PROJ. # 89-SC-92A
M/P# 34-11-15

BOOK 8980 PAGE 37

IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

93 APR 30 PM 2:49

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY)
)
VS.) NO. 91C-3078
)
R.D. NIXON; BETTY NIXON; and FIRST AMERICAN NATIONAL BANK)

Candy Rucker D.C.

JUN 14 9:48 AM '93

DAVIDSON COUNTY, TN

REGISTER/REFEREE

29685

AGREED FINAL ORDER

It appearing to the Court as evidenced by the separate signatures of counsel for Petitioner, The Metropolitan Government of Nashville and Davidson County, and Respondents, R.D. Nixon and Betty Nixon, that this matter has been compromised and settled, and further, that all remaining Respondents have been dismissed from this cause of action by earlier order of the Court, and the Court being duly and sufficiently advised;

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the Respondents, R.D. Nixon and Betty Nixon, have and recover the sum of $251,200.00, the same being the fair cash market value of the property described hereinbelow, the Petitioner having heretofore paid into Court $160,000.00 at the time of filing the Petition for Condemnation. 16.00

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the title to the real 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 real property being more particularly described as follows:

FEE SIMPLE

Land in Davidson County, Tennessee, being Lot Nos. 6,7,8,9,20,21,22 & 23, Block 8, and Lot Nos. 6,7,8 & 9, Block 10, and those portions of the closed streets and alley adjacent to said lots, as shown on the Map of Edenwold Center Subdivision, of record in Book 421, page 128, said Register's Office, more particularly described as follows:

Beginning at a point on the southerly side of County Road leading from Edenwold to

the Cumberland River, old suspension bridge now abandoned, and at the northerly corner of Ben Brown Lot, and running in a southerly direction with Ben Brown's lots, 430 feet to a point in Sudekum's line; thence with his line in an easterly direction 100 feet to a point; thence in a northerly direction, 430 feet to a point in County Road; thence in a westerly direction 100 feet to the point of beginning.

Being the same property conveyed to R. D. Nixon and wife, Betty Nixon, the deed for which is of record in Book 5855, Page 693, R.O.D.C., Tennessee.

Field Book No. 10D41490
Map and Parcel No. 34-11/15

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 and 26-5-109 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 property as of entry of this Order.

It is, therefore, ORDERED, ADJUDGED and DECREED that the Clerk is directed to pay out of the monies deposited by the Petitioner all unpaid taxes that may be determined to be owing by the above references, and the Clerk shall pay any remaining funds over to the Respondents, R.D. Nixon and Betty Nixon.

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

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.

HAMILTON GAYDEN, JUDGE

APPROVED FOR ENTRY:

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

JOE M. HAYNES
Attorney for Respondents
140 North Main Street
Goodlettsville, TN 37070
615/859-1328

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been mailed or delivered to B. Anthony Saunders, Attorney for First American National Bank, 721 First American Center, Nashville, TN 37237-0721, and Mr. James W. Fisher, Jr. and Joe M. Haynes, Attorneys for Respondent Betty Jean Nixon, 140 North Main Street, Goodlettsville, Tennessee 37070 on this 19th day of April, 1993.

PHILIP D. BALTZ

STATE OF TENNESSEE

I, ~~GEORGE L. ROOKER~~ RICHARD R. 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* First *Circuit Court for Davidson County, Tennessee, on the* Thirtieth *day of* April, *19* 93, *in Case Number* 91C-3078 *between* Metro *Plaintiff, and* Betty Nixon, et al *Defendant, as same remains of record in Book* 181C, *Page* 1945 *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* 5th *day of* May *in the year one thousand nine hundred and* ninety-three *and in the* 213th *year of American Independence.*

RICHARD R. ROOKER
~~GEORGE L. ROOKER~~, *Clerk,*
By Candy Rucker *D.C.*

Form #GR-117