FILED
FEB - 9 1989
CLAUDIA C. BONNYMAN CHANCERY COURT

I, hereby certify that this is a true copy of original instrument filed in my office.
This 24th day of Jan 2024
CLAUDIA C. BONNYMAN Clerk & Master
By Judy Carnegie Deputy

IN PART I, CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

JIMMY L. MIDGETT AND WIFE, CAROLYN R. MIDGETT,

Plaintiffs,

v.

PETE KNESTRICK, DANNY L. DALTON, MARY SUE BAILEY, GLENN L. LAWRENCE, TRUSTEE AND METROPOLITAN FEDERAL SAVINGS & LOAN ASSOCIATION,

Defendants.

Civil Action No. 87-1994-I

ORDER FILED & ENTERED 2/16/89
MINUTE BOOK 50 PAGE 431
Tax Minute Book 273, Page 170A (Part One)

FINAL JUDGMENT

This cause came on to be heard for a trial on the merits before Honorable Irvin H. Kilcrease, Jr., Chancellor, Part I, Chancery Court for Davidson County, Tennessee on January 25, 1989. At the conclusion of a day of hearing evidence on January 25, 1989, this matter was recessed until the following Wednesday, February 1, 1989, at which time the presentation of evidence in this cause was concluded, and the Court recessed briefly to take this matter under advisement. At the conclusion of that recess on February 1, 1989, the Court re-convened and announced its findings of fact and conclusions of law upon the record, which findings of fact and conclusions of law are expressly incorporated herein by reference. Based upon, and as set forth with greater specificity in those findings and conclusions, the Court does hereby ORDER, ADJUDGE and DECREE as follows with respect to those issues which are before the Court in this cause:

1. Based upon those instruments executed by the Plaintiff, Carolyn R. Midgett, her subsequent default in her obligations under those instruments, the foreclosure carried out on behalf of the Defendant, Pete Knestrick pursuant to the terms and provisions of certain of those instruments and the fact that the Plaintiff, Carolyn R. Midgett has come into this Court with unclean hands, the Court hereby declares that the Defendant, Pete Knestrick is now the owner of the separate survivorship interest formerly held by the Plaintiff, Carolyn R. Midgett, in that improved real property which is the subject matter of this litigation, the full legal description of which property is as follows:

> Land in Davidson County, Tennessee, being Lot No. 313 on the Plan of Bellshire Estates, Section A, of record in Book 2331, Page 116, Register's Office for said County.

Davidson County JDGMT
Recvd: 01/30/04 11:55 3pgs
Fees:17.00 Taxes:0.00
20040130-0011722

Said Lot No. 313 fronts 149.4 feet on the southerly side of Bellshire Drive and extends back between lines, 286.3 feet on the easterly line and 287.7 feet on the westerly line, to a dead line in the rear, measuring 136 feet thereon.

Being the same property conveyed to Jimmy L. Midgett and wife, Carolyn R. Midgett, by deed from Harry Brewer and wife, Nina F. Brewer, of record in Book 4697, Page 649, Register's Office for Davidson County, Tennessee.

2. The Court further declares that that Deed of Trust given by the Defendant, Pete Knestrick to the Defendant, Glenn L. Lawrence, Trustee, which Deed of Trust secures an indebtedness owed by the Defendant Knestrick to the Defendant, Metropolitan Federal Savings & Loan Association and is of record at Book 7307, Page 668, Register's Office for Davidson County, Tennessee remains a valid and subsisting lien upon the interest which the Defendant, Pete Knestrick, holds in that real property described above which is the subject matter of this litigation and upon those terms and conditions set forth in that Deed of Trust. That interest as to which this Deed of Trust constitues a lien is the survivorship interest formerly held by the Plaintiff, Carolyn R. Midgett as set forth above.

3. Inasmuch as the purported signatures of the Plaintiff, Jimmy L. Midgett, upon those documents purporting to create an interest in favor of the Defendant, Pete Knestrick, have been found by the Court to be forgeries, the Court accordingly declares that the interest of the Plaintiff, Jimmy L. Midgett, in that property described above was not affected by the execution and recordation of these instruments and that none of the Defendants have any claim or lien against the interest of the Plaintiff, Jimmy L. Midgett, in said property.

4. Those causes of action asserted against the Defendant and Cross-Defendant, Danny L. Dalton, in the original Complaint and the Cross-Claim of Metropolitan Federal Savings & Loan Association and the Counter-Claim of the Defendant Danny Dalton against the Plaintiffs are hereby dismissed with prejudice.

5. The Counter-Claim of the Defendant, Pete Knestrick, against the Plaintiffs is hereby dismissed with prejudice.

6. In view of the Court's finding that the Defendant, Pete Knestrick, obtained a loan from the Defendant, Metropolitan Federal Savings & Loan Association based upon knowing misrepresentations of fact and has defaulted with respect to the terms and provisions of his agreements with the

Defendant, Metropolitan Federal Savings & Loan Association, pertaining to that indebtedness and the security for that indebtedness, the Court accordingly finds and concludes that the indebtedness owed has been accelerated and hereby awards to the Defendant and Cross-Plaintiff, Metropolitan Federal Savings & Loan Association a Judgment against the Defendant, Pete Knestrick, in the total amount of Thirty-Nine Thousand Five Hundred Ninety-Two and 75/100 ($39,592.75) Dollars, which amount includes the principal indebtedness owed by the Defendant, Knestrick, together with all interest, attorneys' fees and reasonable expenses through and including the date of Judgment.

The costs of this cause are adjudged one-half (1/2) against the Plaintiff, Carolyn R. Midgett and one-half (1/2) against the Defendant, Pete Knestrick for which let execution issue if necessary.

Enter this _____ day of _____, 1989.

CHANCELLOR

APPROVED FOR ENTRY:

GULLETT, SANFORD, ROBINSON & MARTIN

By: _____
Joel M. Leeman (#3318)

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P.O. Box 2757
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(615)244-4994

Attorneys for the Defendants,
Glenn L. Lawrence, Trustee and
Metropolitan Federal Savings
& Loan Association

CERTIFICATE OF SERVICE

This is to certify that a copy of this Final Judgment has been served by first-class mail, postage pre-paid, upon William D. Castleman, Esq., P.O. Box 1189, Madison, TN 37115-1189; Kirk C. Waite, Esq, P.O. Box 1966, Brentwood, TN 37024-1966; and upon Jack Green, Esq., 141 Thompson Lane, Nashville, TN 37211 this 9th day of February, 1989.

GULLETT, SANFORD, ROBINSON & MARTIN

By: _____
Joel M. Leeman