IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1992 JUL 13 PM 12:15

METROPOLITAN DEVELOPMENT HOUSING AGENCY,

Petitioner,

v.

JAMES A. SMITH,
521 Southgate Avenue
Nashville, TN 37203, and
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,

Defendants.

No. 92C-1241

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ORDER

This matter is before the Court upon the Plaintiff MDHA's Petition for Condemnation, Declaration of Taking and Petition for a Writ of Possession against the Defendant James A. Smith's property located at 521 Southgate Avenue, Nashville, TN 37203 and against the Metropolitan Government of Nashville and Davidson County, Tennessee as its interest may appear. Service of process was accepted by James A. Smith's attorney of record, Mr. Wallace Dietz, and on behalf of the Metropolitan Government by Mr. Phillip Baltz of the Legal Department. Upon the record as a whole, the Court being duly sufficiently advised, finds that MDHA's Petition for Condemnation, Declaration of Taking and Motion for Writ of Possession are in all respects in order and are granted;

It is, therefore, ORDERED by the Court that the MDHA received title and possession of the property sought to be condemned and that a Writ of Possession issue, if necessary, in order to put MDHA in possession of said property, being more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 8 on the Plan of the Resubdivision of the D. J. and W. T. White property, as of record in Book 4460, Page 161, Register's Office for said County and described as follows:
>
> Beginning at a point at the southeast corner of Southgate Avenue and Martin Street; thence with the south margin of Southgate Avenue, eastwardly 103.35 feet; thence southwardly 174.26 feet to a point in the north line of Lot No. 7 on said plan; thence with the line between said Lot No. 7 and Lot No. 8, westwardly 104.3 feet to a point in the east margin of Martin Street; thence with said margin of said Martin Street, northwardly 176.00 feet to the point of beginning.

Being the same property conveyed to Mid-State Educators Credit Union by deed from Earl Thompson, Trustee, of record in Book 5585, Page 725, Register's Office for Davidson County, Tennessee.

It is further ORDERED that this matter be referred to the Clerk of the Court to determine past and unpaid Metropolitan Taxes, if any;

It is further ORDERED that the Clerk shall determine and satisfy any and all liens which remain upon said property before paying the remainder of the funds, if any, to the defendant James A. Smith.

ENTERED this the ____ day of _____, 1992.

BARBARA HAYNES, JUDGE
THIRD CIRCUIT COURT

APPROVED FOR ENTRY:

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IDENTIF. TREFERENCE

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FELIX Z. ANDERSON REGISTER
DAVIDSON COUNTY TN.

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* 13th. *day of* JULY, *19* 92, *in Case Number* 92C-1241 *between* METROPOLITAN GOVERNMENT *Plaintiff, and* JAMES A. SMITH, ET AL *Defendant, as same remains of record in Book* 143B, *Page* 1053 *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* 14th. *day of* July *in the year one thousand nine hundred and* Ninety-Two *and in the* 216th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____, *D.C.*

Form #GR-117