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CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

RAYMOND O. HAMPTON AND WIFE,
MELODY HAMPTON
PLAINTIFFS

BOOK 8174 PAGE 102

VS

FILE NO. 90-776-III

ORDER FILED & ENTERED

DAVID R. TOMLINSON, et al

JUN 21 1990

ORDER

MINUTE BOOK 58 PAGE 245

This cause came on to be heard on the 7th day of June, 1990 before the Honorable Robert Brandt, Chancellor, on complaint of the plaintiffs, plaintiffs' motion for default judgment and motion to set against defendant David Tomlinson, said motion being granted by this Court and order of default judgment having heretofore being entered this cause was set upon this day for final hearing. The Court hearing the case without a jury heard the testimony of the Plaintiff, Raymond Hampton and statements of counsel, defendant having failed to appear, from all of which the Court FINDS, ORDERS, ADJUDGES AND DECREES as follows:

1. The contract entered into between the plaintiffs Raymond and Melody Hampton and the defendants, Bobby McCrary and David Tomlinson, dated February 10, 1989 and the modified contract entered into approximately one month later for the sale and purchase of real property should be and is hereby declared rescinded and null and void in its entirety.

2. The warranty deed of David Tomlinson and Bobby McCrary dated May 17, 1989 to Raymond O. and Melody S. Hampton, filed for record on May 24, 1989 in the Register's Office for Davidson County, Tennessee is hereby declared null and void, said property being described therein as follows:

Being a tract or parcel of land located and fronting on the southerly side of Couchville Pike in the 4th Civil District of Davidson County, Tennessee, described as follows: BEGINNING at a point on the south side of Couchville Pike and the property of the USA, and being the northwest corner of the property herein conveyed; thence running in an easterly direction with the Couchville Pike 280 feet to a point in the Couchville Pike and the corner of the Marcella Coss tract; thence running with the Coss' westerly property line in a southerly direction 100 feet to a point, common corner, Coss property, USA property, property herein conveyed; thence in a northerly direction with property line owned by USA (Percy Priest Lake Property) 500 feet to the point of beginning and containing 1 1/2 acres, more or less.

The Court further finds, adjudges, orders and decrees that

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the promissory note which the plaintiffs Raymond and Melody Hampton executed in favor of the defendants Bobby McCrary and David Tomlinson and any resulting deeds of trust on the above described property, if any, are declared null and void.

3. That plaintiffs have judgment against the defendant David Tomlinson in the sum of five thousand six hundred and nine dollars and eighty-eight cents ($5,609.88) as actual damages plus interest at the rate of ten percent (10%) on said amount to begin accruing on May 17, 1989 and to continue until said judgment is paid in full. In addition plaintiffs shall have judgment against the defendant David Tomlinson in the amount of three thousand dollars ($3,000.00) as punitive damages plus interest at the legal judgment rate until paid in full. On both judgments execution may issue if necessary.

4. The plaintiffs claims against defendants Bobby McCrary, Bobbye Reagan, Rita Anderson and Remax Tulip Grove Realty are not concluded or affected by entry of this order, said causes of action to be considered by this Court at a later time.

ENTERED this the ____day of _____, 1990.

JUDGE ROBERT BRANDT

APPROVED FOR ENTRY:
Sherrie L. Durham
SHERRIE L. DURHAM
Attorney for Plaintiffs
111 West Division Street
Mt. JUliet, TN 37122
758-5774
Reg. No. 13224

I hereby certify that this is a true copy of original instrument filed in my office
This 27 day of June 1990
CLAUDIA C. BONEY, Clerk
By _____ D.C.

CERTIFICATE OF SERVICE

I hereby certify that I mailed a true and exact copy of the foregoing Order to David Tomlinson and to Bobby McCrary, 619 Baddour Parkway, Lebanon, TN 37087, and to Bobbye Reagan, Tulip Grove Realty and Rita Anderson at their business address, 5065 Lebanon Rd., Old Hickory, TN 37138 on this the 14th day of June, 1990.

Sherrie L. Durham

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IDENTIFICATION REFERENCE

Aug 14 1 53 PM '90

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

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