BOOK 9923 PG 491

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DAV. CO. CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

WALTER L. CAMMON, JR.)
)
VS.) NO: 95-1567-I
)
COTTRELL MEADORS, MACK FERN MEADORS)
UNKNOWN HEIRS OF HAROLD MEADORS,)
ALICE NELL MEADORS GURDY,)
DEANNA MARY JUANITA POWELL McGRUDER)
UNKNOWN HEIRS OF JEWELL K. MEADORS,)
MARGIE NELL POWELL CLAIBORNE,)
UNKNOWN HEIRS OF ANNIE DEAN MEADORS)
PAYNE, RENALD POWELL, CALLIE MADGE)
MEADORS THORNTON, JAMES MURPHY)
POWELL, JR., MARY GORDON MEADORS)
ADAMS, WILLIAM BRIEDE MEADORS, JR.,)
UNKNOWN HEIRS OF JAMES MEADORS,)
AARON GORDON MEADORS, MYRA MEADORS,)
UNKNOWN HEIRS OF HUDSON R. MEADORS,)
and MARTHA VATA MEADORS SEAWOOD)

ORDER FILED & ENTERED JAN 02 1996
MINUTE BOOK 325 PAGE 26

O R D E R

It appears to the court the that the Plaintiff, Walter L. Cammon, Jr., filed a Motion To Confirm Report Of Special Master and Order Of Sale which was to be heard on December 1, 1995. There being no response, the Motion was granted, and the court found, and accordingly ORDERED as follows:

1. The report of the Special Master is attached hereto as Exhibit "A" to this Order and made a part thereof, said report being unexcepted to and is therefore in all things confirmed.

2. The respective rights and interests of the parties are adjudged and settled accordingly, the share of each party being set out in the Report of the Special Master.

3. The tract of land at issue is described as follows:

> Lane in Davidson County, Tennessee, being Lot No. 13 on the Plan of Catron Heirs Addition to Nashville, as of record in Plan Book 1, page 132, of the Chancery Court at Nashville, Tennessee.
>
> Said Lot No. 13 fronts 49 feet on the North side of Grand Avenue, formerly Catron Street, and extends back Northerly between parallel lines and with the Easterly margin of an alley, 250 feet to an alley in the rear.
>
> Included in the above but excluded therefrom is that portion thereof described in the deed from George L. Rooker, Clerk of the Circuit Court to the Nashville Housing Authority of record in Book 4616, page 233.
>
> Being the same property conveyed to W. L. Cammon, Jr., etal, by deeds of record in Book 5711, page 397, Book 5848, page 533, Book 6276, page 333, Book 6673, page 237, Book 6834, page 25, Book 7065, page 197, Book 7626, page 843, Book 7704, page 975, Book 7912, page 636, Book 7922, page 130, and Book 8042, page 725.

4. That said tract of land be sold to the Metropolitan Development and Housing Authority for the sum of Ten Thousand Dollars ($10,000.00). The Clerk & Master is hereby directed to execute a deed to transfer title as provided herein.

5. The only encumbrances on said property are for the 1995 property taxes due the Metropolitan Government in the amount of One Hundred Twelve Dollars and Fifty Cents ($122.50), and a lien by the Metropolitan Government in the amount of Three Hundred Forty-Three Dollars and Eighty-Six Cents ($343.86) for clean up of vacant lot, of record in Book 9249, page 32, Register's Office of Davidson County, Tennessee.

6. The net proceeds from the sale of said property, after payment of all encumbrances, shall be paid into the Clerk of the Chancery Court.

The disbursement of said proceeds is reserved, pending further orders of the court.

IT IS SO ORDERED, ADJUDGED AND DECREED.

Entered this ___ day of _____, 1995.

CHANCELLOR

APPROVED FOR ENTRY:

Robert W. Rutherford, #2908
Attorney for Plaintiff
Suite 400, Washington Square
214 Second Avenue, North
Nashville, Tennessee 37201
615/256-6681

I hereby certify that this a true copy of original instrument filed in my office.
This 9th day of January 1996
CLAUDIA C. BONYMAN Clerk & Master
By _____ Deputy Clerk

CERTIFICATE OF SERVICE

I hereby certify that the whereabouts of all of the above defendants are unknown and unascertainable by the Plaintiff, and that process was served on the defendants through publication in the Nashville Record on May 25, 1995, June 1, 1995, June 18, 1995, and June 15, 1995, and that no response has been made to this publication and that thirty (30) days has elapsed since the last date of publication. This 17 day of December, 1995.

Robert W. Rutherford

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

TWENTIETH JUDICIAL DISTRICT

WALTER L. CAMMON, JR.	)	
	)	
vs.	)	No. 95-1567-I
	)	
COTTRELL MEADORS, MACK FERN MEADORS, UNKNOWN HEIRS OF HAROLD MEADORS, ALICE NELL MEADORS GURDY, DEANNA MARY JUANITA POWELL MCGRUDER UNKNOWN HEIRS OF JEWELL K. MEADORS, MARGIE NELL POWELL CLAIBORNE, UNKNOWN HEIRS OF ANNIE DEAN MEADORS PAYNE, RENALD POWELL, CALLIE MADGE MEADORS THORNTON, JAMES MURPHY POWELL, JR., MARY GORDON MEADORS ADAMS, WILLIAM BRIEDE MEADORS, JR., UNKNOWN HEIRS OF JAMES MEADORS, AARON GORDON MEADORS , MYRA MEADORS, UNKNOWN HEIRS OF HUDSON R. MEADORS, AND MARTHA VATA MEADORS SEAWOOD	)	

REPORT OF THE MASTER

This partition matter was referred to the Clerk and Master in an order of reference entered at Minute Book 323, page 276, which lists the following questions to be answered after a hearing. The hearing was held on October 13, 1995. The defendants were served by publication and their addresses are unknown. Mr. Cammon, Jr. appeared and testified about the interests he and his family members have in the property to be partitioned. All remaining parties were served by publication. The Clerk and Master reports as follows:

Question A: Who are the owners of the property in question, what are their respective rights, titles, interests, and what share belongs to each owner?

Answer: As of October 5, 1995, title to the property to be partitioned is vested in the following persons with the assigned undivided interests:

W. L. Cammon, Jr. four-sevenths (4/7) interest

Cottrell Meadors	one-seventh (1/7) interest
Walter L. Cammon a/k/a W.L. Cammon, Jr.	one-twenty-first (1/21) interest
Deanna Mary Juanita Powell McGruder	one-twenty-first (1/21) interest
Margie Nell Powell Claiborne	one-sixty-third (1/63) interest
Renald Powell	one-sixty-third (1/63) interest
James Murphy Powell, Jr.	one-sixty-third (1/63) interest
William Briede Meadors, Jr.	one-one-hundred-sixty-eighth (1/168) interest
Aaron Gordon Meadors	one-one-hundred-sixty-eighth (1/168) interest
Hudson R. Meadors	one-eighty-fourth (1/84) interest
Mack Fern Meadors	one-eighty-fourth (1/84) interest
Harold Meadors	one-eighty-fourth (1/84) interest
Alice Nell Meadors Gurdy	one-eighty-fourth (1/84) interest
Jewell K. Meadors	one-eighty-fourth (1/84) interest
Annie Dean Meadors Payne	one-eighty-fourth (1/84) interest
Callie Madge Meadors Thornton	one-eighty-fourth (1/84) interest
Mary Gordon Meadors Adams	one-eighty-fourth (1/84) interest
James Meadors	one-eighty-fourth (1/84) interest
Myra Meadors	one-eighty-fourth (1/84) interest
Martha Vata Meadors Seawood	one-eighty-fourth (1/84) interest

(Exhibit 1, Old Republic National Title Insurance Company, Commitment for Title Insurance, Plaintiffs' verified complaint; testimony of the plaintiff).

Question B: Is the property so situated that partition cannot be equitably made, and is it of such description that it would be manifestly for the advantage of the parties that the property should be sold instead of partitioned?

Answer: The property should be sold and the sale funds divided among the owners. The property consists of a vacant lot which cannot be partitioned in kind. (Plaintiff testified the lot size is approximately 50 feet by 200 feet.)

Question C: What are the encumbrances on the property and who holds the

encumbrances?

Answer: As of October 5, 1995, the only encumbrances of record are:

Taxes for 1995: $112.50 Metro taxes currently due but not delinquent

Notice of Lien filed by Metro Government in the amount of $343.86 for clean up of vacant lot, of record in Book 9249, page 32, Register's Office for Davidson County, Tennessee.

There are no unpaid bills or claims for labor or services performed or materials furnished or delivered during the last twelve months for alterations, repair work or new construction and there have been no contracts let for future work or materials to be furnished on the property to be partitioned. (Testimony of Mr. Walter Cammon, Jr.)

Question D: What would be a reasonable minimum price for the property?

Answer: The reasonable minimum price is $10,000.

(Testimony of Walter L. Cammon, Jr.).

Question E: If the property is to be sold, what method of sale would be most beneficial to the parties?

Answer: Mr. Walter L. Cammon, Jr. testified that he has a pending offer for this vacant lot from the Metropolitan Development Housing Authority in the amount of $10,000 cash. He further testified that this purchase amount is fair and reasonable and that the property is not worth more than this amount. The Master finds the property should be sold to the Metropolitan Development and Housing Authority.

The parties have ten days from receiving this report to file objections pursuant to Rule 53 of the Tennessee Rules of Civil Procedure. Absent objections filed within this time allowed by law, the report will be confirmed.

Respectfully submitted,

CLAUDIA C. BONNYMAN
CLERK AND MASTER

cc: Robert Rutherford

Defendants were served by publication and their addresses are unknown.

Rule 53 Certification

A copy of this Master's Report has been served by U.S. Mail upon all parties or their counsel named below on the 25 day of October, 1995.

Vicki D Barclay
Clerk and Master/Deputy
Chancery Court

Mr. Robert Rutherford
Suite 400, Washington Square
214 Second Avenue, North
Nashville TN 37201

011,2764
IDENTIFICATION REFERENCE