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JUN - 5 1998

Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

BOOK 10989 PG 51

C & F PARTNERS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 98-714-II
	)	
FAR EAST INVESTMENT TRUST and GREGORY M. SHAW, in his capacity as Trustee	)	
	)	
Defendants.	)	

FILED
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D.C. & M. CHANCERY CT.

ORDER OF JUDGMENT

This cause came to be heard on May 8, 1998, upon Motion of the plaintiff, C & F Partners, for entry of a default judgment against the defendants, Far East Investment Trust and Gregory M. Shaw, in his capacity as Trustee, pursuant to Rule 55 of the Tennessee Rules of Civil Procedure. It appearing to the Court that the Complaint was filed in this action on March 9, 1998, that Far East Investment Trust was served with a copy of the Complaint and Summons by personal service on Gregory M. Shaw, Trustee, on March 12, 1998, that Gregory M. Shaw, in his capacity as Trustee, was served with a copy of the Complaint and Summons by personal service on March 12, 1998, and that neither defendant has filed an answer or other defense to the Complaint or to the Motion for Default Judgment. It is, therefore,

ORDERED, that the Court declares and determines that by no later than May 1, 1997, C & F Partners had provided the Far East Investment Trust with all documents and other information described on Schedule A attached to the Purchase Agreement entered into by the parties dated February 4, 1997 (the "Due Diligence Materials").

It is further **ORDERED** that the Court declares and determines that as a result of Far East Investment Trust's failure to communicate its approval of the Due Diligence Materials within the time period set forth in the Purchase Agreement, the Purchase Agreement was terminated effective July 1, 1997.

It is further **ORDERED**, that the plaintiff, C & F Partners is the lawful owner of and is vested with absolute and unencumbered fee simple title to the real property more particularly described as follows (the "Property"):

Land in Davidson County, Tennessee, being parts of Lot Nos. 12 and 13 on the Plan of the Original Town of Nashville, not of record, as described as follows:

Beginning on the easterly margin of Second Avenue, North, formerly Market Street, 239.3 feet southerly from the southeast corner of said Second Avenue, North and Church Street, said point also being the southwest corner of a part of Lot No. 12 conveyed to M.E. Derryberry by deed from Thomas Tobias and wife, of record in Book 454, page 627, Register's Office for said County; thence with the easterly margin of said Second Avenue, North, southwardly 72' 10" to a point; thence eastwardly 210' to a point on the westerly margin of First Avenue, North, formerly Water or Front Street; thence with the westerly margin of said First Avenue, North northwardly 52' 6" to the southeast corner of said Derryberry property; thence with the southern boundary line of said Derryberry property, westwardly 106' to a point, northwardly 20' to a point and westwardly 104', more or less, to the beginning.

Being the same property conveyed to C & F Partners by deed of record in Book 9248, page 080, Register's Office for Davidson County, Tennessee.

It is further **ORDERED**, that any interest the defendants, Far East Investment Trust and Gregory M. Shaw, in his capacity as Trustee, may have had in the Property was terminated effective June 30, 1997 and, therefore, the defendants are hereby barred from asserting any claim whatsoever in or to the Property which is adverse to C & F Partners' fee simple ownership.

It is further **ORDERED** that the Purchase Agreement recorded in the Register's Office for Davidson County, Tennessee at Book 10410, Page 453 is hereby fully terminated, released and discharged and the cloud on the title to the Property is hereby removed.

It is further **ORDERED** that costs of this action be taxed to the defendants, Far East Investment Trust and Gregory M. Shaw, in his capacity as Trustee, jointly and severally, for which execution may issue.

Signed this __ day of June, 1998.

Carol L McCoy

~~Irvin H. Kilcrease, Jr.~~, Chancellor

I hereby certify that this is a true and exact copy of original instrument filed in my office
This 23rd day of June 1998
CLAUDIA C. BONNYMAN Clerk & Master
By _____ Deputy Clerk

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IDENTIF. & REFERENCE

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012567-001 06/05/98

SUBMITTED FOR APPROVAL:

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: _____

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Attorneys for the Plaintiff,
C & F Partners

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Motion for Default Judgment was mailed via U.S. first class mail, postage pre-paid, to Far East Investment Trust c/o Gregory M. Shaw, Trustee, 14003 Clydesdale Run Lane, Victorville, California 92394 and Gregory M. Shaw, in his capacity as Trustee, 14003 Clydesdale Run Lane, Victorville, California 92394 on this 5th day of June, 1998.

_____
John M. Scannapieco