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IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

FILED
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RICHARD R. ROOKER, CLERK
C Rucker D.C.

METROPOLITAN DEVELOPMENT AND HOUSING AGENCY, Plaintiff, v. JACK D. JOHNSON and wife EDITH H. JOHNSON, Defendants.	)	No. 00C1197

Davidson County JDGMT
Recvd: 06/19/01 11:17 6pgs
Fees:26.00 Taxes:0.00
20010619-0064879

FINAL JUDGMENT REGARDING THE PROPERTY RIGHTS OF THE DEFENDANTS, JACK D. JOHNSON, AND WIFE, EDITH H. JOHNSON

This case came on to be heard before The Honorable Hamilton V. Gayden, Jr., Judge, on May 8, 2001, for an evidentiary hearing to determine just compensation owed to the Defendants, Jack D. Johnson and Edith H. Johnson ("Johnsons") for the taking of their property rights by the Plaintiff, Metropolitan Development and Housing Agency ("MDHA") in the exercise of the power of eminent domain in the above-styled case, and the Court finds as follows:

1. All of the Defendants other than the Johnsons have been dismissed by separate orders.

2. The property taken is divided as Tract I and Tract II. A metes and bounds description is attached hereto and incorporated herein by reference. Tracts I and II surround a historic building still owned by the Johnsons, which fronts on Fifth Avenue, South. Tract I, on the southerly side of the Johnsons' building and perpendicular to Fifth Avenue, South, has been converted to a public alley by MDHA. Tract II zig-zags on the northerly and easterly side of the Johnsons' building and is described by the parties as an unnamed alley.

3. MDHA and the Johnsons have agreed that the Johnsons shall have a perpetual, non-exclusive easement with the right of pedestrian and maintenance egress and ingress within Tract I and Tract II. The area of such access is marked by the hash-marks on the sketch attached hereto and incorporated herein by reference.

4. The Johnsons shall have and recover a judgment from and against MDHA for the taking of Tract I in the amount of

$150,000.00 as just compensation, of which the amount of $71,500.00 has heretofore been deposited with the Clerk for the taking of Tract I, the difference being $78,500.00, plus interest at the rate of 11.5% on the difference thereof, from the day of possession of July 7, 2000, until such difference is paid into Court, whereupon the Clerk shall disburse such amount to the Johnsons and their attorney, Clark H. Tidwell.

5. The Court costs should be, and the same are hereby, taxed against MDHA. Discretionary costs are reserved.

IT SO ORDERED, ADJUDGED AND DECREED.

Enter this 4th day of June, 2001.

Hamilton V. Gayden, Jr., Judge

APPROVED FOR ENTRY:

MILLER & MARTIN, LLP

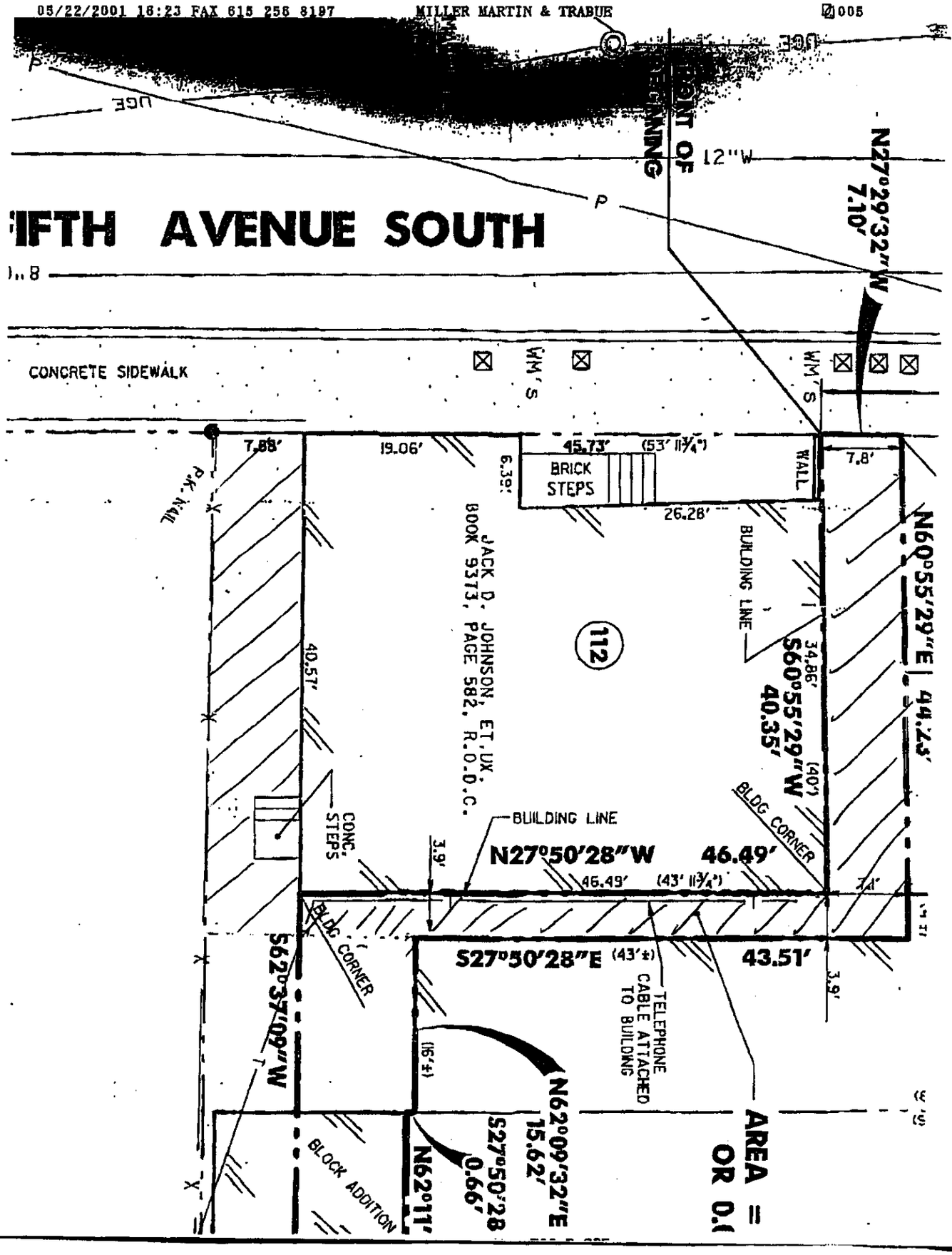
BY: _____

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IFTH AVENUE SOUTH
CONCRETE SIDEWALK
POINT OF BEGINNING
N27°29'32"W
7.10'
W'M'S
7.88'
19.06'
45.73'
(53' 11¾")
6.39'
BRICK STEPS
WALL
7.8'
26.28'
BUILDING LINE
N60°55'29"E 44.23'
S60°55'29"W
40.35'
(40')
34.86'
JACK D. JOHNSON, ET. UX.
BOOK 9373, PAGE 582, R.O.D.C.
112
40.57'
CONC. STEPS
BUILDING LINE
N27°50'28"W 46.49'
46.49'
(43' 11¾")
BLDG CORNER
3.9'
S27°50'28"E (43'±)
43.51'
S62°37'00"W
(15'±)
TELEPHONE CABLE ATTACHED TO BUILDING
N62°09'32"E
15.62'
S27°50'28
0.66'
N62°11'
BLOCK ADDITION
AREA =
OR 0.

LEGAL DESCRIPTION

TRACT I

Being a parcel of land located in Nashville, First Civil District, Nineteenth Councilmanic District, Davidson County, Tennessee, located generally along the east right-of-way of Fifth Avenue South and south of Broadway, being a portion of parcel 112 as shown on Davidson County Property Map No. 93-6-3, and being more particularly described as follows:

BEGINNING at an existing p.k. nail located in the easterly right-of-way of Fifth Avenue South, said nail being 108.25 feet from the southerly right-of-way of Broadway and also being the northwest corner of the recorded subdivision plat of Consolidation Plat for Nashville Hotel Complex of record in Book 9700, page 887, R.O.D.C.;

THENCE, with said easterly right-of-way of Fifth Avenue South N 27° 29' 32" W, 7.88 feet to a point;

THENCE, leaving said easterly right-of-way with a severance line N 62° 00' 05" E, 40.62 feet to a point in the southwest corner of property conveyed to Julian Silverfield, et. ux. of record in Book 4157, page 354, R.O.D.C.;

THENCE, with said southerly boundary of Silverfield and Lewis properties N 62° 37' 09" E, 97.31 to a point in the westerly boundary of property conveyed to James V. Hunt of record in Book 10436, page 947, R.O.D.C.;

THENCE, with said Hunt's westerly boundary S 29° 20' 12" E, 8.05 feet to a point in the southwest corner of said Hunt property, said point also being along the northerly boundary of Consolidation Plat for Nashville Hotel Complex of record in Plat Book 9700, page 887, R.O.D.C.;

THENCE, with said northerly boundary of Nashville Hotel Complex property S 62° 30' 28" W, 138.19 feet to the point of beginning.

Containing 1,121 square feet or 0.03 acre more or less.

LEGAL DESCRIPTION

TRACT II

Being a strip of land in Nashville, First Civil District, Nineteenth Councilmanic District, Davidson County, Tennessee, being portion of Lot 41, on the first plan of Davidson Academy lots, not of record, and being more particularly described as follows:

BEGINNING, at a point in the easterly right-of-way of Fifth Avenue South (formerly Summer Street), said point being S 27° 29' 32" W, 54.64 feet from the southerly right-of-way of Broadway and said point further described as being the northwest corner of the lot deeded to Jack D. Johnson, et. ux., of record in Book 9373, page 582, Register's Office, Davidson County, Tennessee;

THENCE, with said right-of-way of Fifth Avenue South, N 27° 29' 32" W, 7.10 feet to a point;

THENCE, leaving said right-of-way with the southerly boundary of the property deeded to Inez Silverfield of record in Book 5203, page 592, Register's Office, Davidson County, Tennessee, N 60°, 55' 29" E, 44.23 feet to a corner of a building located on the parcel deeded to Jullian Silverfield, et. ux., of record in Book 4157, page 354, Register's Office, Davidson County, Tennessee;

THENCE, along said building and Silverfield's westerly boundary, S 27° 50' 28" E, 43.51 feet to a building corner, Silverfield's southwest corner;

THENCE, continuing with said building and Silverfield's southerly boundary N 62° 09' 32" E, 15.62 feet to a building corner, Silverfield's southeast corner;

THENCE, with a building and the westerly boundary of the parcel deeded to James A. Lewis, et. ux., of record in Book 7306, page 268, Register's Office, Davidson County, Tennessee, S 27° 50' 28" E, 0.66 feet to a building corner, Lewis's southwest corner;

THENCE, along said building and Lewis's southerly boundary, N 62° 11' 22" E, 32.00 feet to a point;

THENCE, leaving said building with the westerly boundary of the parcel deeded to Inez P. Silverfield, et. ux., of record in Book 4211, page 354, Register's Office, Davidson County, Tennessee, S 27° 46' 26" E, 9.90 feet to a point in the parcel deeded to Jack D. Johnson, et. ux., of record in Book 9373, page 582, Register's Office, Davidson County, Tennessee;

THENCE, with Johnson's boundary, S 62° 37" 09" W, 51.53 feet to a building corner;

THENCE, along said building and Johnson's easterly boundary, N 27° 50' 28" W, 46.49 feet to the northeast corner of said building and Johnson's property;

THENCE, along said building and Johnson's northerly boundary, S 60° 55' 29" W, 40.35 feet to the easterly right-of-way of Fifth Avenue South, the point of beginning.

Containing 970 square feet or 0.02 acre, more or less.

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the FIRST Circuit Court for Davidson County, Tennessee, on the 05 day of JUNE , 2001 , in the Case Number 00C1197 between METROPOLITAN DEVELOPMENT AND HOUSING AGENCY Plaintiff, and JOHNSON, JACK D. ET.AL Defendant,
as same remains of record in Vol. 1905 , Page 349178 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 19 day of JUNE in the year two thousand one and in the 225th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By B. Rawls
Deputy Clerk