IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

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Dav. Co. Chancery Court
F.D.(C)

CHARLES CARDWELL)
and wife, MARIE CARDWELL,)
)
Complainants,)
)
VS.) NO. 97-3833-I
)
STACY BARKER,)
)
Defendant.)

FILED
'98 JAN 14 PM 2 55
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C. & M.

ORDER

This cause came on to be heard this 7th day of January, 1998, before the Honorable Irvin H. Kilcrease, Jr., Chancellor of Part I of the Chancery Court of Davidson County, Tennessee, upon the Complaint filed to correct the description of the property not set out in the deed, which property is contiguous to, and a part of, the property known as Lot No. 4 on the Plan of Alloway Brothers Subdivision in Nashville, Davidson County, Tennessee and which was conveyed to CHARLES CARDWELL and wife, MARIE CARDWELL by deed of record in Book 9074, page 105, Register's Office of Davidson County, Tennessee; and, from the testimony of the complainants, sworn Complaint, Answer of Stacy Barker, exhibits, and testimony of witnesses, the Court finds as follows:

That the property and all interested parties are before the Court.

This is the same property conveyed to Minnie Combs Barker from A. H. Barker and wife, Adelle N. Barker, of record in Book 1340, page 142, Register's Office of Davidson County, Tennessee, and the same property conveyed to Minnie C. Bubis from Minnie C. Barker, of deed of record in Book 2097, page 415, Register's Office of Davidson County, Tennessee, and the description of the property contained in the deed from Barker to Bubis omitted the southerly most portion of the property in the approximate size of 27 feet by 15 feet, and this amount being omitted in all subsequent

deeds thereafter, but said property was, and is, duly shown and depicted on the map and plat on file in the Planning Division with Metropolitan Government, with the proper description which is herein set out in this decree; all taxes have been paid on the entire corrected description of the property by Charles Cardwell, et ux, as well as other owners since the omission, as taxes were assessed on the property according to the Tax Assessor's Office of Metropolitan Government.

This Court further finds that this omitted property has always been a part or parcel of the whole plat; that no one has made any adverse claim to this property, and that it has never been fenced or held adversely to the present or prior owners of this property, and has never been conveyed by any instrument.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the deed conveying property to **CHARLES CARDWELL and wife, MARIE CARDWELL**, as found in Book 9074, page 105, of the Register's Office of Davidson County, Tennessee, is hereby amended and corrected to set out and specify the description of the real property as follows:

> "Being Lot No. 4 on the Plan of Alloway Brothers Subdivision of certain Lots in Rutledge Addition to Nashville, of record in Book 421, page 192, Register's Office for Davidson County, Tennessee.
>
> Beginning on the southerly margin of Highland Street, at the corner of Lots No. 3 and 4; thence with this said street, eastwardly 44 feet to the corner of Lots No. 4 and 5; thence with a line between said lots, southwardly 125 feet; thence westwardly 27 feet to the eastwardly margin of an alley; thence with said alley, northwardly 15 feet to a corner of said alley; thence with a northwardly margin of said alley, westwardly 17 feet to the corner of Lots No. 3 and 4; thence, with the line between said lots, northwardly 110 feet to the beginning.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainants, **CHARLES CARDWELL and wife, MARIE CARDWELL**, pay the costs of this cause, for which execution will issue if necessary.

BOOK 10761 PG 231

ENTERED this _____ day of January, 1998.

CHANCELLOR

I hereby certify that this is a true co
of original instrument filed in my office.
This 14th day of January 1997
CLAUDIA C. BONNYMAN Clerk & Master
By Cindy Hodge
Deputy Clerk

APPROVED FOR ENTRY:

BY: _____

LUTHER E. CANTRELL, JR., #3230
Attorney for Complainants
THIRD FLOOR, COURT SQUARE BUILDING
300 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37201
Telephone (615) 254-8326

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been mailed to the defendant, Stacy Barker, 4511 S. Moorland Road, New Berlin, Wisconsin 53151 on this 8th day of January, 1998.

LUTHER E. CANTRELL, JR.

0391245
IDENTIFICATION REFERENCE
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REGISTER
DAVIDSON COUNTY, TN.
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