERT SHIPMAN, VASSER POSEY BATTLE, JEANETTE BATTLE, HENRIETA BATTLE, WILHEMENIA BATTLE PATTERSON, EMMA BATTLE, WINFREY BATTLE, MATTHEW BATTLE, WALTER BATTLE, JR., RUBY JEAN BATTLE SMITH, WILLIAM GENTRY BATTLE, WILLIAM LESLIE BATTLE; the unknown heirs at law of LOUIS N. BATTLE, SR., deceased and wife, ELIZA BATTLE, deceased and also all other persons or parties unknown claiming any right, title, estate, lien or interest in the real estate described in the complaint herein,

Defendants.

CASE NO. 86-2667-I

ORDER FILED & ENTERED 8/13/87
MINUTE BOOK 264 PAGE 611

COURT SEAL
I hereby certify this to be a true copy of original filed in this office.
This 14th day of August 1987
CHARLES E. MORRIS Clerk & Master
By Deputy Clerk & Master

AGREED FINAL ORDER AND DECREE

It appearing to the Court, as evidenced by the signatures of the undersigned, that the parties have compromised and settled all matters associated with this dispute over the 22.65 acres tract of land which is shown on the maps of the Metropolitan Government of Davidson County, Tennessee as Map 181, parcel 38 and the 2.28 acres tract of land shown on said map as Map 181, parcel 124 and more fully and specifically described as:

> A tract of land in the 5th, formerly the 7th, Civil District of Davidson County, Tennessee, as follows:
>
> Being Lot No. 8, the westerly part of Lot No. 5, and the tract marked "Dower" on the Map of the partition of the estate of Lewis Battle, deceased, as of record in Book 57, page 156, Register's Office for said County, described according to said map and according to certain deeds as follows:
>
> Beginning at a stake in the center of Mill Creek, Grigg's northeast corner; thence with the meanderings of said creek in a northeasterly direction to the northeast corner of said Lot No. 8; thence south 5 degrees west 89 poles, more or less, to a point in the south boundary line of Lot No. 5; thence north 88 degrees west 75 poles, more or less, to the southwest corner of the Dower tract; thence north 2 degrees east 12 1/4 poles to the beginning, containing 26 acres and 19 poles, more or less.

Being the property vested in Hartwell Battle, Louis N. Battle, Mrs. Louisa Shannon, Robert E. Battle, Milton Battle, Ann Eliza Battle, James Battle, Walter Battle and Nellie M. Battle, as devisees under the Will of Louis N. Battle of record in Will Book 30, page 329, County Court Clerk's Office for Davidson County, Tennessee.

FURTHER, as reflected on the record of this Court, the defendants were all personally served with process and/or legally served with notice by publication and a default judgment was entered on, April 1, 1987 against the defendants, Katherine Smith Owens, Roberta Battle Comer, Elizabeth Burns, Jennie Mae Burns, Eli Shannon, Robert Shannon, Ozetta Shannon Silas, Minnie Battle Gooch, James Gooch, Robert Shipman, Vasser Posey Battle, Jeanette Battle, Henrietta Battle, Wilhemenia Battle Patterson, Emma Battle, Winfrey Battle, Matthew Battle, Walter Battle, Jr., Ruby Jean Battle Smith and William Gentry Battle, said defendants having failed to plead or otherwise be defended within the time fixed by law.

FURTHER, the unknown heirs of Louis N. Battle, Sr. and wife, Eliza Battle and all other persons or parties unknown claiming any interest in the aforedescribed property were duly represented by Attorney Renard Hirsch, the court appointed Guardian Ad Litem, who filed an answer with this Court on behalf of said defendants on January 22, 1987, and the said guardian ad litem is joining in on this order.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. That plaintiff, MILDRED L. BATTLE RUCKER, owns in fee simple the aforedescribed real property and that title be and is forever quieted and vested in plaintiff and that plaintiff is entitled to the lawful, quiet and peaceful possession of said property.

2. That any interest defendant, WILLIAM LESLIE BATTLE, or those claiming under him, have in the aforedescribed property is hereby divested out of said defendant and vested in the plaintiff and the said, WILLIAM LESLIE BATTLE, hereby conveys in fee said interest to the plaintiff in return for the consideration of the sum of ONE THOUSAND TWO HUNDRED AND 00/100 ($1,200.00) DOLLARS and said sum is to be disbursed to this defendant out of the proceeds of the sale of said property.

3. That plaintiff's title to said real property is hereby forever quieted against any and all claims or demands of the named defendants, Katherine Smith Owens, Roberta Battle Comer, Elizabeth Burns, Jennie Mae Burns, Eli Shannon, Robert Shannon, Ozetta Shannon Silas, Minnie Battle Gooch, James Gooch, Robert Shipman, Vasser Posey Battle, Jeanette Battle, Henrieta Battle, Wilhemenia Battle Patterson, Emma Battle, Winfrey Battle, Matthew Battle, Walter Battle, Jr., Ruby Jean Battle Smith, William Gentry Battle, William Leslie Battle; the unknown heirs at law of Louis N. Battle, Sr., deceased and wife, Eliza Battle, deceased and also all other persons or parties unknown claiming any right, title, estate, lien or interest in the said real property, and that the interests of the aforementioned are divested out of said defendants and vested in plaintiff.

4. That the named defendants, any and all persons claiming under them, and any and all other persons claiming any interest in said property are hereby permanently enjoined from claiming any estate, right, title, lien or interest in or to said real property or any part thereof.

5. That the defendant, William Leslie Battle is responsible for paying his attorney's fees to his attorney of record.

6. That the Guardian Ad Litem be awarded fees in the amount of #350.00 and that said fees be paid out of the proceeds of the sale of the said property.

7. That the plaintiff's attorney be awarded fees in the amount of $4,182.00 and that said fees be paid out of the proceeds of the sale of the said property.

8. That court costs are assessed to plaintiff.

ENTERED THIS _____ DAY OF _____, 1987.

Irvin H. Fulcram Jr.
CHANCELLOR

APPROVED FOR ENTRY:

Richard Manson
Attorney for Plaintiff
1314 5th Avenue North
Germantown Center, Suite 300
Nashville, Tennessee 37208-2726
(615) 254-1600

George Linebaugh, Jr.
Attorney for Defendant, William Leslie Battle
213 3rd Avenue North
Nashville, Tennessee 37201

Renard Hirsch, Sr.
Guardian Ad Litem
619 Woodland Street
Nashville, Tennessee 37206

William Leslie Battle/Married / Phyllis Battle

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been mailed by U.S. mail postage, prepaid to George Linebaugh, Jr., Esq., attorney for defendant, William Leslie Battle, 213 3rd Avenue North, Nashville, Tennessee 37201, Renard A. Hirsch, Esq., Guardian Ad Litem, 619 Woodland Street, Nashville, Tennessee 37206, Jennie Mae Burns, 424 16th Avenue North, Nashville, TN 37203, Elizabeth Burns, 3605 Hewlett Court, Nashville, TN 37211, Emma Battle, 3952 Drakes Branch Road, Nashville, TN 37218, Katherine Smith Owens, 707 North Fifth Street, Nashville, TN 37207, Ruby Jean Battle Smith, 3952 Drakes Branch Road, Nashville, TN 37218, Ozetta Sahnnon Silas, 3262 Elmhurst Street, Detroit, Michigan, Roberta Battle Comer, Route 4, Nolensville Road, Nashville, TN 37211, Vasser Posey Battle, 1531 14th Avenue North, Nashville, TN 37212, Winfrey Battle, 1720 1/2 6th Avenue North, Nashville, TN 37208, Rev. Walter Battle, Jr., 118 Brenda Lane, Nashville, TN, William Gentry Battle, 324 Alice Avenue, Nashville, TN 37211, this 22nd day of July, 1987.

RICHARD MANSON

5598.2
IDENTIFICATION REFERENCE
AUG 14 11 13 AM '87
DAVIDSON COUNTY, TN