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Dav. Co. Chancery Court

IN THE CHANCERY COURT
FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

MELVIN C. BLACK AND RICHARD BRIGGANCE	)
Plaintiffs,	)
vs.	)
GERALDINE FOSTER AND HER HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES, AND ASSIGNS.	)
Defendant.	

FOUTT
Case No: 05-2147-III

2006 JAN 10 PM 2:59

Davidson County ORDER
Recvd: 02/01/06 10:51 3 pgs
Fees:17.00 Taxes:0.00
20060201-0012425

DEFAULT JUDGEMENT

The Motion of the Plaintiffs, Melvin C. Black and Richard Briggance, for a Default Judgment which was filed on November 22, 2005 in this cause was made pursuant to TRCP 55 and was scheduled to be heard on Friday, January 6, 2006. It appears to the Court that the Complaint was filed with this court on the August 23, 2005 and that title to the real property described as 3861 Dunbar Drive, Nashville, TN 37207, was vested in Geraldine H. Potter by the Quitclaim Deed of record in Book 8939, page 198, Register's Office for Davidson County, Tennessee . It further appears to this Court that title to 3861 Dunbar Drive, Nashville, Tennessee 37207 was conveyed to Melvin C. Black and Richard Briggance by Final Decree Confirming Sale of the Chancery Court for Davidson County, Tennessee, which is of record in Instrument Number 20010403-0031906, Register's Office for Davidson County. 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 September 1, 8, 15 and 22, 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 Plaintiffs. It is hereby

ORDERED, ADJUDGED, AND DECREED that the Plaintiffs in this action are entitled to a Default Judgment; and

IF IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 3861 Dunbar Drive, Nashville, Davidson County, Tennessee 37207 (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 Plaintiffs, Melvin C. Black and Richard Briggance are the true and lawful owner in fee simple absolute of the Property which is described as follows:

Land in Davidson County, Tennessee, being Lot No. 19 on the plan of Royal Garden Estates, Section I, as of record in Book 3700, page 29, Register's Office for said County.

Said Lot No. 19 fronts 105 feet on the westerly side of Dunbar Drive and extends back 166.9 feet on the northerly line and 174.6 feet on the southerly line to a dead line in the rear on which it measures 85.68 feet.

Being the same property conveyed to Melvin C. Black and/or Richard Briggance by Final Decree Confirming Sale of record in Instrument Number 20010403-0031906, said Register's Office for Davidson County, Tennessee.

This is improved property commonly known as 3861 Dunbar Drive, Nashville, TN 37207.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Plaintiffs are 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 Plaintiffs, for which execution may issue if necessary.

ENTERED this ____ day of _____, 2006.

ELLEN HOBBS LYLE
CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 31st DAY OF February 2006
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

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 Geraldine Foster as she is believed to be deceased or her whereabouts are otherwise unknown and service was obtained by Order of Publication.

Robert J. Notestine, III, Attorney