Instr:200006120058446 Page: 1 OF 2
REC'D FOR REC 06/12/2000 11:42:18AM
RECORD FEE: $10.00
M. TAX: $0.00 T. TAX: $0.00

174075

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE,

FILED
2000 MAY -4 PM 2:39
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.&M.

WILLIAM W. MORRIS AND WIFE,
MARY HEAD MORRIS
3291 Lancaster Lane
Montgomery, Alabama 36186

PLAINTIFFS

VS.

METROPOLITAN GOVERNMENT OF
NASHVILLE, DAVIDSON COUNTY, TN
109 Metro Courthouse
Nashville, TN 37201

AND

CLAUDE E. WESTMORELAND
1025 Fairwin Avenue
Nashville, TN 37216

DEFENDANTS

NO. 98-2285-I

NOTICE OF ENTRY REQUIRED

RECEIVED
APR 27 2000
Dav. Co. Chancery Court

ORDER

This cause came on to be heard before the Honorable Irvin H. Kilcrease, Jr., Chancellor for the Chancery Court for the Twentieth Judicial District, Davidson County, Tennessee, Part One, at Nashville, on Wednesday, January 5, 2000. After hearing testimony of the parties and witnesses and considering exhibits, this cause was adjourned until Thursday, March 30, 2000, at which time the Court heard closing arguments of counsel for the Plaintiffs and Defendants.

Having considered all the evidence and argument of counsel in this matter, the Court issued its Memorandum of findings of fact which was filed on April 19, 2000. Based upon the foregoing, the Court finds that the Plaintiffs did not receive notice of the tax sale and that the tax sale should be set aside as void, and the deed delivered from Metropolitan Government of Nashville, Davidson County, Tennessee, to Claude E. Westmoreland should be set aside.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the sale of the property being Lot 39 on the Plan of Village Manor of record in Book 3300,Page 55,in the Register's Office for Davidson County, Tennessee, in satisfaction of the 1994 real property taxes held on

Wednesday, November 20, 1996, by Metropolitan Government of Nashville, in Davidson County, Tennessee, is hereby void, and title to the above described real property which was conveyed to the Defendant, CLAUDE E. WESTMORELAND, of record in Book 10327, Page 426, in the Register's Office for Davidson County, Tennessee, is divested out of him and reinvested into the Plaintiff, MARY HEAD.

IT IS FURTHER ORDERED that the Plaintiff, MARY HEAD, shall pay the Defendant, CLAUDE E. WESTMORELAND, the sum of TWO THOUSAND ($2,000.00) plus 10% interest from November 20, 1996 to January 5, 2000.

THE COSTS of this cause are assessed against the Defendant, METROPOLITAN GOVERNMENT OF NASHVILLE, DAVIDSON COUNTY, TENNESSEE.

IT IS SO ORDERED this the _____ day of _____, 2000.

IRVIN H. KILCREASE, JR.
CHANCELLOR

I hereby certify that this is a true copy of original instrument filed in my office.
This 5th day of May 2000.
CLAUDIA C. BONNYMAN, Circuit Court Clerk
By Beth Fisher
Deputy

APPROVED FOR ENTRY:

KELLY & SMITH

BY: _____

PHILIP C. KELLY, #2382
Attorney for Plaintiffs
125 Public Square
Gallatin, TN 37066
(615)452-2000, Ext. 10

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing Order has this day been mailed to Mr. Paul D. Krivacka, Metropolitan Attorney, The Department of Law of the Metropolitan Government of Nashville and Davidson County, 204 Metropolitan Courthouse, Nashville, Tennessee, 37201, and to Mr. Monte D. Watkins, Attorney for the Defendant, Claude E. Westmoreland, 404 James Robertson Parkway, Suite 1510 Nashville, TN 37219, addressed as above, with sufficient postage thereon to carry the same to their destinations.

This the 26th day of April, 2000.

KELLY & SMITH

BY: _____