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Dav. Co. Chancery Court

IN THE CHANCERY COURT OF DAVIDSON COUNTY
AT NASHVILLE, TENNESSEE

FILED
2007 NOV -9 PM 4:06
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.&M.

PAULA MICHELE THOMPSON	)	
	)	
Petitioner,	)	
	)	FOUD
v.	)	No. 07-1351-III
	)	
STEVEN LEE WALL	)	
	)	
Respondent.	)	

ORDER FOR RESCISSION OF CONTRACT AND RESTORATION OF TITLE

This cause came to be heard on the 1st day of November, 2007, before the Honorable Chancellor Ellen Hobbs Lyle on Petitioner's "Petition to Set Aside Transfer for Fraud or Other Relief."

This Court finds that a default judgment has been granted to the Petitioner, and thus the allegations of the Petition are deemed admitted by Respondent.

This Court further finds that that a contract existed between the parties in which the Respondent was to marry the Petitioner and achieve sobriety in exchange for the Petitioner quitclaiming an one-half undivided interest in her real property to the Respondent. A legal description of the real property subject to the contract as follows:

> Being Lot No. 342, on the Plan of Peppertree Forest, P.U.D., Section Five, of record in Plat Book 6900, Page 943, amended in Plat book 7900, Page 499, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.
>
> Being the same property conveyed to Paula M. Thompson, an unmarried woman, by deed from Ammon M. Temple, a/k/a Ammon M. Ogle and John W. Ogle, both single, of record in Instr. No. 20050111-0004109, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed in part to Steven L. Wall, a single person, as owner of one-half undivided interest and as tenant in common with rights of survivorship, of record in Instr. No. 20050322-0030869.

Davidson County ORDER
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Fees:12.00 Taxes:0.00
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This Court further finds that Respondent's promises were unfulfilled, and thus the consideration for the contract failed. Therefore, this Court further finds that the contract should be rescinded and that the title to the real property should be restored to the Petitioner for sole and complete ownership.

This Court further finds that costs are taxed to the Respondent. Attorney's fees were requested by the Petitioner but this Court finds that there is no statutory or contract basis for attorney fees.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the allegations of the Petition are deemed admitted by the Respondent.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the contract between the parties is rescinded due to failed consideration on the part of the Respondent, and the title to the aforementioned real property is restored to the Petitioner for full and complete ownership. The Respondent is no longer one-half owner of an undivided interest, nor is he a tenant in common with the rights of survivorship.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this cause are taxed to the Respondent.

ENTERED THIS THE _____ DAY OF _____ 2007.

Ellen Hobbs Lyle
CHANCELLOR ELLEN HOBBS LYLE

APPROVED FOR ENTRY:

Mackenzie Mathur

Connie Reguli #16867
Mackenzie Mathur #24365
Attorney for Paula Thompson
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I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 10th DAY OF October 2007
CRIST SCOTT, CLERK & MASTER
BY _____ DEPUTY