RECEIVED
SEP 23 1996
DAV CO CHANCERY COURT

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

NOB HILL VILLA APARTMENTS ASSOCIATES, LP,	)	BK 10258 PG 144
Plaintiff,	)	
v.	)	No.: 96-1347 III
ROBERT E. DRIGGS and MARY E. DRIGGS,	)	ORDER FILED & ENTERED SEP 30 1996
Defendants.	)	MINUTE BOOK 98 PAGE 43

ORDER OF DEFAULT JUDGMENT

THE PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT came before this Honorable Court on Friday, September 6, 1996. Upon no response being filed and no appearance by the defendants, the plaintiff's motion for default judgment is GRANTED.

The Court finds that the title and right of possession to the said tract of land described as follows:

> BEING a tract of land in Nashville, the First Civil District, Davidson County, Tennessee, located between Wallace Road, Linbar Drive and Hillbrook Subdivision, being Lot. No. One, Section One, Knob Hill Villa (sic), of record in Book 4175, page 126, RODC, and being more particularly described as follows:
>
> BEGINNING at a concrete monument in the northerly margin of Wallace Road, being the southwest corner of the herein described Tract, being the southeast corner to Leslie Heights Subdivision of record in Book 4955, page 99, RODC, said monument also being 80 feet, more or less, west of the centerline of Hillbrook Drive; thence, leaving said margin with the east line to said Leslie Heights N 15° 18' W, 350.36 feet to a monument; thence, with north line to said subdivision S 73° 44' W, 99.43 feet to a monument; thence, leaving said subdivision N 06° 56' W, 12.50 feet to the northeast corner to Boone Sullivan, of record in Book 2863, page 598, RODC; thence, with Sullivan's northerly line S 62° 52' W, 148.80 feet to a point; thence, with the rear line to Dwight Free of record in Book 4903, page 820, RODC, N 39° 41' E, 95.90 feet to a monument; thence, with Free's east line N 39° 16' W, 68.21 feet to a monument in the southerly margin of LeBon Road; thence, with said margin N 50° 37' E, 61.21 feet to the terminus of said road; thence, with said terminus N 39° 24' W, 70.00 feet to a point; thence, with northerly margin of said road, S 50°36' W, 20.00 feet to a monument; thence, leaving said margin with the easterly line to Hillbrook Subdivision, Section 6, of record in Book 4175, page 7, RODC, N 39° 06' W, 155.02 feet to a monument; thence, N 53° 05' E, 124.60 feet; thence, N 53° 08' E, 124.00 feet; thence, continuing with said subdivision line N 39° 35' W, 136.05 feet to a southerly margin of Comroe Road; thence, with said margin N 50° 29' E, 61.00 feet to the terminus of said road; thence, with said terminus N 39° 31' W, 70.00 feet to a point; thence, with northerly margin of said road S 50° 03' W, 19.60 feet; thence, leaving said margin with said subdivision line N 39° 31' W, 149.62 feet to a monument; thence, N 18° 32' E, 128.40 feet to a point; thence, continuing with said subdivision line N 00° 12' E, 476.00 feet to the southerly margin of Largo Drive; thence, with said margin N 70° 55' E, 67.00 feet; thence, N 20° 32' W,

44.00 feet; thence, S 86° 39' E, 29.11 feet to the southerly margin of Linbar Drive; thence, with said margin in a southeasterly direction with a curve to the left, 180.22 feet to a point, said curve having a radius of 260.00 feet, a central angle of 39° 42' 53" a tangent distance of 93.90 feet and a chord of S 66° 48' E, 176.63 feet; thence, continuing with said margin S 86° 39' E, 505.00 feet to a point; thence, with a curve in a southeasterly direction to the right, 379.61 feet to a point, said curve having a radius of 370.00 feet, a central angle of 58° 47'02", a tangent distance of 208.42 feet, and a chord of S 57° 04" E, 363.18 feet; thence, continuing with said margin S 27° 59' E, 135.18 feet to the westerly margin of Wallace Road; thence, with said margin S 00° 51' W, 201.19 feet to a monument; thence, with a curve to the right in a southwesterly direction 497.15 feet to a monument, said curve having a radius of 706.78 feet, a central angle of 40° 18' 07", a tangent distance of 259.36 feet, and a chord of S 21° 16' W, 486.96 feet; thence, continuing with said margin S 41° 13' W, 528.80 feet to a monument; thence, with a curve to the right in a southwesterly direction, 89.24 feet to a monument, said curve having a radius of 691.20 feet, a central angle of 07° 23' 52", a tangent distance of 44.68 feet, and a chord of S 44° 50' W, 89.18 feet; thence, S 56° 32' W, 48.33 feet to a point; thence, with a curve to the right in a southwesterly direction, 143.88 feet to a monument, said curve having a radius of 686.20 feet, a central angle of 12° 00' 48", a tangent distance of 72.20 feet, and a chord of S 58° 37' W, 143.61 feet; thence, continuing with said margin S 60° 40' W, 48.33 feet to the point of beginning. Containing 1,346,943 square feet or 30.92 acres, more or less.

BEING the same property as conveyed to Nob Hill Villa Apartments Associates by deed of record in Book 8282, page 354, Register's Office for Davidson County, Tennessee.

be and is hereby DECREED to the plaintiff and that the tract of land be and is hereby put in the possession of the plaintiff. The Court further finds that the defendant shall remove the woven wire fence, plank fence and shed from the tract of land. Should the defendant not comply with this Order, the plaintiff shall have the right to remove the woven wire fence, plank fence and shed. It is therefore,

ORDERED, ADJUDGED and DECREED that the plaintiff's motion for default judgment is GRANTED and that the title and right of possession to the tract of land in question be and is hereby DECREED to the plaintiff and that the plaintiff be put in possession of the said tract of land. It is, FURTHER

ORDERED, ADJUDGED and DECREED that the defendant shall remove the woven wire fence, plank fence and shed from said tract of land.

ENTERED this the _____ day of _____ 1996.

Robert Bond
CHANCELLOR

APPROVED FOR ENTRY:

BOOK 10253 PG 146

SCHULMAN, LeROY & BENNETT, PC

By: Marian L. Kohl
MARIAN L. KOHL (#16179)

By: Gary S. Rubenstein
GARY S. RUBENSTEIN (#5434)

501 Union Street
Suite 701
P. O. Box 190676
Nashville, TN 37219-0676
615/244-6670

CERTIFICATE OF SERVICE

I hereby certify that two true and correct copies of the foregoing Order have been mailed, via U.S. Postal Service, postage prepaid, to Mr. Robert Driggs, 281 LeBon Road, Nashville, TN 37211. One copy was sent certified mail/return receipt requested, and one copy has been mailed through standard postal channels, on this the 20th day of September 1996.

Marian L. Kohl
Marian L. Kohl

0246193
IDENTIF. ↑ REFERENCE
96 NOV 13 PM 1:38
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

I hereby cer. / that this is a true copy of original instrument filed in my office
This 31st day of Oct. 19 96
CLAUDIA C. BONNYMAN Clerk & Master
By Deputy Clerk

0379 11/13 0101 03CHECK 12.00

C:\OFFICE\DRIGGS\DEFAULT.ORD\1122-1404