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GEORGE L. ROOKER, CLERK

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY
AT NASHVILLE

THE METROPOLITAN GOVERNMENT OF)
NASHVILLE AND DAVIDSON COUNTY)
)
VS.) NO. 90C-2179
)
PAUL FREEMAN, JR.)

AGREED FINAL ORDER

It appearing to the Court as evidenced by the separate signatures of counsel for the plaintiff and respondent that this matter has been compromised and settled;

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the Respondent have and recover the sum of $1,100.00, the same being the fair cash market value of the property described hereinbelow, Petitioner having heretofore paid into Court $1,000.00 at the time of filing the Petition for Condemnation.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the title to the property described hereinbelow be, and the same is hereby divested out of Respondent and all other persons claiming any adverse interest therein and hereby is vested in The Metropolitan Government of Nashville and Davidson County, in fee simple, said property being more particularly described as follows:

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TRACT NO. 102 E-1 (PERMANENT CHANNEL IMPROVEMENT EASEMENT): Beginning at an iron pin set on the south boundary line of the property described in deed to Roy Lee Rose and wife, Iva Sue Rose from Alma Fuller recorded in Deed Book 5334, Page 753, R.O.D.C., Tennessee that is South 84°04'34" East 167.98 feet from the east right-of-way line of Creek Street; thence with said south boundary line, South 84°04'34" East 9.02 feet to an iron pin set; thence with the west right-of-way line of CSX Railroad South 6°52'19" West 70.00 feet to an iron pin set; thence with the north boundary line of the property described in a deed to Morris Levine from John E. Daley recorded in Deed Book 5062, Page 312, R.O.D.C., Tennessee, North 84°04'34" West 6.46 feet to an iron pin set; thence with a new line North 8°24'40" East 52.58 feet to an iron pin set; thence North 5°59'51" West 17.84 feet to the point of beginning and containing 425 Square feet or 0.010 acre, more or less.

TRACT NO. 102 E-2 (TEMPORARY CONSTRUCTION EASEMENT): Beginning at an iron pin set on the south boundary line of the property described in a deed to Roy Lee Rose and wife, Iva Sue Rose from Alma Fuller recorded in Deed Book 5334, Page 753, R.O.D.C., Tennessee that is South 84°04'34" East 167.98 feet from the east right-of-way of Creek Street; thence with a new line, South 5°59'51" East 17.84 feet to an iron pin set; thence South 8°24'40" West 52.58 feet to an iron pin set; thence with the north boundary line of the property described in a deed to Morris Levine from John E. Daley recorded in Deed Book 5062, Page 312, R.O.D.C., Tennessee, North 84°04'34" West 17.02 feet to a point; thence with a new line North 8°24'40" East 51.17 feet to a point; thence North 5°59'51" West 19.28 feet to a point; thence with the south boundary line of the property described in a deed to Roy Lee Rose and wife, Iva Sue Rose from Alma Fuller, South 84°04'34" East 17.37 feet to the point of beginning and containing 1,198 square feet or 0.028 acre, more or less.

The two above described tracts of land are parts of Parcel 309 on Davidson County Property Map 105-4 and also are parts of the property described in a deed to Paul Freeman, Jr., from George A. Patton, Sr. dated January 9, 1976 and recorded in Deed book 4987, Page 128, R.O.D.C., Tennessee.

Field Book No. 14W 24625
Map and Parcel No. 105-4/309

It further appearing to the Court that the property hereinabove described may be subject to a lien for taxes due, interest and penalty, if any, owing to The Metropolitan Government of Nashville and Davidson County and in accordance with Tennessee Code Annotated, Sections 26-5-108(b), the Clerk of the Court, prior to the payment of any part of the judgment to Respondents shall ascertain whether there are any taxes due and unpaid which are lien upon said property, and shall issue to each of the officials charged with the collection of any tax which might be a lien on said property a statement, giving the style and number of this Cause, a description of the property, and the name of the party out of whom title is divested; whereupon each of said officials shall certify to said Clerk an itemized statement of any taxes, interest and penalty, if any, which were a lien upon said land as of the date of Entry of the Order of Possession.

It is therefore, ORDERED, ADJUDGED and DECREED that the Clerk is directed to pay out the money deposited by the Petitioner any unpaid taxes that may be determined to be owing by the above references, and the Clerk shall pay any remaining funds to the Respondent,

It is further ORDERED by the Court that the costs in this Cause be and the same are hereby taxed against the Petitioner for which execution may issue if necessary.

The Clerk of this Court will make out and certify to the Metropolitan Government of Nashville and Davidson County (c/o the Department of Law), a copy of this judgment together with a cost bill for the lawful costs of this cause, for payment by the Metropolitan Government.

Entered this 27th day of August, 1991.

Martha M. Haynes
BARBARA N. HAYNES, JUDGE
by Juliet Mayo

APPROVED FOR ENTRY:

Phil D. Baltz
PHILIP D. BALTZ #5315
Metropolitan Attorney
204 Metropolitan Courthouse
Nashville, Tennessee 37201
615/862/6341

Charles F. Frazier
CHARLES F. FRAZIER,
Attorney for Respondents

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been mailed or delivered to Charles F. Frazier, Attorney at Law, 200 Court Square Building, 300 James Robertson Parkway, Nashville, Tennessee 37201, this 23rd day of August, 1991.

Phil D. Baltz
PHILIP D. BALTZ

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STATE OF TENNESSEE

I, **GEORGE L. ROOKER**, *Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the* Third *Circuit Court for Davidson County, Tennessee, on the* 28th *day of* August, 1991, *in Case Number* 90C-2179 *between* Metropolitan Government *Plaintiff, and* Paul Freeman, Jr. *Defendant, as same remains of record in Book* 141A, *Page* 460 *of the Minutes of said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 24th *day of* October *in the year one thousand nine hundred and* ninety-one *and in the* 216 *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By S Bayne, *D.C.*

Form #GR-117