PICK-UP

Davidson County ORDER
Recvd: 09/18/00 09:58 3pgs
Fees:14.00 Taxes:0.00

20000918-0092271

CHEATHAM MAP 63 PARCEL 14.03
DAVIDSON MAP 55 PARCEL 67

Dot Dowlen, Register
Cheatham County Tennessee
Rec #: 75150 Instrument 25915
Rec'd: 12.00 NBK: T Pg: 209
State: 0.00 Recorded
Clerk: 0.00 9/18/2000 at 8:00 am
EDP: 2.00 in Deed Book
Total: 14.00

IN THE CHANCERY COURT FOR CHEATHAM COUNTY, TENNESSEE

AT ASHLAND CITY

I CERTIFY THIS TO BE A TRUE COPY
Sept. 14, 2000
No. 9173 C&M

A.C. SUBDIVISIONS]

VS.]

DONAVON C. SMITH, ET UX, ET AL]

FILED: 9-7-2000 AT 3:05
CLERK & MASTER

ENTERED MINUTE BOOK 11-30 9-7-2000
PAGE 122

AGREED ORDER

In this cause, it appears to the satisfaction of the Court as evidenced by the signatures of James W. Stinnett, Jr., counsel for the plaintiff, C.D. Berry, counsel for Mr. David Ogilvie, Linda Ogilvie, Carolyn Ogilvie Savage, Guilford Lee Ogilvie, and Gertrude Ogilvie, and Bobby D. Davis, counsel for Roy S. Hatcher, Thelma Zidank, Joan Love den Hertog, and Nancy Love Thompson, all heirs of Lee Ogilvie, that the motion of the plaintiff for summary judgment heretofore filed by the plaintiff is well taken and should be granted as to the above named heirs of Lee Ogilvie and it further appears from the entire record in this cause that default judgment has been taken and entered against all other defendants, including the unknown heirs of Lee Ogilvie.

It is therefore, ORDERED, ADJUDGED, and DECREED by the Court that the motion for summary judgment heretofore filed in this cause be, and is hereby granted.

It is further ORDERED by the Court that plaintiff acquired title to the following described property by quitclaim deed from Patricia Smith dated August 17, 1987, and filed for record in Book 259, Page 728, Register's Office for Cheatham County, Tennessee on August 17, 1987 and filed for record in Book 7326, Page 863, Register's Office for Davidson County, Tennessee, and that the deed of record in Book 77, Page 160, Register's Office for Cheatham County, Tennessee from William B. Epley to Lee Ogilvie, Trustee, dated May 4, 1945, and filed for record on September 5, 1945, be and is hereby removed as a cloud on title of the plaintiff, and the plaintiff is vested with a good and indefeasible title in fee in accordance with T.C.A. 28-2-101 (a). Said property being more particularly described as follows:

> **BEGINNING** at a monument in Gerth's south line, then North 21 degrees 12 minutes East 323.62 feet to an iron pin at the southwest corner of Book 102, Page 45,

Cheatham Co., Women's Division of Christian Service of the Board of Missions of the Methodist Church, then with the south line of same, North 33 degrees 14 minutes 41 seconds East 210.91 feet to an iron pin, then North 42 degrees 17 minutes 39 seconds East 775.50 feet to an iron pin, then North 30 degrees 17 minutes 39 seconds East 287.10 feet, then North 18 degrees 01 minute 51 seconds East 210.24 feet to an iron pin, then North 40 degrees 32 minutes 39 seconds East 160.90 feet to an iron pin, then leaving said Book 102, Page 45, and running with the west line of Book 1140, Page 269, just east of an old road, or with an old road generally, the following ten calls: North 78 degrees 55 minutes 27 seconds East 70.90 feet to a concrete monument, South 60 degrees 30 minutes 00 seconds East 478.50 feet to an iron stake, South 45 degrees 00 minutes 00 seconds East 400.95 feet to an iron stake, South 50 degrees 00 minutes 00 seconds, East 165.00 feet to an iron stake, South 56 degrees 15 minutes 00 seconds East 306.90 feet to an iron stake, South 42 degrees 00 minutes 00 seconds East 179.85 feet to an iron stake, South 32 degrees 00 minutes 00 seconds East 132.00 feet to an iron stake, South 06 degrees 15 minutes 00 seconds East 108.90 feet to an iron stake, South 20 degrees 00 minutes 00 seconds East 442.20 feet to a concrete monument, Mildred Cantrell's northeast corner, Book 4832, Page 402, Davidson Co., then with Cantrell's north line, with an old fence, sometimes down, North 87 degrees 50 minutes 00 seconds West 906.59 feet to an iron rod at the head of a hollow, John Cripps' northeast corner, Book 5106, Page 651, Davidson Co., then with Cripps' north line, with old fence, continuing with Donavon Smith's north line, Book 208, Page 548, Cheatham Co., with old fence, North 87 degrees 50 minutes 00 seconds West 1767.86 feet to the beginning, containing 61.86 acres, more or less, and being the tract described in Book "M", Page 339, Cheatham Co., Tennessee, 1st Civil District; about 22.53 acres in Davidson County, and about 39.33 acres in Cheatham County, according to a survey by P. A. Chapdelaine, Jr., 8/2/87.

It is further ORDERED that the plaintiff pay to Mr. Sam M. Balthrop, attorney, the sum of $_____ as his reasonable fee for discharging the duties as Guardian Ad Litem in this cause.

It is further ORDERED that the plaintiff pay the costs of this cause, and all of the above is made the judgment of this Court, for which let execution issue, if necessary.

ENTER this 7th day of Sept., 2000.

APPROVED FOR ENTRY:

James W. Stinnett, Jr.

JAMES W. STINNETT, JR. #2302
Attorney for Plaintiff
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Bobby D. Davis by J.W.S. with permission
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C.D. BERRY #3081
Attorney for Defendants
David Ogilvie, Hudson Ogilvie,
Linda Ogilvie, Carolyn Ogilvie
Savage, Guilford Lee Ogilvie, and
Gertrude Ogilvie

ENTER:

CHANCELLOR

CERTIFICATE

I hereby certify that I have mailed a copy of the foregoing ORDER to Mr. Sam M. Balthrop, guardian ad litem, at his office at 102 Frey Street, P.O. Box 82, Ashland City, TN 37015 this 5th day of September, 2000.

James W. Stinnett, Jr.
JAMES W. STINNETT, JR.

PH:AC.ORD