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IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

BOBBY NICKENS,

PLAINTIFF

VS.

DANIEL BLACKBURN,

DEFENDANT

FOR A

CASE NO. 00-2069-III

SEP 29 2000

Dav. Co. Chancery Court

FILED
2000 OCT -9 PM 4:01
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
DC&M

ORDER

This matter came to be heard on September 22, 2000, upon the motion for default judgment filed by plaintiff, Bobby G. Nickens, accompanying affidavit and the representations of counsel for plaintiff, and the record as a whole, from all of which it appeared unto the court as follows:

1. Plaintiff filed a verified petition on June 29, 2000, in which the plaintiff sought a judgment for affirmative relief from the defendant. Specifically, plaintiff prayed that the court "divest defendant of his interest in said land vesting title in fee to the plaintiff."

2. In accordance with Rule 4 of the Tennessee Rules of Civil Procedure, the defendant was served via hand delivery a true and correct copy of the verified complaint on July 14, 2000, at 12:01 p.m.

3. The defendant failed to plead or otherwise defend as provided by these rules.

4. On August 25, 2000, plaintiff filed a Motion for Default Judgment in accordance with Rule 55 of the Tennessee Rules of Civil Procedure.

5. Counsel for plaintiff served via first class U. S. mail a true and correct copy of the foregoing motion to the defendant, Daniel Blackburn on August 23, 2000.

6. The defendant failed to file a timely response to the motion for default judgment as required by local rules. To date, defendant has not plead, defended, or otherwise disputed plaintiff's request to be granted ownership of the property in fee.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The plaintiff's motion for default judgment shall be and is hereby granted.

2. Upon entry of this order, the plaintiff shall be and is hereby vested with a fee simple absolute in the commercial property located at 613 Old Hickory Blvd., Madison, Tennessee 37115, and more specifically described in the Warranty Deed of record in Book 10022, page 42 of the Register's Office of Davidson County, Tennessee.

Davidson County ORDER
Recvd: 10/19/00 16:19 2pgs
Fees:10.00 Taxes:0.00
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3. Upon entry of this order, the defendant, Daniel Blackburn shall be and is hereby divested of any and all interest that he previously had in said property, by or through Warranty Deed of record in Book 10022, page 42 of the Register's Office of Davidson County, Tennessee. A copy of this order shall be filed with the Register's Office of Davidson County, Tennessee, within thirty days of its entry.

4. The costs of this action shall be assessed to the defendant for which execution may issue if necessary.

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

Ellen Hobbs Lyle

Ellen Hobbs Lyle

I hereby certify that this is a true copy of original instrument filed in my office.
This 9th day of October 2000
CLAUDIA C. BONNYMAN Clerk & Master
By _____ Deputy

APPROVED FOR ENTRY:

Christopher L. Denison, #018361
Attorney for Plaintiff
300 East Vine Street
Murfreesboro, TN 37130
(615) 893-1331

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has served a true and correct copy of the foregoing via U. S. Mail to the defendant, Daniel Blackburn, c/o Donna Schell, 1749 Campbell Road, Goodlettsville, TN 37072, this 27th day of September, 2000.

Christopher L. Denison