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Dav. Co. Chancery Court

Davidson County ORDER
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20041112-0136405

IN THE CHANCERY COURT
FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

WILLIAM PATTON, JR.	)	
	)	
Plaintiff,	)	
	)	F04 Y
vs.	)	**Case No. 04-2073-I**
	)	
RAYMOND M. HAMDAN, HIS HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS	)	
	)	
Defendants.	)	

FILED
2004 OCT 19 PM 2:13
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
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DEFAULT JUDGEMENT

The Motion of the Plaintiff, William Patton, Jr., for a Default Judgment in this cause was made pursuant to TRCP 55 and was scheduled to be heard on Friday, October 15, 2004. It appears to the Court that the Complaint was filed with this court on the July 16, 2004 and that title was vested in Raymond M. Hamdan by Special Warranty Deed of record in Book 8811, page 939, Register's Office for Davidson County, Tennessee. It further appears to this Court that title to said real property was conveyed to the Plaintiff in 2000 by Final Decree of the Chancery Court for Davidson County, Tennessee, which is of record in Instrument Number 20001026-0106139 and Instrument Number 20001026-0106138, 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 July 22, 29, August 5 and 12 of 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 927 and 929 40th Avenue North, Nashville, Davidson County, Tennessee 37209 (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, William Patton, Jr. is the true and lawful owner in fee simple absolute of the Property which is described as follows:

> Land in Davidson County, Tennessee, being more particularly described as follows:
>
> Tract No. 1:
> Being part of Lot No. 2 on the Subdivision of Lot No.27, etc. of the Clifton Plan, as of record in Book 161, page 68, Register's Office for said County, described according to a survey made by Stephen A. Draper, Surveyor, June 30, 1953, as follows:
>
> Beginning at the intersection of the center line of Albion, formerly Walker Street, and 40th Avenue North, formerly Clifton Street, thence with the center of Albion Street, westwardly 164 feet, more or less, to the corner of Lots Nos. 2 and 3; thence with the line between said two lots, south 14 degrees 17' west 109.8 feet to the northwest corner of the property conveyed to Jake Stein and wife, by deed from Julia Armstrong Burton Harris of record in Book 2152, page 154, said Register' Office; thence with the northerly line of said Stein property, North 61 degrees 16' East 155.8 feet to the westerly margin of 40th Avenue, North, the northeast corner of said Stein property; continuing in the same direction 33 feet, in all 188.8 feet in the center of 40th Avenue, North; thence with the center of said Avenue, northwestwardly 57 feet to the beginning.

Tract No. 2:
Being part of Lot No. 2 on the subdivision of Lot No. 27 etc. of the Clifton Plan, as of record in Book 161, page 68, Register's Office for said County, described according to a survey made by Stephen A. Draper, Surveyor, June 30, 1953, as follows:

Beginning on the westerly margin of 40th Avenue North, formerly Clifton Avenue, at a point 46 feet south of the Southwest corner of said Avenue and Albion Street; thence south 61 degrees 16' west 155.8 feet; thence south 14 degrees 17' west 135.2 feet; thence north 61 degrees 16' east 45 feet; thence north 30 degrees 15' east 50 feet; thence north 61 degrees 16' east 150 feet to the westerly margin of 40th Avenue North; thence with said Avenue northwardly 80 feet to the beginning.

Being the same property conveyed to William Patton, Jr. by Final Decree Confirming Sale from the Chancery Court for Davidson County, Tennessee of record in Instrument No. 20001026-0106138 and Instrument No. 20001026-0106139, said Register's Office for Davidson County, Tennessee.

This is improved property located on 927 and 929 40th Avenue North, Nashville, Tennessee 37209.

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.

CLAUDIA BONNYMAN
CHANCELLOR

I HEREBY CERTIFY THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE. THIS ____ DAY OF _____ 2004
KRISTI SCOTT, CLERK & MASTER
BY _____ D.C. 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 Raymond M. Hamdan as he is believed to be deceased or his whereabouts are otherwise unknown and service was obtained by Order of Publication.

Robert J. Notestine, III, Attorney