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OCT 2 [illegible] CHANCERY COURT

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RE-RECORD BOOK 8485 PAGE 43

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

Costs 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

**** This instrument is being re-recorded in order to include the legal description shown on the attached Exhibit A which was omitted at the time the Agreed Order was originally recorded.

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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 - 1991
CLAUDIA C. BONNYMAN Clerk & Master
By J. 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

NOV 07 1991

cc: Bradley A. MacLean

flippen.ord

7095 11/06 0101 03CHECK 6.00

Nov 6 3 05 PM '91 REGISTER'S FEE DAVIDSON COUNTY TN

IDENTIFICATION REFERENCE

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90-3291-III

Volunteer St. BANK
v
90-3291-III
Helen Duty Flippen, et al

RE-RECORD BOOK 8485 PAGE 45

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EXHIBIT A

A tract of land in the 6th formerly the 9th Civil District of Davidson County, Tennessee, described according to a survey made by W. B. Southgate, Surveyor, April 19, 1932, as follows:

BEGINNING on the easterly margin of Franklin Road at a point 1340 feet south of the southerly margin of Thompson Lane, said point being the southwest corner of Lot No. 3, on the map of a division of the land of Joseph Thompson, deceased as of record in the Plan Book 2, Page 173, Chancery Court at Nashville; thence with the southerly line of said Lot No. 3, North 81 deg. 30 min. East 1118 feet; thence South 31 deg. 55 min. East 317 feet 6 inches; thence South 81 deg. 30 min. West 1248 feet to the easterly margin of the Franklin Road; thence with said road northwardly 290 feet to the beginning containing 7-88/100ths acres more or less.

INCLUDED in the foregoing description but expressly **EXCLUDED** herefrom, are two tracts of land conveyed to the State of Tennessee by deed of record in Book 4538, page 936, Register's Office for Davidson County, Tennessee, and the tract of land conveyed to Robert E. Flippen and wife, Jean Rule Flippen, by deed of record in Book 4557, page 905, Register's Office for Davidson County, Tennessee.

BEING part of the same property conveyed to H. E. Flippen by deed of record in Book 1046, page 565, register's Office for Davidson County, Tennessee. H. E. Flippen having since died. By his Last Will and Testament recorded in Will Book 122, page 600, Office of Probate Clerk of Davidson County, Tennessee, H. E. Flippen (being the same person as Harden Ezell Flippen), devised said real estate to Helen Duty Flippen, James H. Flippen, and Robert Ezell Flippen as set out in said Will.

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

This 12 day of Nov 1991

CLAUDIA C. BONNYMAN Clerk & Master

By _____ Deputy Clerk

CHANCERY COURT NASHVILLE TENNESSEE

RE-RECORD

6.17.28.

IDENTIFICATION REFERENCE

Nov 13 3 38 PM '91