340740

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

Odell Binkley, Jr.
Plaintiff,

VS.

Leon Dewey Foster, Sr.
Defendant

and

Van Buren Barlow, Jr.
Defendant

and

Metropolitan Government of Nashville and Davidson County, Tennessee,
Defendant.

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Dav. Co. Chancery Court
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FILED
2002 DEC 30 PM 3:48
DAVIDSON CO. CHANCERY CT.
D.C. & M

No. 02-3145-III

Davidson County ORDER
Recvd: 01/03/03 13:15 2pgs
Fees:12.00 Taxes:0.00
20030103-0001267

ORDER

This cause came on to be heard on this the 20th day of December, before the Honorable Ellen Hobbs Lyle, Chancellor, upon the motion heretofore filed, and the entire record, from all of which the Court finds that the motion is well taken.

It is therefore ORDERED that an Order of Non-Suit be entered as to the Defendant, Metropolitan Government of Nashville and Davidson County, Tennessee.

It is further ORDERED that judgment by default be entered against the Defendants, Leon Dewey Foster, Sr., and Van Buren Barlow, Jr., in favor of the Plaintiffs, Odell Binkley, Jr., to the end that all right, title and interest in the property known as

2110 Hermosa Street
.36 Acres
Field Book Number 11W 04525
Map and Parcel Number 092-07-0 013.00
Deed Book 9085, page 823

Said property being more particularly described as follows:

Land in Davidson County, Tennessee, being the easterly fifteen feet of the South one-half (1/2) of Lot Number four and westerly eighty-five feet of the South one-half (1/2) of Lot Number Three of the Elizabeth Harding Lyle Tract, a Plan of which Subdivision is of record in Minute Book Number 25, page 453 of the Chancery Court at Nashville, Tennessee.

Said easterly fifteen feet of the South one-half (1/2) of Lot Four (4), and said westerly eighty-five (85) feet of the South one-half (1/2) of Lot Number Three (3), adjoin and front together one hundred (100) feet on the North side of Hermosa Street, and run back northwardly, between parallel lines, to a twelve-foot alley.

Being the same property conveyed to Terry Shores by Final Decree Confirming Sale and Report of Sale, from the Clerk and Master for Davidson County, Tennessee, of record in Instrument No. 20010523-0053584, Register's Office for Davidson County, Tennessee, and the same property conveyed to Odell Binkley, Jr., by quitclaim deed of record in Instrument No. 20021010-0124234, Register's Office for Davidson County, Tennessee

be divested out of the Defendants, Leon Dewey Foster, Sr., and Van Buren Barlow, Jr., and be vested into the Plaintiff, Odell Binkley, Jr., to the end that he be sole owner of the same in fee simple absolute.

The Costs of this cause are taxed to the Plaintiff herein, for which execution may issue if necessary.

All of which is so ORDERED, ADJUDGED and DECREED by the Court.

CHANCELLOR

APPROVED FOR ENTRY:

ROBERT F. SPANN #2531
Attorney for Plaintiffs
Suite 400, 214 Second Avenue, North
Nashville, TN 37201
(615) 248-2300

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Order has been forwarded by first class mail, postage prepaid to Hon Kelli Hass, Attorney for Metropolitan Government of Nashville and Davidson County, Tennessee. 20 day of December, 2002.

ROBERT F. SPANN

I hereby certify that this is a true copy of original instrument filed in my office.
This 31st day of January, 2003
CLAUDIA C. BONNYMAN Clerk & Master
By Deputy