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U.S. BANKRUPTCY COURT MIDDLE DISTRICT OF TN.
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U.S. Bankruptcy Court
By K S Perry
Deputy Clerk

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)	
	)	
AMERICAN NATIONAL HOME MORTGAGE, INC.,	)	**Case No. 00-09940**
	)	**Chapter 11**
	)	**Judge Paine**
Debtor.	)	

ORDER DIVESTING REAL PROPERTY

On May 14, 2001, this Court ordered the Debtor to execute and deliver to Joseph D. Cleghorn, Jr. ("Cleghorn") a QuitClaim Deed for real property the Debtor owns at 2739 Bobby Avenue, Nashville, Tennessee 37216 (the "property") and that if that Deed were not delivered within two (2) weeks of the May 8, 2001, hearing in this matter that Cleghorn was free to file with this Court an Order specifically providing that the property be divested from Debtor and that it be vested in Cleghorn. It appears to the Court that the Debtor has failed to deliver the Deed to the property to Cleghorn as ordered by this Court and that Cleghorn is entitled to be vested with the property.

In reviewing the facts of this case, the Court finds the Debtor acquired this property on April 27, 1999 by QuitClaim Deed recorded in Book 11449, Page 130, Register's Office for Davidson County, Tennessee. On December 27, 1999, Cleghorn entered into a Land Sale Contract agreeing to purchase the property from Debtor in exchange for Cleghorn's assumption of the unpaid balance owed to First Tennessee Bank, N.A.. which has a first mortgage on the property of record in Book 10372, Page 206, said Register's Office. On March 20, 2001, the Debtor and Cleghorn entered into an Agreed Order in this case, wherein the Debtor agreed to convey this property to Cleghorn by QuitClaim Deed at this time in consideration for Cleghorn's assumption of the Deed

Davidson County ORDER
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of Trust indebtedness owed on the property to First Tennessee Bank, N.A. The Court finds that the Debtor is in contempt of the Orders of this Court in failing to execute and deliver a QuitClaim Deed for this property to Cleghorn. As a result of this contempt, the Court herein ORDERS that this property be divested from American National Home Mortgage, Inc, and that it be vested in Joseph D. Cleghorn, Jr., 309 Villa Mill Alley, Key West, Florida 33040 and that upon the filing of a certified copy of this Order in the Davidson County Register of Deed's Offices, that the property shall be vested in Joseph D. Cleghorn, Jr. as ordered herein.

IT IS SO ORDERED this ____ day of _____, 2001.

Judge George Paine

APPROVED FOR ENTRY:

David M. Smythe
TN Reg. No. 10114
144 Second Avenue, North
Suite 450
Nashville, TN 37201
615/255-4849

Attorney for Joseph D. Cleghorn, Jr.

A copy of this order was mailed in accordance with Fed. R. Bankr. P. 2002, Local Rule 9013-1 and 9013-5(c) by:

[ ] Debtor or Dbt's Atty [ ] Atty for Movant
[ ] Trustee or Tre Atty [ ] _____

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[ ] Debtor and Dbt's Atty
[ ] Trustee &/or Tre Atty
[ ] Movant &/or Mv't's Atty
[ ] All parties to agreed order
[ ] All parties in cert of svc
[ ] All creditors

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been placed in the U. S. mail postage pre-paid and properly addressed to:

Elliott Warner Jones
Greenbaum, Doll & McDonald
Attorney for Debtor
700 Two American Center
3102 West End Avenue
Nashville, TN 37203-1304

U. S. Trustee
318 Customs House
701 Broadway
Nashville, TN 37219

this 29th day of May, 2001.

David M. Smythe