FILED

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

2005 AUG 17 PM 3:08

RICHARD R. ROOKER, CLERK

D.C.

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,	)	
Petitioner,	)	
v.	)	No. 05-1268 C
ANN MARTIN,	)	Ntice of Entry Required
Respondent.	)	

AGREED FINAL ORDER

This cause, having been compromised and settled, as evidenced by the signatures of counsel for petitioner, The Metropolitan Government of Nashville and Davidson County, and the signature of respondent, Ann Martin, and the Court being duly and sufficiently advised;

It is hereby ORDERED, ADJUDGED and DECREED by the Court that the respondent, Ann Martin, have and recover the total amount of $506,000, the same being the fair cash market value of the property, inclusive of any interest on the total compensation due for the real property rights purchased or incidental damages to the remainder, if any, petitioner having paid heretofore into Court the sum of $275,000 at the time of the filing of the Petition for Condemnation.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the title to the property described hereinbelow be, and the same is hereby, divested out of the respondent and all other persons claiming any adverse interest therein, and hereby is vested in The Metropolitan Government of Nashville and Davidson County, Tennessee, in fee simple, said property being as follows:

Davidson County ORDER
Recvd: 07/07/06 10:05 5 pgs
Fees:27.00 Taxes:0.00

20060707-0081558

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

FEE SIMPLE

Field Book No. 07W 01395
Map No. 093-06-3 013.00

Beginning on the northeast corner of Eighth Avenue, North, and the alley separating this property from the Hume-Fogg High School property; thence northwardly with the easterly side of Eighth Avenue, North 41 feet 8 inches, more or less, to the southwest corner of Lot No. 152 on the Plan of the Original Town of Nashville, Davidson County, Tennessee, not of record; thence eastwardly with said lot's southern line 169 feet, more or less, to an alley in the rear; thence southwardly with the westerly margin of said alley 41 feet 8 inches, more or less, to the Hume-Fogg High School alley; thence westwardly with the northern margin of said alley 169 feet, more or less, to the point of beginning.

Being the same property, an undivided two-thirds interest in which was conveyed to Mrs. Jane B. Buntin by deed from Nashville & American Trust Company of record in Book No. 999, at page 359, and a one-third undivided interest in which was conveyed to Jane B. Buntin by deed from the Louisville Trust Company of Louisville, Kentucky, Trustee, of record in Book No. 1049, at page 52, all in the Register's Office for Davidson County, Tennessee, and being the same property devised to Horatio B. Buntin for his lifetime, with the remainder in fee simply to Jane Wilmot Field and Carolyn Stanton Wilmot as tenants in common, the said Horatio B. Buntin having since died, and the Will of Jane B. Buntin appears of record in Will Book 135, at Page 354 in the Probate Clerk's Office for Nashville, Davidson County, Tennessee, the said Jane Wilmot Field having since conveyed her interest in said property by Quitclaim Deed to Sun Development Company, a Tennessee corporation, which deed is of record in Book 6334, Page 257, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to Ann Martin by Warranty Deed from Sun Development Company and Carolyn Stanton Wilmot, dated June 26, 1985, recorded August 5, 1985, of record in Book 6623, Page 37, Register's Office for Davidson County, Tennessee.

It is further appearing to the Court the property hereinabove described may be subject to a lien for taxes due, interest and penalty, if any, owing to The Metropolitan Government of Nashville and Davidson County, and in accordance with Tennessee Code Annotated § 26-5-108(b), the Clerk of the Court, prior to the payment of any part of the judgment to respondent shall ascertain whether there are any taxes due and unpaid which are a lien upon said property,

and shall issue to each of the officials charged with the collection of any tax which might be a lien on said property a statement, giving the style and number of the cause, a description of the property, and the name of the party out of whom title is divested; whereupon each of said officials shall certify to the Clerk an itemized statement of any taxes, interest and penalty, if any, which are a lien upon said land as of the date of entry of the Order of Possession.

It is, therefore, ORDERED, ADJUDGED and DECREED that the Clerk is directed to pay out the monies deposited by petitioner any unpaid taxes that may be determined to be owing by the above references, and the Clerk shall pay any remaining funds to the respondent, Ann Martin, and **her attorney, Moseley and Moseley, P.C., Attorneys at Law.**

It is further ORDERED by the Court that the costs of this cause be, and the same are hereby taxed against petitioner for all of which let execution issue if necessary. The Clerk of this Court shall make out and certify to The Metropolitan Government of Nashville and Davidson County, in care of the Department of Law, a copy of this Agreed Final Order, together with the costs bill for the lawful costs of this cause for payment by the Metropolitan Government.

ENTERED this ___ day of _____ 2005.

Barbara N. Haynes, Judge

APPROVED FOR ENTRY:

Philip D. Baltz, #5315
Metropolitan Attorney
204 Metropolitan Courthouse
Nashville, Tennessee 37201
(615) 862-6341

ANN MARTIN

MOSELEY & MOSELEY
ATTORNEYS AT LAW, P.C.

BY: _____
Joel H. Moseley, Sr., No. 3355
Attorneys for Respondent Ann Martin

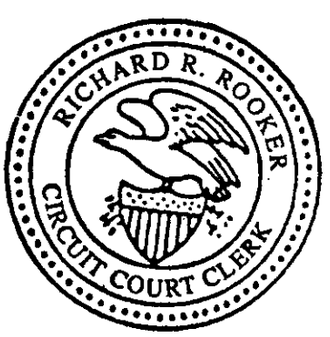
Suite 300, One Church Street
101 Church Street
Nashville, Tennessee 37201-1609
615/ 254-0140
Fax: 615/ 244-2270

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 17 day of AUGUST , 2005 , in the Case Number 05C1268 between METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY Plaintiff, and MARTIN, ANN ET.AL Defendant,
as same remains of record in Vol. 5912 , Page 2008932 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 25 day of AUGUST in the year two thousand five and in the 229th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk