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DAV. CO. CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

WILLIAM F. LONG, JR., Administrator of the Estate of Mary C. Wills, and GEORGE H. COVINGTON, next of kin of Mary C. Wills,

Plaintiffs,

v.

CYNTHIA B. SMITH and the heirs at law of ANNIE L. POTTER (deceased), namely, DONNELL COVINGTON, JR., REBECCA COVINGTON, TERESA POTTER, CYNTHIA B. SMITH, FRED SMITH and RAY SMITH,

Defendants.

BOOK 10082 PG 925

No. 94-1013-I

ORDER FILED & ENTERED DEC 06 1995
MINUTE BOOK 324 PAGE 478

ORDER OF JUDGMENT BY DEFAULT

This cause is before this Court upon Motion for Default Judgment filed by Plaintiff, William F. Long, Jr., Administrator of the Estate of Mary C. Wills, on the Second Amended Complaint against the heirs-at-law of Annie L. Potter (deceased). No response to said Motion for Default Judgment having been filed by the Defendant heirs-at-law of Annie L. Potter (deceased), the Court is of the opinion that said Motion for Default Judgment is well taken and should be granted.

Based upon the pleadings filed to date and the entire record as a whole, the Court finds as follows: the Second Amended Complaint was filed on September 8, 1995, against the heirs-at-law of Annie L. Potter (deceased), who had previously been made Defendants in this action by Order Reviving Action and Substituting Parties entered in this case on or about August 25, 1995; that certain of these Defendants, namely, Rebecca Covington, Teresa Potter and Cynthia B. Smith, were served pursuant to the certificate of service on the Second Amended Complaint; that the remaining Defendants, namely, Donnell Covington, Jr., Fred Smith and Ray Smith, were served with notice of the Second Amended Complaint by Order of Publication entered on or about September 8, 1995; that the affidavit of publication in the Nashville Record, showing publication dates on September 24, 21, 28 and October 5, 1995, was filed on November 9, 1995; and based upon all of the foregoing, that all of the heirs-at-law of Annie L. Potter (deceased) are accounted for, have been give notice of this action, and are presently before the Court.

It is, therefore, ORDERED that that certain Quitclaim Deed of record in Book 8525, Page 101, Register's Office for Davidson County, Tennessee, be and is hereby declared null and void insofar as it purported to transfer to Annie L. Potter a/k/a Ann Potter any right, title and interest in that certain house and lot located at 43 Jay Street in Nashville, Davidson County, Tennessee, which real property is the subject of said Quitclaim Deed. It is further ORDERED that all costs accruing in this action be and are hereby taxed to the Plaintiff, William F. Long, Jr., Administrator of the Estate of Mary C. Wills.

12/6/95

CHANCELLOR

I hereby certify that this is a true copy of original instrument filed in my office This 3rd day of June, 19 96
CLAUDIA C. BONNYMAN, Clerk & Master
By Deputy Clerk

SUBMITTED FOR ENTRY:

William F. Long, Jr. (BPR#9542)
101 Westpark Drive, Suite 250
Brentwood, TN 37027
(615) 377-1107

Administrator and Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order of Judgment by Default was sent to the following heirs at law of Annie L. Potter, deceased, on this 30th day of November, 1995:

Donnell Covington, Jr. (son)
1616 Trowville Lane
Haywood, CA 94545

Rebecca Covington (daughter)
624 South Seventh St.
Nashville, TN 37206

Teresa Potter (daughter)
916 University Court
Nashville, TN 37210

Cynthia B. Smith (daughter)
43 Jay Street
Nashville, TN 37210

Fred Smith (son)
43 Jay Street
Nashville, TN 37210

Ray Smith (son)
43 Jay Street
Nashville, TN 37210

William F. Long, Jr.

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

WILLIAM F. LONG, JR., Administrator of the Estate of Mary C. Wills, and GEORGE H. COVINGTON, next of kin of Mary C. Wills,	)	
Plaintiffs,	)	
v.	)	No. 94-1013-I
CYNTHIA B. SMITH and the heirs at law of ANNIE L. POTTER (deceased), namely, DONNELL COVINGTON, JR., REBECCA COVINGTON, TERESA POTTER, CYNTHIA B. SMITH, FRED SMITH and RAY SMITH,	)	
Defendants.	)	

1995 MAY 30 AM 9 48

DEFAULT JUDGMENT CERTIFICATE

Plaintiff, by counsel, certifies that:

1. No papers have been served on Plaintiff's counsel by the Defendants in default.

2. Defendants were served on: See recitals in Order.

3. The balance due is as follows:

(a)	Total amount of original obligation	$ N/A
(b)	Amount paid by Defendants	N/A
(c)	Amount of interest requested	N/A
(d)	Amount of attorneys fees requested	N/A
(e)	Balance due is	N/A

(f) If the balance due above is different from the amount sought in the default judgment, the reason is: This is an undue influence case in which Plaintiff seeks rescission of a deed, not a monetary judgment.

(g) If the basis of the claim is a promissory note, original has been filed. If not, the reason is:

Respectfully submitted,

William F. Long, Jr., BPR# 9542
101 Westpark Drive, Suite 250
Brentwood, TN 37027
Tel. 377-1107

Administrator and Plaintiff

0191523
IDENTIFICATION REFERENCE
96 JUN 11 AM 11:12
FELIX Z. WINSTEAD REGISTER
DAVIDSON COUNTY, TN.
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