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...ANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

VOLUNTEER STATE BANK

Plaintiff,

vs.

HELEN DUTY FLIPPEN, JAMES H. FLIPPEN AND ROBERT EZELL FLIPPEN

Defendants.

BOOK 8480 PAGE 903

FD-6

Appearance No. 90-3291-III

Cont. Pd.

ORDER FILED & ENTERED OCT 31 1991

MINUTE BOOK 66 PAGE 483

AGREED ORDER

This cause came on to be further considered by the Court upon application of the plaintiff, **Volunteer State Bank**, and the defendant, **Robert Ezell Flippen**, and it was made to appear to the Court that Helen Flippen died on the 26th day of August, 1991, and that default judgment was entered against James H. Flippen on the 22nd day of September, 1991. Therefore, the matters and things at issue in this case are determined and agreed to by the parties which are as follows:

1. One-third (1/3) of the fee simple interest in the subject property described in Exhibit A attached to this Order is vested in Robert Ezell Flippen pursuant to the Last Will and Testament of H. E. Flippen as of record in Will Book 122, page 600, Office of the Probate Court Clerk of Davidson County, Tennessee.

2. Two-thirds (2/3) of the fee simple interest in the property described in Exhibit A is vested in Volunteer State Bank as the purchaser of said interest pursuant to the Substitute Trustee's Deed of record in Book 8046, page 740, Register's Office for Davidson County, Tennessee, said interest being sold pursuant to the power of sale contained in the Deed of Trust of record in Book 7788, page 207, Register's Office for Davidson County, Tennessee.

3. The interest of James H. Flippen was conveyed in trust to Carl H. Oldham, Trustee, pursuant to the Deed of Trust of record in Deed Book 7788, page 207, Register's Office for Davidson County, Tennessee.

4. The interests of Helen Duty Flippen and Robert Ezell Flippen were not conveyed in trust in that the signatures of James

H. Flippen and Robert Ezell Flippen were forgeries.

5. The interest of Helen Duty Flippen has terminated upon her death.

It, therefore, **ORDERED, ADJUDGED** and **DECREED** that the title to the real estate described in Exhibit A, attached hereto, and incorporated in this Order by reference, is hereby declared to be vested one-third (1/3) in Robert Ezell Flippen and two-thirds (2/3) in the Volunteer State Bank, said parties holding title as tenants in common.

It is further **ORDERED, ADJUDGED** and **DECREED** that this is a final decree in this cause, and the same may be recorded in the Register's Office for Davidson County, Tennessee as evidence of the parties title to said real property.

It is further **ORDERED, ADJUDGED** and **DECREED** that the costs of this cause be paid by the plaintiff, Volunteer State Bank, for which execution may issue if necessary.

ENTER this _____ day of _____, 1991.

JUDGE

APPROVED FOR ENTRY:

ORTALE, KELLEY, HERBERT & CRAWFORD

David B. Herbert (3482)
Attorney for Plaintiff
3rd Floor, Noel Place
200 Fourth Avenue North
Nashville, TN 37219
(615) 256-9999

I hereby certify that this is a true copy of original instrument filed in my office.
This 6 day of Nov - 19 91
CLAUDIA C. BONNYMAN Clerk & Master
By _____ D.C. Deputy Clerk

WEED, HUBBARD AND BERRY

Douglas Berry (6927)
Attorney for Robert Ezell Flippen
424 Church Street
Third National Financial Center, 20th Floor
Nashville, TN 37219
(615) 251-5444

cc: Bradley A. MacLean

flippen.ord

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IDENTIFICATION REFERENCE

Nov 6 3 05 PM '91

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