3

FILED

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

2005 AUG 10 PM 2:01

RICHARD R. ROOKER, CLERK

D.Brady D.C.

METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY, TENNESSEE, ACTING BY AND THROUGH THE ELECTRIC POWER BOARD OF SAID GOVERNMENT d/b/a NASHVILLE ELECTRIC SERVICE,	)	
Petitioner,	)	
v.	)	**Case No. 05-C-1429**
CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF LATTER DAY SAINTS, a Utah Corporation	)	
Defendant.	)	

Davidson County JDGMT
Recvd: 08/18/05 15:23 4 pgs
Fees:22.00 Taxes:0.00
20050818-0098721

AGREED ORDER OF CONDEMNATION

This matter is before the Court, as evidenced by the signatures of counsel below, that the parties have agreed upon the amount of $1,375,000 as the agreed upon value of the property that is the subject of this condemnation proceeding. The Defendant has agreed to accept the amount of $1,375,000 heretofore deposited with the Court by the Petitioner in full and final settlement for the taking of the real property condemned in this action, and all damages occasioned to the residue of the property.

It is, therefore, ORDERED, ADJUDGED, and DECREED that the Petitioner pay the Defendant $1,375,000 as full and final settlement for the taking of the real property sought in this condemnation action, and all damages occasioned to the residue of the Defendant's property.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

It is FURTHER ORDERED, ADJUDGED, and DECREED that the Clerk of the Court disburse and pay to the Defendant the $1,375,000 tendered to the Court in this case by the Petitioner.

It is FURTHER ORDERED, ADJUDGED, and DECREED that upon the execution of this Order that the petitioner shall be entitled to immediate possession of the real property sought in this condemnation proceeding. Costs shall be taxed to the petitioner for which execution may issue.

ENTERED this _____ day of _____, 2005.

B Haynes

BARBARA HAYNES, JUDGE

APPROVED FOR ENTRY:

C. Dewey Branstetter, Jr.

C. Dewey Branstetter, Jr., #9367
Branstetter, Kilgore, Stranch & Jennings
227 Second Avenue North
Nashville, TN 37201-1631
Telephone: 615-254-8801

Eugene W. Ward by CDB

Eugene W. Ward (No.3119)
Kent W. Cochran (014090)
Nashville Electric Service
1214 Church Street
Nashville, TN 37203
(615) 747-3701

Attorneys for Petitioner NES

Bruce Findlay 2005 Aug. 1
Bruce Findlay
Kirton & McConkie
60 East South Temple, Ste. 1800
Salt Lake City, UT 84145-0120

Counsel for the Defendant

Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole

By _____
Authorized Agent
50 East North Temple, 12th Floor
Salt Lake City, Utah 84150

BF

STATE OF TENNESSEE

I, **RICHARD R. ROOKER,** Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the THIRD Circuit Court for Davidson County, Tennessee, on the 10 day of AUGUST , 2005 , in the Case Number 05C1429 between METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY, TENNESSEE, ACTING B CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF LATTER DAY SAINTS Defe as same remains of record in Vol. 5896 , Page 2001160 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 15 day of AUGUST in the year two thousand five and in the 229th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

