IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY IN ITS OWN BEHALF AND FOR THE USE AND BENEFIT OF THE STATE OF TENNESSEE,

Plaintiff,

vs.

DELINQUENT TAXPAYERS AS SHOWN ON THE 2001 REAL PROPERTY TAX RECORDS OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE,

BANKERS TRUST

Control Number: 0915-2900
Field Book Number: LW 01845

Defendant.

File - Tax Civil Action Number **03-729-II**

FILED
2003 NOV -5 AM 4:03
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.M.

Davidson County ORDER
Recvd: 04/19/05 10:36 3 pgs
Fees:17.00 Taxes:0.00
20050419-0043349

ORDER SETTING ASIDE FINAL DECREE CONFIRMING THE SALE

This matter came to be heard on October 17, 2003, on Plaintiff's Motion to Set Aside the Final Decree Confirming the Sale on the grounds the property had been properly transferred, the warranty deed recorded and the taxes paid in April 2002. However, due to Plaintiff's error, the transfer of the property was not indicated on the property tax rolls and the tendered funds were not applied to the 2001 taxes. The purchaser, James Brown, filed a response and appeared in Court contending he was not oppose to the sale being set aside, but the proper procedure for doing so is through the redemption procedures.

The Court finds that payment for the property taxes in the amount of $1815.44 were timely tendered by the property owner, Emily Shropshire, but not properly applied by the Metropolitan Government. Accordingly, the land was not liable to sale for taxes and the final

decree is properly set aside in accordance with T.C.A. § 67-5-2504.

Therefore it is ORDERED, ADJUDGED and DECREED that the July 2, 2003 sale of said property be set aside.

It is further ORDERED that the Clerk and Master shall refund to the purchaser, **James Brown**, the purchase price and the Metropolitan Government shall refund the interest on the purchase price as of the date of entry of this Order.

It is further ORDERED that the Clerk and Master accept the amount of One Thousand Eight Hundred Fifteen Dollars and Forty Four Centers ($1,815.44) which represents the amount of the taxes, penalties, interest, court costs, etc. that were tendered in April 2002 for the 2001 taxes.

It is so ORDERED.

Carol L McCoy

CHANCELLOR CAROL L. MCCOY

cc: Cristi E. Scott
Metropolitan Attorney
204 Metropolitan Courthouse
Nashville, Tennessee 37201

Bankers Trust
c/o Temple Inland Mrtg. Corp.
P.O. Box 40
Austin, Texas 78767

James E. Brown
1400 Pelican Point
Madison, Tennessee 37115

Emily Shropshire
307 24th Street
Old Hickory, Tennessee 37138

Allison Title Company
116 Wilson Pike Circle, Suite 100
Brentwood, Tennessee 37027