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Dav. Co. Chancery Court

IN THE CHANCERY COURT
FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

2005 NOV -9 AM 11:50

WILLIAM PATTON, JR.)
)
Plaintiff,)
)
vs.) Case No: 05-1533-I
)
CAPITOL PROPERTIES, RICHARD)
W. HEMMEN AND VANESSA D. HEMMEN,)
THEIR HEIRS, SUCCESSORS, PERSONAL)
REPRESENTATIVES, AND ASSIGNS.)

Defendant.

Davidson County ORDER
Recvd: 11/22/05 10:36 3 pgs
Fees:17.00 Taxes:0.00
20051122-0140956

DEFAULT JUDGEMENT

The Motion of the Plaintiff, William Patton, Jr., for a Default Judgment filed on September 8, 2005 in this cause was made pursuant to TRCP 55 and was scheduled to be heard on Friday, September 23, 2005. It appears to the Court that the Complaint was filed with this court on the June 15, 2005 and that title to the real property described as 532 Yokley Road, Nashville, TN, was vested in Richard W. Hemmen and Vanessa D. Hemmen by the Final Decree Confirming Sale of record in Book 8581, page 363, Register's Office for Davidson County, Tennessee . It further appears to this Court that title to 532 Yokley Road in Nashville, Tennessee was conveyed to the Plaintiff by Final Decree Confimring Sale of the Chancery Court of record in Instrument Number 200002110014019, Register's Office Davidson County, Tennessee . It also appears to this Court that notice of this action were published pursuant to T.C.A. 29-29-102 in the Nashville Record on

June 23, 30, July 7 and July 14, 2005. It also appears to this Court that no answer or other defense has been filed by a Defendant nor have 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; and

IF IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 532 Yokley Road, Nashville, Davidson County, Tennessee (collectively 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 the 12th Civil District of Davidson County, Tennessee, being Lot No. 1 on the unrecorded plan of Hardie Yokley Subdivision, more particularly described according to survey by Barge, Waggoner & Sumner, In., dated May 27, 1969 as follows:
>
> Beginning at an iron pin at the intersection of the southerly margin of Yokley Road with the easterly margin of Toney Road; thence south 82 degrees 24' 50.0 feet with said margin of Yokley Road to an iron pin at the northwest corner of Lot 2; thence south 7 degrees 36' west 150.0 feet with the common line of Lots 1 and 2 to an iron pin in the north line of H.E. Dixon property, thence north 82 degrees 24' west 40.4 feet with said Dixon's north line to an iron pin in the easterly margin of Toney Road; thence north 0 degree 09' east 151.3 feet to the point of beginning, containing 0.17 acres, more or less.
>
> 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 Number 20000211-0014019, said Register's Office for Davidson County, Tennessee.
>
> This is improved property commonly known as 532 Yokley Road, Nashville, TN.

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 _____, 2005.

CLAUDIA BONNYMAN
CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS ____ DAY OF _____ 20__
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

Approved for Entry:

Robert J. Notestine, III #12195
Attorney for Plaintiff
4515 Harding Pike
Suite 315
Nashville, Tennessee 37205
(615)297-1568, Ext. 11

Copies mailed/faxed
11-9-05 AM
jtm

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 Capitol Properties, Richard W. Hemmen or Vanessa D. Hemmen as they are believed to be deceased or their whereabouts are otherwise unknown and service was obtained by Order of Publication.

Robert J. Notestine, III, Attorney