Davidson County ORDER
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20040402-0037466

RECEIVED
MAR 24 2004
Dav. Co. Chancery Court

IN THE CHANCERY COURT
FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

MARY HELEN MARSH and LORAINE FAULK

Plaintiff,

vs.

THE UNKNOWN CHILD AND HEIRS AT LAW OF ASHTON D. MARSH AND THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES, AND ASSIGNS.

Defendants.

FILED
2004 MAR 30 PM 3:02
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

FOUD

Case No: 03-3642-III

DEFAULT JUDGEMENT

The Motion of the Plaintiff, Mary Helen Marsh and Loraine Faulk for a Default Judgment in this cause was made pursuant to TRCP 55 and was scheduled to be heard on Friday, March 12, 2004. It appears to the Court that the Complaint was filed with this court on the December 10, 2003Ashton D. Marsh was the owner at the time of his death and that title was vested in Ashton D. Marsh in 1969 by Installment Deed in of record in Book 4343, page 685, Register's Office for Davidson County, Tennessee and that notice of this action was published pursuant to T.C.A. 29-29-102 in the Nashville Record on December 18 & 25, 2003 and January 1 & 8, 2004. It also appears to this Court that no answer or other defense has been filed by an Defendant nor has any response been timely field or served on counsel for the Plaintiff. It is hereby

ORDERED, ADJUDGED, AND DECREED that the Plaintiff in this action is entitled to a Default Judgment; and

IF IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 606 Bixler Avenue, Madison, Davidson County, Tennessee 37115 (the Property) under the defendants, except as is set forth hereinbelow, are barred from claiming title to the Property; and

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Plaintiff, Mary Helen Marsh and Loraine Faulk are the true and lawful owner in fee simple absolute of the Property which is described as follows:

> Being the southerly one-half of Lot No. 12 of Block "E" on the plan of Woodlawn Estates, as of record in Book 843, pager 82, Register's Office for said County. Said part of Lot No. 12 fronts 50 feet on the easterly side of Bixler Avenue and runs back between parallel lines 200 feet to a dead line.
>
> Being the same property conveyed to Ashton D. Marsh by Installment Deed from Birdie Morris of record in Book 4343, page 635, Register's Office for Davidson County, Tennessee.

This is unimproved property commonly known as 606 Bixler Avenue, Madison, Tennessee 37115.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Plaintiff is awarded sole possession of the Property; and

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the costs of this cause shall be taxed to the Plaintiff, for which execution may issue if necessary.

ENTERED this ____ day of _____, 2004.

Ellen Hobbs Lyle
ELLEN HOBBS LYLE
CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 31st DAY OF March 2004
CRISTI SCOTT, CLERK & MASTER
BY B.W. Clark DEPUTY

Approved for Entry:

Robert J. Notestine, III #12195
Attorney for Plaintiff
104 Woodmont Boulevard
Suite 115
Nashville, Tennessee 37205
(615)297-1568

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing order has not been sent by first class U.S. Mail postage prepaid to Unknown Child and heirs at Law of Ashton D. Marsh as he/she is believed to be deceased or his/her whereabouts are otherwise unknown and service was obtained by Order of Publication.

Robert J. Notestine, III, Attorney