IN THE FOURTH CIRCUIT COURT FOR THE STATE OF TENNESSEE
FOR THE 20TH JUDICIAL DISTRICT, DAVIDSON COUNTY

LARRY E. HAGER,

Plaintiff,

vs.

CLAUDETTE E. DEFENBAUGH,

Defendant.

Docket No. 67018

5767 07/28 0101 03CHECK 24.00

ORDER

This matter came to be heard on the 28th day of June, 1995, before the Honorable Muriel Robinson. Upon the plaintiff's Motion for Default Judgement of June 2, !995, the Court determined that a full hearing be afforded to all of the parties due to the age of the case, and that a subpoena be issued to the defendant to give her every opportunity to appear and be heard. No answer having been made within the time permitted by law and no appearance having been made by the Defendant, the Court, after receiving evidence from Counsel for the Plaintiff that every reasonable effort had been made to notify the Defendant of every occurance in this case, and testimony from the Plaintiff that the Defendant had acknowledged the litigation, based on the record and the testimony and affidavits of the witnesses, finds as follows:

1. That personal service of process was obtained on the Defendant on the 26th of April, 1995, and that the Defendant has had due notice of these proceedings.

2. That pursuant to T.R.C.P. 60.02, the FINAL DECREE of June 5, 1973 should be amended due to the inadvertant omission of the necessary language to carry out the intent of the FINAL DECREE, and the failure of the parties to execute the necessary Deeds to effect legal compliance with the terms of paragraph #1 of the "PROPERTY SETTLEMENT AGREEMENT" contained in said FINAL DECREE of June 5, 1973.

3. That pursuant to the terms of the FINAL DECREE of June 5, 1973, all rights title and interest in the following property shall be divested from Claudette E. Defenbaugh, formerly

Claudette E. Hager, the defendant and vested in Larry E. Hager the plaintiff, to wit:

PARCEL A

Land in the 4th District of Davidson County, Tennessee, being Tract No. 1 described according to a survey made by Robert H. Meade, April 2, 1960, Tract No. 2 described according to a survey made by Robert H. Meade, May 19, 1958, and Tract No. 3 described according to a survey made by Robert H. Meade, March 9, 1957 as follows:

TRACT #1-Beginning at an iron pin in the Old Lebanon Dirt Road at the northwest corner of the property conveyed to Homer Dehoney and wife, by deed from Torrey Wesley Dodson and wife, or record in Book 2750, page 621 Register's Office for said County; thence with said Dehoney's western boundary line south 7° 5' west 904.9 feet to an iron pin, said Dehoney's southwest corner; thence north 76° 29' west 149.8 feet to an iron pin; thence north 7° 5' east 912.5 feet to an iron pin in said Road; thence with said south 73° 28' east 150 feet to the beginning, containing 3 acres, more or less.

TRACT #2-Beginning in the center of the Old Lebanon Dirt Road at the northwest corner of the property conveyed to Cletus Knight and wife, of record in Book 2643, page 442, Register's Office for said County; thence with the center of said Road, north 73° west 50 feet to an iron pin; thence South 7° 05' west 904.9 feet to an iron pin; thence South 76° 40' east 320 feet, more or less, to the center of Stoners Creek; thence with same, north 3° 30' west 230 feet, more or less, and north 6° 23' east 283.8 feet, more or less, to the southeast corner of said Knight's property; thence with said Knight's southern boundary line, north 73° west 225 feet, more or less, to said Knight's southwest corner; thence with said Knight's western boundary line, north 7° 05' east 392 feet to the beginning, containing 3.76 acres, more or less.

TRACT #3-Beginning in the center of the Old Lebanon Dirt Road at the intersection of the center line of said Road and the center line of Stoners Creek; thence with the center of said Road, North 73° west 225 feet; thence south 7° 05' west 392 feet to an iron pin; thence south 73° east 225 feet, more or less, to the center of said Creek; thence with the center of said creed, north 7° 05' east 392 feet to the beginning, containing 2 acres, more or less.

Being the same property conveyed to Larry E. Hager and wife, Claudette E. Hager, by deed from Homer R. Dehoney, and wife, Nadine S. Dehoney, of record in the Book 4402, page 964, Register's Office of Davidson County, Tennessee.

Included in the foregoing description but specifically excluded from this conveyance is the following:

Beginning at the point in the southwest boundary of the property, said boundary being common with the Edward L. Payne property, and said point being along the Payne boundary, north 67 degrees 41 minutes west 113 feet more or less from the center of Stones Creek, thence along the said Payne boundary north 67 degrees 41 minutes west 285.81 feet to a point, thence north 21 degrees 59 minutes 32 seconds west 151.86 feet to a point thence north 11 degrees 19 minutes east 330.83 feet to a point. thence south 22 degrees 41 minutes east 153.02 feet to a point, thence south 20 degrees 46 minutes 27 seconds east 150.08 feet to a point, thence south 26 degrees 08

minutes east 331.60 feet to the point of beginning and containing 1.690 acres and being part of the property conveyed by Homer R. Dehoney and wife, to Larry E. Hager and wife, Claudette M Hager, of record in Book 4402, page 964, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to the Metropolitan Government of Nashville, Davidson County, Tennessee by Judgment filed for Record in Book 5171, page 613, Registers Office for Davidson County, Tennessee.

PARCEL B

A tract of land in the 23rd Civil District of Wilson County, Tennessee, described according to a survey made by John B. Bates, surveyor, dated November 16, 1964, as follows:

Beginning at a stake in a fence line, north 89 degrees west 595 feet from the southeasterly corner of the property conveyed to Joe A. Mann, Trustee, by deed from Walter Murphy and wife, of record in Deed Book 165, page 126, Register's Office for said County; thence north 1 degree west 365 feet, more or less to a stake and power pole in the southerly margin of a road; thence with the southerly margin of the road north 72 degrees west 267 feet to a south 48 degrees east 27 feet to a stake; thence south 89 degrees east 66 feet to a stake in a fence line; thence south 0 degrees 50' west with said fence line, 224 feet to a stake in a fence corner; thence south 89 degrees east with a fence line 170 feet to the beginning.

Being the same property conveyed to Larry E. Hager and wife, Claudette Hager, by deed from Ted Trammell, Trustee, of record and deed book 233, page 40, Register's Office of Wilson County, Tennessee.

IT IS ACCORDINGLY ORDERED, ADJUDGED and DECREED, that Judgement is entered in favor of the Plaintiff, Larry E. Hager against the Defendant, Claudette E. Defenbaugh, formerly Claudette E. Hager and that

IT IS FURTHER ACCORDINGLY ORDERED, ADJUDGED and DECREED, that, pursuant to T.R.C.P. 60.02, the FINAL DECREE of June 5. 1973 is amended to reflect that all rights, title and interest in the following described property are divested from Claudette E. Defenbaugh, formerly Claudette E. Hager, and shall vest in Larry E. Hager. The properties are described as follows:

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follows:

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Being the same property conveyed to Larry E. Hager and wife, Claudette Hager, by deed from Ted Trammell, Trustee, of record in deed book 233, page 40, Register's Office for Wilson County, Tennessee.

IT IS FURTHER ACCORDINGLY ORDERED, ADJUDGED and DECREED, that the cost of this cause shall be taxed to the Plaintiff, Larry E. Hager, for which execution may issue.

Entered this the 7th day of July, 1995

JUDGE

APPROVED FOR ENTRY:

CHARLES F. BROWN, JR. 5773
Attorney for the Plaintiff
305 14th Avenue, North
Nashville, TN 37203-3416
(615) 329-0988

CERTIFICATE OF SERVICE

The undersigned hereby certifies that an exact copy of the foregoing document has been served upon counsel of record for all parties or has been served upon the parties directly by placing the same in the United States mail, postage prepaid, or by delivering the same to the office of said counsel of record or by electronic transmission.

This the 7 day of July, 1995.

CHARLES F. BROWN, JR. 5773

STATE OF TENNESSEE

BOOK 9743 PG 35

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 _FOURTH Circuit Court for Davidson County, Tennessee, on the _07 day of _JULY , 19 _95 , in the Case Number _67018 between _HAGER, CLAUDETTE E Plaintiff, and _HAGER, LARRY E Defendant, as same remains of record in Book 2450 , Page _1784 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 _28 day of _JULY in the year one thousand nine hundred and _ninety-five and in the _220th_ year of American Independence.

RICHARD R. ROOKER, Clerk

By _____ Deputy Clerk

SEAL

0083302
IDENTIF. ↑ REFERENCE

95 JUL 28 AM 9:43
FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN.

PICK-UP