PROJ. # 89-SC-927

M/P # 34-11/25

182A/664

IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1993 JUN 25 PM 12:03

RICHARD R. ROOKER, CLERK

C Rucker D.C.

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY)
)
vs.) No. 91C-2622
)
RAYMOND M. PEGRAM; MARY E. PEGRAM)

FELIX Z. TAYLOR II REGISTER DAVIDSON COUNTY, TN 93 JUL 14 AM 9:25

IDENTIF. & REFERENCE 40678

BOOK 9013 PAGE 414

FINAL ORDER

This Cause came on to be heard on the 14th and 15th days of June, 1993, before the Honorable Hamilton Gayden, Judge of the First Circuit Court for Davidson County, Tennessee, and a jury of six (6) to wit; Susan Vanderpool, Mary Tygart, Janet Crawford, Susan Richardson, Tony Wood and Dolly Hodges, who being duly sworn to well and truly try the issues joined, and they having held all of the evidence and argument of counsel as well as charge of the Court, did retire to deliberate their verdict. Said jury continued their deliberation until the 16th day of June, 1993. Upon concluding deliberation, the jury stated under their oath that the Respondents, Raymond M. Pegram and Mary E. Pegram, were entitled to recover of the Petitioner $25,000.00 for the real property interest hereinbelow set out and that said amount represented a fair market value of the real property interest conveyed to the Petitioner.

It is hereby ORDERED, ADJUDGED and DECREED that the Respondents have and recover the sum of $25,000.00, the same being the fair cash market value of the real property interest described hereinbelow, Petitioner having heretofore paid into Court $5,400.00 at the time of the filing of the Petition for Condemnation.

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It is therefore ORDERED, ADJUDGED and DECREED by the Court that the Respondents shall be entitled to interest at the rate of ten percent (10%) per annum from the date of possession of the Metropolitan Government of the property herein described below from the date of October 15, 1991 to June 16, 1993, on the amount of $19,600.00, the same being the differ-

ence between the sum of $5,400.00 placed on tender into the Court and the jury award of $25,000.00. Said total award inclusive of interest being the amount of $28,265.00.

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. 34-11-25

The certain tract of land in the Tenth (10th) Civil District, formerly in the Twentieth (20th) Civil District of Davidson County, Tennessee and more particularly described as follows:

Beginning at a stake ten (10) feet west of stock pass under the Louisville & Nashville Railroad; thence with Louisville & Nashville Railroad northeasterly one hundred and seventy (170) feet; thence south thirty-seven (37) degrees east four hundred and fifteen (415) feet to low water mark on Cumberland River; thence south thirty nine (39) degrees west with low water mark on Cumberland River one hundred and sixty-five (165) feet to a stake; thence north thirty-nine (39) degrees west four hundred and twenty (420) feet to the beginning, containing two hundred and fifty-one (251) poles or one (1) acre and ninety-one (91) poles.

Being the same property conveyed to Raymond M. Pegram and wife, Mary E. Pegram, the deed for which is of record in Book 7510, Page 683, R.O.D.C., Tennessee.

Field Book No. 10D 41550
Map and Parcel No. 34-11/25

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 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 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 Respondents, Raymond M. Pegram and Mary E. Pegram;

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 25th day of June, 1993.

HAMILTON GAYDEN, Judge

APPROVED FOR ENTRY:

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

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing FINAL ORDER has been mailed to Vicky V. Klein and Tony Deas, Attorneys for Respondents, P. O. Box 749, Goodlettsville, Tennessee 37070-0749, this 17th day of June, 1993.

Philip D. Baltz

STATE OF TENNESSEE

I, **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 _25 day of _JUNE , 19 _93 , in the Case Number _91C2622 between _METRO GOV'T. Plaintiff, and _PEGRAM, RAYMOND M. ET.AL Defendant, as same remains of record in Book 182A , Page _664 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 _30 day of _JUNE in the year one thousand nine hundred and _ninety-three and in the _217th_ year of American Independence.

RICHARD R. ROOKER, Clerk,

By Candy Rucker
Deputy Clerk

SEAL

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