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Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

Davidson County ORDER
Recvd: 03/02/05 16:19 3 pgs
Fees:17.00 Taxes:0.00
20050302-0023218

JOSEPH LEE PERRY	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Case No. 04-2282-III**
	)	
CHARLES D. MARTIN, MICHAEL J. MARTIN, JR. AND LEON TOBIAS MARTIN AND THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS	)	
	)	
Defendants.	)	

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CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

DEFAULT JUDGEMENT

The Motion of the Plaintiff, Joseph Lee Perry, for a Default Judgment in this cause was made pursuant to TRCP 55 and was scheduled to be heard on Friday, November 12, 2004. It appears to the Court that the Complaint was filed with this court on the August 4, 2004. It appears to this Court that legal title to the subject real property was vested in Isaac L. Martin and Sophia Martin in 1928 and that they are both deceased. Further, it appears that all of the remaining heirs of Isaac L. Martin and Sophia Martin conveyed their title and interest in the subject real property to the Plaintiff by deed of record in Instrument 20040505-0051090, Register's Office for Davidson County, Tennessee except for Defendant Charles D. Martin, Michael J. Martin, Jr. And Leon Tobias Martin. This Court finds that notice of this action was

published in the Nashville Record pursuant to T.C.A. 29-29-102 in the Nashville Record on August 12, 19, 26 and September 2 of 2004. It also appears to this Court that no answer or other defense has been filed by any Defendants nor has any response been timely filed 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 against the Defendants; and

IF IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 2612 Albion Street, Nashville, Davidson County, Tennessee 37208 (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, Joseph Lee Perry is the true and lawful owner in fee simple absolute of the Property which is described as follows:

> Land in Davidson County, Tennessee, being Lot 145 in Heffernan Place recorded in Book 161, page 138, of the Register's Office for Davidson County, Tennessee.
>
> Said Lot fronts 50 feet on the north side of Albion Street and extends back northwardly between parallel lines 140 feet to an alley.
>
> Being the same property conveyed to Joseph Lee Perry, an unmarried person by Warranty Deed of record in Instrument Number 20040505-0051090, said Register's Office.
>
> This is improved property located on 2612 Albion Street, Nashville, Tennessee 37208.

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
CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 21 DAY OF August 2005
CRISTI SCOTT, CLERK & MASTER
BY _____
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 Charles D. Martin, Michael J. Martin, Jr. and Leon Tobias Martin as they are believed to be deceased or his whereabouts are otherwise unknown and service was obtained by Order of Publication.

Robert J. Notestine, III, Attorney