RECEIVED
OCT 2 2 1993
DAV. CO. CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

RONALD E. PITKIN and wife, JULIA M. PITKIN,

Plaintiffs,

v.

THE UNKNOWN HEIRS OF NATHAN EWING, DECEASED,

Defendants.

F.O.(4)

Civil Action No. 93-2327-I

ORDER FILED & ENTERED NOV 01 1993
MINUTE BOOK 301 PAGE 199

D E C R E E

This cause came upon to be heard before the Honorable Irvin H. Kilcrease, Jr., Chancellor, upon Motion by the Plaintiffs for a judgment by default, a hearing of the cause upon the entire record, including the pleadings and memorandum submitted by the Plaintiffs.

And it appearing to the Court that the Defendants have been served by publication and no Answer or defense has been made in a timely manner.

And it further appearing to the Court that the Plaintiffs are interested persons who have a property right in the real property hereinafter described, that the real property hereinafter described is unsuitable for the use as a resting place for the dead whose remains were buried there, because such burial ground has been abandoned, neglected, and the gravestones moved by the descendants, such action being a condition or activity which renders further use of the real property hereinafter described inconsistent with the due and proper reverence and respect for the memory of the dead.

And it further appearing to the Court that the Plaintiffs and their predecessors in title have paid all property taxes on the real property as hereinafter described for more than twenty years, and who have claimed ownership for more than twenty years.

It is, therefore, **ORDERED, ADJUDGED AND DECREED** that a judgment by default should be and the same is hereby taken and entered against the Defendants.

It is further **ORDERED, ADJUDGED AND DECREED** that the following described property shall hereinafter be declared abandoned as a graveyard, and title to the same vested in the Plaintiffs, their

heirs, successors, and assigns, said property in Nashville, Davidson County, Tennessee, being described, to wit:

> Being on the easterly one-half of Lot 24 on the Map of Leonte Subdivision, not recorded, whereon the graveyard of the Nathan Ewing Descendants was partially located as referred to in Book S, Page 518, R.O.D.C., approximately 44 feet more or less fronting on Woodmont Boulevard and extending in a northerly direction between parallel lines approximately 88 feet more or less to the rear of said Lot 24.
>
> The above-described property located at 1014 Woodmont Boulevard in Nashville, Davidson County, Tennessee, the same being Map 118-9, Parcel 55.

It is further **ORDERED, ADJUDGED AND DECREED** that the costs of the cause should be and the same are hereby taxed against the Plaintiffs.

Enter this the _____ day of October, 1993.

IRVIN H. KILCREASE, JR.,
CHANCELLOR

APPROVED FOR ENTRY:

LASSITER, TIDWELL & TRENTHAM

BY: Clark H. Tidwell

Clark H. Tidwell, BPR #2280
213 Fifth Avenue, North
Nashville, TN 37219
(615) 259-9344
Attorney for the Plaintiffs

I hereby certify that this is a true copy of original instrument filed in my office.
This 2nd day of November, 1993
CLAUDIA C. BONNYMAN, Clerk & Master
By _____ Deputy Clerk

80703
IDENTIF. & REFERENCE

93 NOV -2 AM 11:19
PENNY WARNER, REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

2912 11/02 0101 01CASH 8.00

f:\users\margie\lit\pitkin.doc