IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

DAISY DENSON, Plaintiff, v. HELEN JOHNSON, ADA DOSS, DAVID FIELDS, PAMELA EVANS, LELAND WATTS, BRIAN PITTS, JAMES D. HARRIS, TRUSTEE, PREMIER BANK OF BRENTWOOD, JAMES MCKENZIE, RICHARD NORTHCUTT, TRUSTEE AND DECISION ONE MORTGAGE COMPANY, LLC Defendants.	)	Civil Action No. 05-1558-III

Davidson County ORDER
Recvd: 10/12/07 15:46 5 pgs
Fees:27.00 Taxes:0.00
20071012-0121751

AGREED FINAL ORDER

It appearing to the satisfaction of the Court, from the signatures of counsel for the respective parties affixed hereto, that those parties have agreed to compromise and settle those matters in controversy in this litigation upon certain terms and to dismiss this action with prejudice, this Court accordingly finds and concludes as follows:

1. The Defendants, Helen Johnson, Ada Doss and David Fields are paying to the Plaintiff, Daisy Denson, an agreed amount in full settlement of her claims. These Defendants, Helen Johnson, Ada Doss and David Fields, agree that the total amount presently being held in escrow by Metropolitan Escrow, Inc. relating to this transaction shall be paid over to the Plaintiff, Daisy Denson, and that they are releasing any claim which they might otherwise have to those funds.

2. It appears to the satisfaction of the Court that this action is based upon the Plaintiff's claim that she has rights of intestate succession in certain residential real property

located at 876 Sharpe Avenue, Nashville, Tennessee 37206 and it further appearing that the Defendants, Helen Johnson, Ada Doss and David Fields, also had an interest in that property as the heirs of Lizzie Fields, deceased.

3. It further appears to the Court that the Plaintiff, Daisy Denson, is accepting the agreed payment from certain of the Defendants in satisfaction of any claims of intestate heirship which she has in this property.

4. It further appears to the Court that the Defendants, Helen Johnson, Ada Doss and David Fields, have heretofore conveyed their interest in this property for value to an original Defendant, Leland Watts, a bona fide purchaser for value, who subsequently conveyed that interest to the former Defendant, Brian Pitts, and that the interest formerly held by these Defendants is currently owned by the Defendant, James McKenzie, subject only to an encumbrance in favor of Decision One Mortgage, LLC securing an indebtedness which he owes to that institution.

5. It further appearing that, pursuant to T.C.A. §21-1-204, an Order of Publication was entered and notice pursuant to that Order was published for four (4) consecutive weeks in the Nashville Record requiring that all persons claiming an interest in the property at 876 Sharpe Avenue whether through intestate succession as an heir of Lizzie Fields or for any other reason were required on or before thirty (30) days after the date of last publication of that notice to file a notice of their interest in this property with the Clerk & Master's office.

It appearing that none of these parties who might have had an interest in this property filed such a notice and that judgment against them barring them from asserting further claims against this property is, accordingly, appropriate.

The Court therefore finds and concludes that the Defendant, James McKenzie, holds fee simple title to this property, subject only to a deed of trust in favor of Richard Northcutt, Trustee securing a debt owed to Decision One Mortgage Company, LLC.

The legal description of the subject property is as follows:

> BEING Lots Nos. 84 and 85 on the map of Thornby Place, as of record in Book 332, Page 3, Register's Office for Davidson County, Tennessee.
>
> Said Lots Nos. 84 and 85 front together 100 feet on the southerly side of Osage Avenue, and runs back between parallel lines 147 feet to an alley.
>
> Less and Except the following portion of property:
>
> Being Lot No. 85 and the westerly 4 feet of Lot No. 84 on the map of Thornby Place as of record in Book 332, Page 3, Register's Office for said County.
>
> Said Lot No. 85 and part of Lot No. 84 adjoin and front together 54 feet on the southerly side of West Sharpe Avenue, formerly Osage Avenue, and extend back between parallel lines 142 feet to an alley.
>
> Being the same property conveyed to Brian Pitts, married, by deed from Leland D. Watts, married, of record in Instrument 20040513-0055630, said Register's Office, dated May 10, 2004. And being the same property conveyed to Leland D. Watts, married, by deed from Helen Johnson and Ada Doss, and David Fields, of record in Instrument 20040414-0042100, said Register's Office, dated March 23, 2004. And being the same property conveyed to Arthur Fields and wife, Lizzie Fields, by deed of record in Book 841, Page 172, dated April 4, 1930, Less and Except portion of property described in Warranty Deed in Book 2699, Page 15, said Register's Office.
>
> Being the same property conveyed to James McKenzie by Warranty Deed from Brian Pitts of record as Instrument No. 20050726-0086910 Register's Office for Davidson County, Tennessee.

This action is, accordingly, dismissed with prejudice. The costs of this cause are adjudged against the Defendant, James McKenzie, for which let execution issue if necessary. No discretionary costs are awarded against any party.

HONORABLE ELLEN HOBBS LYLE

APPROVED FOR ENTRY:

Robert F. Spann
By permission Joel M Leeman

Robert F. Spann
Suite 400, Washington Square
214 Second Avenue North
Nashville, TN 37201

Attorneys for the Plaintiff, Daisy Denson

Katie Hagan
By permission Joel M Leeman

Katie Hagan
117 Union Street
Nashville, TN 37201

Attorneys for the Defendants, Ada Doss,
David Fields and Pamela Evans

Joel M Leeman

Joel M. Leeman, #3318
Mary Beth Hagan, #22109
GULLETT, SANFORD, ROBINSON
& MARTIN, PLLC
P.O. Box 198888
Nashville, TN 37219-8888
(615) 244-4994

Attorneys for the Defendants,
James McKenzie, Richard Northcutt, Trustee
And Decision One Mortgage Company, LLC

CERTIFICATE OF SERVICE

This is to certify that a copy of this Agreed Final Order has been served by hand-delivery upon Robert F. Spann, Esq., Suite 400, Washington Square, 214 Second Avenue North, Nashville, TN 37201 and Katie Hagan, Esq., 117 Union Street, Nashville, TN 37201 this 4th day of October, 2007.