**IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE**
**PART III**

**LORI STRATTON, DARYL HAWKINS, GREG HAWKINS and BARBARA HAWKINS,**

**Plaintiffs,**

**vs.**

**VICTOR McGAVOCK and VERNON PHILLIPS,**

**Defendants.**

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Davidson County ORDER
Recvd: 07/10/02 08:03 5pgs
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20020710-0082715

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**NO. 00-1503-III**

**FRANKLIN E. DAVENPORT,**

**Intervening Plaintiff,**

**vs.**

**LORI STRATTON, DARYL HAWKINS, GREG HAWKINS, BARBARA HAWKINS, VICTOR McGAVOCK and VERNON PHILLIPS,**

**Defendants.**

2002 JUL -3 AM 8:29

D.C. & M

## AGREED ORDER OF COMPROMISE AND CONFIRMING SALE OF REAL PROPERTY

This cause came on to be heard on the 20th day of June, 2002, before the Honorable Ellen Hobbs Lyle, Chancellor for the Chancery Court of Davidson County, Tennessee, Part III, upon the Intervening Petition to Confirm Sale of Real Property and the Motion for Default Judgment, heretofore filed in this cause by the Intervening Plaintiff, Franklin E. Davenport; the Answer to Confirm Sale of Real Property, filed by the original Plaintiffs; the Response to Motion for Default Judgment, filed by the original Plaintiffs; the Motion to Re-Open Bidding, filed by the original Plaintiffs; the Response to Motion to Re-Open Bidding, filed by the Intervening Plaintiff; all parties hereto being before the Court; the statements of counsel; and the entire record in this cause, from all of which the Court finds that all parties hereto have agreed to compromise and settle their differences, as follows:

1. The Intervening Complaint heretofore filed in this cause by Franklin E. Davenport should be dismissed, with prejudice;

2. The Motion for Default Judgment, heretofore filed in this cause by the Intervening

Plaintiff, Franklin E. Davenport, should be stricken and dismissed;

3. The auction sale of the subject real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, conducted on August 23, 2001, by the Clerk & Master of this Court, wherein the Intervening Plaintiff, Franklin E. Davenport, was the high bidder, should be set aside, and held to be null and void;

4. The Motion to Re-Open Bidding, heretofore filed in this cause by the original Plaintiffs, Lori Stratton, Daryl Hawkins, Greg Hawkins and Barbara Hawkins should be granted, pursuant to the provisions of T.C.A. 35-5-110;

5. The parties have accepted the new and recent bid of Mr. Les Stratton to purchase the real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, for the total sum of Four Thousand Dollars ($4,000.00), which amount should be tendered to the Clerk of this Court for distribution to the interested parties pursuant to further Orders of the Court;

6. Mr. Les Stratton, the purchaser of the real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, should pay directly to the Intervening Plaintiff, Franklin E. Davenport, the additional sum of Four Thousand Dollars ($4,000.00);

7. There should be no assessment of costs or property taxes to the Intervening Plaintiff in this cause; and

8. The sale of the subject real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, to Les Stratton for the sum of Four Thousand Dollars ($4,000.00) should be confirmed by the Court.

The foregoing being the agreement of the parties, and the Court having found said agreement to be well-taken,

It is therefore **ORDERED, ADJUDGED** and **DECREED** that the Motion for Default Judgment, heretofore filed in this cause by the Intervening Plaintiff, Franklin E. Davenport, shall be, and the same is **OVERRULED** and **DENIED.**

It is further **ORDERED, ADJUDGED** and **DECREED** that the Intervening Complaint, heretofore filed in this cause by the Intervening Plaintiff, Franklin E. Davenport, shall be, and the same is hereby **DISMISSED**, with prejudice.

It is further **ORDERED, ADJUDGED** and **DECREED** that the auction sale of the real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, conducted on August 23, 2001, by the Clerk & Master of this Court, shall be set aside and shall be held null and void.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Motion to Re-Open Bidding, heretofore filed in this cause by the original Plaintiffs, Lori Stratton, Daryl Hawkins, Greg Hawkins and Barbara Hawkins, shall be, and the same is hereby **GRANTED**, pursuant to the provisions of T.C.A. 35-5-110.

It is further **ORDERED, ADJUDGED** and **DECREED** that the bid of Mr. Les Stratton to purchase the real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, for the sum of Four Thousand Dollars ($4,000.00) shall be, and the same is hereby accepted and approved by the Court.

It is further **ORDERED, ADJUDGED** and **DECREED** that, in addition to the sum of Four Thousand Dollars ($4,000.00) for the purchase of the real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, the purchaser thereof, Mr. Les Stratton, shall pay directly to the Intervening Plaintiff, Franklin E. Davenport, the additional sum of Four Thousand Dollars ($4,000.00).

It is further **ORDERED, ADJUDGED** and **DECREED** that there shall be no court costs or property taxes assessed against the Intervening Plaintiff, Franklin E. Davenport, in this cause.

It is further **ORDERED, ADJUDGED** and **DECREED** that the sale of the subject real property, located at 916 Crockett Street, Nashville, Davidson County, Tennessee, to Mr. Les Stratton for the total sum of Four Thousand Dollars ($4,000.00) shall be, and the same is hereby confirmed by the Court, and title to said property shall hereinafter be vested in the same Les Stratton.

It is further **ORDERED, ADJUDGED** and **DECREED** that Mr. Les Stratton, the purchaser of the real property located at 916 Crockett Street, Nashville, Davidson County, Tennessee, shall deliver and pay the purchase price for said real property to the Clerk & Master of this Court, for distribution pursuant to the future Orders of this Court.

It is further **ORDERED, ADJUDGED** and **DECREED** that the legal description of the real property purchased by Mr. Les Stratton herein is as follows:

"Land in Davidson County, Tennessee, being Lot No. 26 on the Map of Essex Place Subdivision, not of record, described according to a survey made by Blanchard and Parrish, Surveyors, September 10, 1937, as follows:

Beginning on the southerly margin of Crockett Street at the northeast corner of Lot No. 25; thence with the easterly line of Lot No. 25, a 12 foot alley and Lot No. 21, southwardly 212 feet to the northerly margin of Lot No. 20; thence with the northerly margin of said Lot No. 20, eastwardly 50 feet to the westerly line of Lot. No. 27; thence with the line between Lots Nos. 26 and 27, northwardly 212 feet to the southerly margin of Crockett Street; thence with the southerly margin of said street westwardly 50 feet to the beginning."

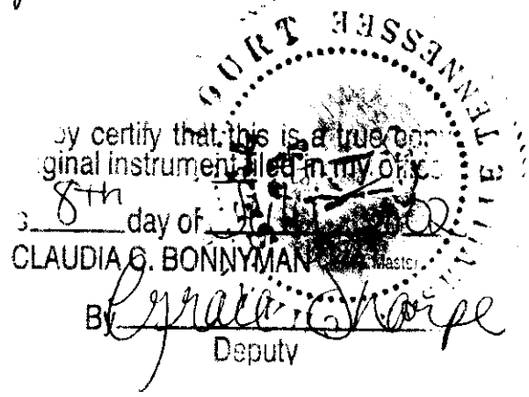
It is further **ORDERED, ADJUDGED** and **DECREED** that this Order shall be deemed and considered in all respects a final Order, pursuant to the provisions of the Tennessee Rules of Civil Procedure, Rule 58.

It is finally **ORDERED, ADJUDGED** and **DECREED** that all other issues shall be reserved by the Court at this time.

**ENTER** this _____ day of _____, 2002.

Ellen Hobbs Lyle

**HON. ELLEN HOBBS LYLE, CHANCELLOR**



**APPROVED FOR ENTRY:**

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