PROJ. # 89-SC-92A
M/P # 34-11-14

181C/1968

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First/

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Candy Rucker

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY)
)
VS.) NO. 91C-2621
)
BETTY JEAN NIXON)

AGREED FINAL ORDER

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This cause having been compromised and settled, as evidenced by the signatures of counsel for the Petitioner and 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 $3,800.00, the same being the fair cash market value of the real property described hereinbelow, Petitioner having heretofore paid into Court $3,800.00 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 real 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 real property being more particularly described as follows:

FEE SIMPLE

Land in Davidson County, Tennessee, being Lots 3, 4 and 5 of Block No. 8 on the Map of Edenwold Center Subdivision, as of record of Book 421, Page 128, Register's Office for Davidson County, Tennessee.

Said Lots Nos. 3, 4 and 5 front 25 feet each on the southerly side of a County road, running between said property and the Louisville and Nashville Railroad and run back between parallel lines 100 feet, more or less, to an alley.

Being the same property conveyed to Betty Jean Nixon by quitclaim deed from Betty Jean Nixon, Executrix under the Last Will & Testament of Roy Donald Nixon, of record in Will Book 145, Page 638, Probate Clerk's Office of Davidson County, Tennessee, and of record in Book 6487, Page 7, Register's Office for Davidson County,

Tennessee. And being the same property conveyed to Charles T. Swindle and Roy Don Nixon of record in Book 5090, Page 967, Register's Office for Davidson County, Tennessee, from Estelle Chaney a/k/a Estelle B. Chaney and James Brown. Charles T. Swindle quitclaimed his interest to Roy Don Nixon in Book 5871, Page 566, said Register's Office.

Field Book No. 10D 41480
Map/Parcel No. 34-11/14

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 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 property as of entry of this Order.

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

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 3rd day of MAY, 1993.

HAMILTON GAYDEN, JUDGE

APROVED FOR ENTRY:

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

Joe M. Haynes with permission - Phil D Baltz 1st Motion 24.

JOE M. HAYNES
Attorney for Betty Nixon
140 North Main Street
Goodlettsville, TN 37070

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been mailed or delivered to Joe M. Haynes, Attorney for Respondent Betty Jean Nixon, 140 North Main Street, Goodlettsville, Tennessee 37070, on this 27th day of April, 1993.

PHILIP D. BALTZ

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STATE OF TENNESSEE

RICHARD R. ROOKER

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* First *Circuit Court for Davidson County, Tennessee, on the* third *day of* May, *19* 93, *in Case Number* 91C-2621 *between* Metro Government *Plaintiff, and* Betty Nixon *Defendant, as same remains of record in Book* 181C, *Page* 1963 *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