IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

FILED
2002 JAN -3 AM 9:30
RICHARD R. ROOKER, CLERK
D.C.

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, Petitioner, VS. THE HEIRS AT LAW OF ANNIE M. CLEVELAND, and JAMES T. SHELBORN AND BEVERLYN S. BRADLEY, Respondents.	)	NO. 01C-2074 Davidson County ORDER Recvd: 03/05/02 14:52 4pgs Fees:22.00 Taxes:0.00 20020305-0027562

AGREED FINAL ORDER

This cause, having been fully compromised and settled, as evidenced by the signatures of counsel for the Petitioner and for Respondents, James T. Shelborn and Beverlyn S. Bradley, and the Court being duly and sufficiently advised;

It is hereby **ORDERED, ADJUDGED** and **DECREED** by the Court that the Respondents, James T. Shelborn and Beverlyn S. Bradley, have and recover the sum of $55,000.00, the same being the fair cash market value of the property described hereinabelow, Petitioner having heretofore paid into Court the sum of $55,000.00 at the time of the filing of the Petition for Condemnation.

It is further **ORDERED, ADJUDGED** and **DECREED** that, by prior Order of the Court authorizing an Order for Notice By Publication and the granting of a Motion for Default Judgment as to the Heirs At Law of Annie M. Cleveland, said Heirs At Law of Annie M. Cleveland, having failed to make an appearance before this Court, shall have no further interest in the subject property or any consideration herein tendered to the said Respondents, James T. Shelborn and Beverlyn S. Bradley.

It is further **ORDERED, ADJUDGED** and **DECREED** by the Court that all title to the property described hereinbelow be, and the same is hereby, divested out of the Respondents and all other persons claiming any adverse interest therein, and hereby is vested in The Metropolitan Government of Nashville and Davidson County, in fee simple, said property being more particularly described as follows:

MAP & PARCEL NO. 92-7-375 Field Book No. 03W-01210

FEE SIMPLE

Being the westerly 27 feet of Lot No. 34 on the Plan of W. B. Cooper's Addition, as of record in Book 57, page 39, Register's Office for said County.

Said part of Lot No. 34 fronts 27 feet on the southerly side of Jo Johnson Avenue, formerly Line Street, and runs back between parallel lines with the easterly margin of an alley, 175 feet to an alley in the rear.

Being the same property conveyed to Annie M. Cleveland by Installment Deed from Eva R. Garfinkle of record in Book 4387, page 716, said Register's Office. The said Annie M. Cleveland, a/k/a Annie M. Cleveland Wilson, died intestate on May 17, 1993.

It further appearing to the Court that the property hereinabove described may be subject to a lien for taxes due, interest and penalty, if any, owing to The Metropolitan Government of Nashville and Davidson County, and in accordance with Tennessee Code Annotated, Section 26-5-108(b), the Clerk of the Court, prior to the payment of any part of the judgment to Respondents, shall ascertain whether there are any taxes due and unpaid which are a lien upon said property, and shall issue to each of the officials charged with the collection of any tax which might be a lien on said property, a statement, giving the style and number of the cause, a description of the property, and the name of the party out of whom title is divested; whereupon each of said officials shall certify to said Clerk an itemized statement of any taxes, interest and penalty, if any, which are a lien upon said land as of the date of entry of the Order of Possession heretofore filed herein.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that the Clerk is directed to pay out of the monies deposited by the Petitioner any unpaid taxes that may be determined to be owing by the above-referenced Respondents, and the Clerk shall pay any remaining funds to the Respondents, James T. Shelborn and Beverlyn S. Bradley.

It is further **ORDERED** by the Court that the costs of this cause be, and the same are hereby, taxed against the Petitioner, for all of which let execution issue if necessary. The Clerk of this Court shall make out and certify to The Metropolitan Government of Nashville and Davidson County, in care of the Department of Law, a

copy of this Agreed Final Order, together with a costs bill for the lawful costs of this cause for payment by the Metropolitan Government.

ENTERED this _____ day of December, 2001.

BARBARA N. HAYNES, JUDGE

APPROVED FOR ENTRY:

Philip D. Baltz, #9315
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James T. Shelborn
644 26th Street, N.W.
Birmingham, AL 35211

Beverlyn S. Bradley
1200 Lischey Avenue
Nashville, TN 37207

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 THIRD Circuit Court for Davidson County, Tennessee, on the 03 day of JANUARY , 2002 , in the Case Number 01C2074 between THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY Plaintiff, and THE HEIRS AT LAW OF ANNIE M. CLEVELAND ET.AL Defendant, as same remains of record in Vol. 3069 , Page 564452 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 12 day of FEBRUARY in the year two thousand two and in the 225th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

