PROJ. # Elm Hall Sec 1 / Hickory Park Dr, 144B/1252
M/P # 162/122

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY
AT NASHVILLE 1992 DEC 14 PM 12

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY)
)
vs.) No. 91C-3153
)
WILLIAM L. RUDOLPH)

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AGREED FINAL ORDER

This Cause having been compromised and settled, as evidenced by the signature of counsel for Petitioner and the signature of counsel for Respondent, and the Court being duly and sufficiently advised;

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the Respondent have and recover the sum of $67,000.00, the same being the fair cash market value of the property described hereinbelow, Petitioner having heretofore paid into Court $52,272.00 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 Respondents 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:

> Land lying in Metropolitan Nashville and Davidson County, Tennessee being located east of the east right of way of Hickory Park Drive, and north of and adjacent to the northerly boundary of Hickory Park Villas Subdivision, Section Two of record in Plat Book 5200, Page 603, Register's Office for Davidson County, Tennessee, and also being part of an 11.45 acre tract recorded as Lot 2, Reserved Parcel, on the Plan of Leisure Heights of record in Plat Book 5200, Page 609, and being further described as follows:
>
> Beginning at a point in the rear or northerly line of Lot 57 on the above mentioned plat of Hickory Park Villas and said beginning point being located S 89 degrees 30 minutes 24 seconds West 15.58 feet from a concrete monument; thence with the north lines of Lots 57 and 56, S 89 degrees 30 minutes 24 seconds West 200.00 feet to a concrete monument; thence with a curve to the left having a radi-

us of 680.00 feet and a cord bearing of N 8 degrees 49 minutes 10 seconds West for a distance of 46.76 feet to a concrete monument at the end of the curve; thence North 10 degrees 47 minutes 21 seconds West 154.50 feet to a point; thence North 89 degrees 04 minutes 56 seconds East 232.91 feet to a point; thence S 0 degrees 55 minutes 00 seconds East 200.00 feet to the point of beginning, and containing 0.986± acre.

Being part of an 11.45 acre tract, conveyed to William L. Rudolph by Julian L. Bibb, Trustee, the deed for which is of record in Book 7977, Page 431, R.O.D.C., Tennessee.

FIELD BOOK NO. 05DU 62200
MAP/PARCEL NO. 162/172

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 Respondent 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 day of , 1992.

BARBARA N. HAYNES, JUDGE

APPROVED FOR ENTRY:

PHILIP D. BALTZ #5315
Metropolitan Attorney
204 Metropolitan Courthouse
Nashville, Tennessee 37201
(615) 862-6341

LARRY R. WILLIAMS, #3308
Attorney for Respondent William L. Rudolph
1100 L & C Tower
Post Office Box 3079
Nashville, TN 37219-0079

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been mailed or delivered to Larry Williams, Attorney for Respondent, 1100 L & C Tower, P.O. Box 3079, Nashville, TN 37219-0079, on this 10th day of November, 1992.

PHILIP D. BALTZ

7.44887.

IDENTIFI REFERENCE

DEC 17 9 54 AM '92

[illegible] WILSON CO REGISTER
DAVIDSON COUNTY, TN

PICK-UP

[illegible] 0101 CKCHECK 16.00

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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* 14th. *day of* DECEMBER, *19* 92, *in Case Number* 92C-3153 *between* METROPOLITAN GOVERNMENT *Plaintiff, and* WILLIAM L. RUDOLPH *Defendant, as same remains of record in Book* 144B, *Page* 1252 *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* 15th. *day of* December *in the year one thousand nine hundred and* Ninety-Two *and in the* 217th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By [signature] *D.C.*

Form #GR-117