PROJ. # 85-R-31 Elm Hill Pike
M/P# 108-53

FILED

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1993 JAN 25 PM 2:05

GEORGE L. ROOKER, CLERK

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THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY)
)
v.) No. 91C-406
)
ROBERT L. GOSS, JR.,)

PICK-UP

JUN 7 12 22 PM '93

DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE

2.7.4 5.4.

AMENDED FINAL ORDER

The motion of the Petitioner, The Metropolitan Government of Nashville and Davidson County, to amend the Agreed Final Order heretofore entered in this matter to include a legal description of certain property inadvertently omitted in the Agreed Final Order came on to be heard before this Court on the 15th day of January, 1993. It appearing to the Court from a review of the record that this proposed amendment is well-founded, and accordingly, the same is hereby granted;

BOOK 8973 PAGE 290

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the Respondents have and recover the sum of $35,000.00, the same being the fair cash market value of the property described hereinbelow as hereinbefore in the original Final Order of record in Minute Book 140B, page 873.

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:

Map & Parcel No. 108-00-53 FEE SIMPLE

Land in Davidson County, Tennessee described as follows:

RIGHT-OF-WAY: From the point of beginning, said point being on the existing northern right-of-way of Elm Hill Pike and also being the southwest property corner of the property belonging to Robert L. Goss, Jr. and the southeast property corner of the property belonging to Gerre Goss White; thence N07°00'40"E for 22.35 feet to a point on the boundary; thence S89°34'34"E

for 392.61 feet to the beginning of a curve, said curve having central angle 010°16'30", radius 2824.79 feet, chord bearing N85°17'11"E, and chord distance 505.90 feet, along the said curve for an arc distance of 506.58 feet to the end of the curve; thence S08°55'57"W for 84.37 feet to the beginning of a curve, said curve having central angle 006°44'48", radius 2904.79 feet, chord bearing S84°03'29"W, and chord distance 341.84 feet, along the said curve for an arc distance of 342.04 feet to the end of a curve and to the beginning of another curve, said curve having central angle 020°34'51", radius 35.00 feet, chord bearing S77°08'27"W, and chord distance 12.50 feet, along the said curve for an arc distance of 12.57 feet to the end of the curve; thence N81°13'40"W for 242.10 feet to a point on the boundary; thence N81°13'40"W for 25.91 feet to a point on the boundary; thence N81°13'40"W for 106.01 feet to a point on the boundary; thence N88°44'24"W for 164.62 feet to the point of beginning, containing 1.193 acres, more or less.

TEMPORARY CONSTRUCTION EASEMENT:

From the point of beginning, said point being in a curve on the proposed northern right-of-way of Elm Hill Pike and also being the new southeast property corner of the property belonging to Robert L. Goss, Jr. and the new southwest property corner of the property belonging to Willie Jane Williams; said curve having central angle 010°16'30", radius 2824.79 feet, chord bearing S85°17'11"W, and chord distance 505.90 feet, along the said curve for an arc distance of 506.58 feet to the end of the curve; thence N89°34'34"W for 183.84 feet to a point on the boundary; thence N85°45'34"E for 184.45 feet to the beginning of a curve, said curve having central angle 008°19'23", radius 2809.79 feet, chord bearing N86°15'44"E, and chord distance 407.81 feet, along the said curve for an arc distance of 408.17 feet to the end of the curve; thence N70°26'55"E for 109.17 feet to a point on the boundary; thence S08°55'57"W for 37.00 feet to the point of beginning, containing 10,040.60 square feet, more or less. Said temporary construction easement to be abandoned upon completion of construction.

Being part of the property conveyed to Robert L. Goss, Jr. from Robert L. Goss, Sr. and wife, Anne Sherman Goss the deed for which is of record in Book 6751, Page 694, R.O.D.C. Tennessee.

DESCRIPTION OF A REMAINDER OF THE ROBERT L. GOSS TRACT

From the point of beginning, said point being on the proposed southern right-of-way of Elm Hill Pike 400+ east of the proposed intersection of Elm Hill Pike and Old Elm Hill Pike, and also being the north corner of the Williams tract; thence, with the right-of-way of Elm Hill Pike and a curve having a central angle of 006-44-48, radius 2904.79 feet, chord bearing S84°03'29"W, chord distance 341.84 feet, along said curve for a distance of 342.04 feet to a point; thence, with the right-of-way of the re-aligned Old Elm Hill Pike and a curve having a central angle of 20-34-51, radius 35.00 feet, chord bearing of S77°08'27"W, chord distance of 12.50 feet, along said curve for a distance of 12.57 feet to a point, thence leaving said right-of-way with the north line of the Willie Jane Williams property S81°13'40"E 342.00 feet to a point; thence with the west line of said Williams property N8°55'57"E 91.44 feet to the point of beginning, containing 0.34 acres more or less.

The above describes the southern remainder of the Robert L. Goss tract as shown on Property Map 108, Parcel 53 and recorded in Book 6751, Page 694 R.O.D.C. Tennessee.

Field Book No. 03D 74220
Map & Parcel No. 108-00-53

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 _____, 1993

Barbara N. Haynes
BARBARA N. HAYNES, JUDGE

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

APPROVED FOR ENTRY:

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

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing AMENDED FINAL ORDER has been forwarded to Robert L. Goss, Jr., Respondent, 3128 Elm Hill Pike, Nashville, TN 37210, on this 19th day of January, 1993.

Philip D. Baltz

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* 25th. *day of* JANUARY, *19* 93, *in Case Number* 91C-406 *between* METROPOLITAN GOVERNMENT *Plaintiff, and* ROBERT L. GOSS, JR. *Defendant, as same remains of record in Book* 144C, *Page* 1761 *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* 25th. *day of* JANUARY *in the year one thousand nine hundred and* NINETY-THREE *and in the* 216th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____ *D.C.*

Form #GR-117