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IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

JOHN M. SHIVERS, HELEN SHIVERS KNIGHT, ENOCH ALLEN SHIVERS and **CHARLES SHIVERS,**	)	
Plaintiffs,	)	
v.	)	No. **00-1358-II**
RONALD D. SHIVERS,	)	
Defendant.	)	

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DAVIDSON CHANCERY CT.

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Dav. Co. Chancery Court

ORDER

This matter came on to be heard on the 21st day of July, 2000, upon Motion of the Plaintiffs, JOHN M. SHIVERS, HELEN SHIVERS KNIGHT, ENOCH ALLEN SHIVERS and CHARLES SHIVERS, by and through counsel for a default judgment against the Defendant, RONALD D. SHIVERS.

It appearing to the Court that the Defendant, RONALD D. SHIVERS, was served on or about the 15th day of May, 2000, and has failed to make answer or otherwise appear in this cause within the time provided by law.

IT IS THEREFORE ORDERED that the Plaintiffs in this matter have the relief sought in the Complaint herein for partition in kind to wit:

That the Court expressly finds and orders that the late LOUELLA M. SHIVERS left all of her real property to her five children who are the parties in this cause and further that the Plaintiffs, JOHN M. SHIVERS, HELEN SHIVERS KNIGHT, ENOCH ALLEN SHIVERS and CHARLES SHIVERS, be and the same hereby are vested with the following herein described property as tenants in common as their partition in kind of the decedent's real property:

Tract one containing 8.82 acres.

Beginning at an iron rod in the northerly right-of-way of Lickton Pike (25 feet from the centerline) said iron rod being in the easterly boundary line of property owned by J.M. Shivers and wife, of record in Deed Book 4233, page 863 and Deed Book 2016, page 121 in the Register's office of Davidson County, Tennessee (RODCT) and marking the Southwest comer of the herein described tract; thence, leaving the point of beginning with the easterly and northerly boundary lines of said J.M. Shivers property as follows: North 15 degrees 51 minutes 03 seconds West 275.09 feet to an iron rod; South 76 degrees 20 minutes 47 seconds West 134.12 feet to an iron rod; thence, with the easterly boundary line of property owned by Robert E. Webb of record in Deed Book 4575, page 271 (RODCT) North 17

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degrees 27 minutes 04 seconds West 441,16 feet to an iron rod in the easterly right-of-way of Freeman Hollow Road (25 feet from the centerline); thence, severing subject property as follows; North 81 degrees 36 minutes 34 seconds East 542.46 feet to an iron rod; North 02 degrees 50 minutes 18 seconds West 448.98 feet to an iron rod; North 72 degrees 55 minutes 27 seconds East 103.17 feet to all iron rod; thence, with the westerly boundary line of property owned by Thurman McKee and wife, of record in Deed Book 5427 page 585 (RODCT) as follows; South 02 degrees 50 minutes 19 seconds East 464.64 feet to an iron rod; South 28 degrees 39 minutes 15 seconds West 24.29 feet to an iron rod; South 25 degrees 41 minutes 27 seconds East 60.12 feet to an iron rod; South 45 degrees 27 minutes 31 seconds East 96.61 feet to an iron rod; South 55 degrees 15 minutes 43 seconds East 196.14 feet to an iron rod; South 18 degrees 25 minutes 29 seconds East 85.82 feet to a sycamore tree; thence, with the northerly and westerly boundary line of property owned by Larry B. Stone, Elizabeth, et al., of record in Deed Book 10,026, page 715 (RODCT) as follows: South 73 degrees 39 minutes 39 seconds West 522.08 feet to an iron rod: South 16 degrees 13 minutes 46 seconds East 253.01 feet to an iron rod; thence, with the northerly right-of-way of Lickton Pike (25 feet from the centerline) South 81 degrees 17 minutes 00 seconds West 141.21 feet to the beginning containing 8.82 acres

Tract two containing 24.95 acres.

Beginning at an iron rod in the easterly right-of-way of Freeman Hollow Road (25 feet from the centerline) said iron rod being located northerly along said right-or-way from the most northerly corner of property owned by Robert E. Webb of record in Deed Book 4575, page 271 in the Register's Office of Davidson County, Tennessee (RODCT) as follows: with a curve concave to the west having a radius of 986.21 feet and an arc distance of 210.85 feet through a central angle of 12 degrees 14 minutes and 59 seconds to the point of tangency; North 17 degrees 04 minutes 33 seconds West 89.91 feet; thence, leaving the point of beginning with the easterly right-of-way of Freeman Hollow Road as follows: North 17 degrees 04 minutes 33 seconds West 444.86 feet; to the beginning of a curve concave to the East having a radius of 1,843.59 feet and an arc distance of 715.08 feet through a central angle of 22 degrees 13 minutes and 25 seconds to an iron rod; with a fence line North 16 degrees 30 minutes 32 seconds East 45.96 feet to an iron rod; North 22 degrees 45 minutes 32 seconds East 115.50 feet to an iron rod; North 10 degrees 59 minutes 59 seconds East 159.56 feet to an iron rod; North 06 degrees 23 minutes 21 seconds West 451.36 feet to a concrete monument; thence, with the southerly boundary line of property owned by Mitzi R. Sawyer of record in Deed Book 9731, page 584 (RODCT) also being the southerly boundary line of North Land Estates, section one, of record in Book 3842, page 212 (RODCT) South 85 degrees 16 minutes 43 seconds East 385.98 feet to an iron rod; thence, with the westerly boundary line of property owned by Thurman McKee and wife, of record in Deed Book 5427, page 585 (RODCT) as follows: South 10 degrees 48 minutes 52 seconds East 554.99 feet to an iron rod; South 41 degrees 42 minutes 42 seconds East 83.82 feet to an iron rod; South 27 degrees 59 minutes 34 seconds East 349.03 feet to an iron rod; South 15 degrees 39 minutes 02 seconds East 303.44 feet to an iron rod; South 08 degrees 53 minutes 01 second East 160.35 feet to an iron rod; South 09 degrees 38 minutes 39 seconds East

166.87 feet to an iron rod; South 02 degrees 50 minutes 18 seconds East 59.73 feet to an iron rod; thence, severing subject property as follows: South 72 degrees 55 minutes 27 seconds West 527.38 feet to an iron rod; South 17 degrees 04 minutes 33 seconds East 54.12 feet to an iron rod; South 72 degrees 55 minutes 27 seconds West 200.00 feet to the beginning containing 24.95 acres.

IT IS FURTHER ORDERED that the Defendant, RONALD D. SHIVERS, shall have as his partition in kind of the real property of the late LOUELLA M. SHIVERS the following described tract of land as his sole property:

Tract A containing 5.01 acres.

Beginning at an iron rod in the easterly right-of-way of Freeman Hollow Road (25 feet from the centerline) said iron rod marking the most northerly corner of property owned by Robert E. Webb of record in Deed Book 4575, page 271 in the Register's Office of Davidson County, Tennessee (RODCT) and marking the Southwest corner of the herein described tract; thence, leaving the point of beginning with the easterly right-of-way of Freeman Hollow Road as follows: with a curve concave to the west having a radius of 986.21 feet and an arc distance of 210.85 feet through a central angle of 12 degrees 14 minutes and 59 seconds to the point of tangency; North 17 degrees 04 minutes 33 seconds West 89.91 feet to an iron rod; thence, leaving said right-of-way and severing subject property as follows: North 72 degrees 55 minutes 27 seconds East 200.00 feet to an iron rod; North 17 degrees 55 minutes 27 seconds East 424.21 feet to an iron rod; South 02 degrees 50 minutes 18 seconds East 448.98 feet to an iron rod; South 81 degrees 36 minutes 34 seconds West 542.46 feet to the beginning containing 5.01 acres.

IT IS FURTHER ORDERED that the costs of this cause be taxed to the parties equally in five equal shares.

ENTERED this the _____ day of _____, 2000.

CAROL MCCOY, Chancellor

I hereby certify that this is a true copy of original instrument filed in my office.
This 30th day of August, 2000
CLAUDIA C. BONNYMAN, Clerk & Master
By _____ Deputy

Approved for Entry:

CANNON & CANNON, ATTORNEYS, P.C.

By: _____
GRAYSON SMITH CANNON
Attorney for Plaintiffs

112 Long Hollow Pike, Suite 202
Post Office Box 749
Goodlettsville, Tennessee 37070-0749
(615) 851-1880
BPR No. 13183

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been forwarded to Mr. Ronald D. Shivers, 3036 Freeman Road, Goodlettsville, Tennessee 37072, this 2 day of August, 2000.

By: _____
GRAYSON SMITH CANNON