NB 112 Pg 450

RECEIVED
DEC 29 2008
Dav. Co. Chancery Court

$42

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

Davidson County ORDER
Recvd: 03/12/09 08:45 4 pgs
Fees:22.00 Taxes:0.00
20090312-0022236

STATE OF TENNESSEE, for its own use and benefit, and for the benefit of the DAVIDSON COUNTY METROPOLITAN GOVERNMENT, ETC.,

Plaintiffs,

vs.

NF

Docket No. 07-539-IV

Parcel No. 173040A04800CO147427

DELINQUENT TAXPAYERS, ETC., (ROGELIO GOMEZ)

Defendants,

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.,

Petitioner.

FILED
2009 JAN -7 PM 2:17
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.&M.

CONSENT ORDER RESOLVING OBJECTION OF PURCHASER AND REDEEMING LAND SOLD AT TAX SALE

THIS CAUSE came to be heard before the Clerk and Master, and by consent of the parties and findings of the Court, it appears to the Court that:

1. Petitioner, Mortgage Electronic Registration Systems, Inc. through EMC as servicer (MERS), has petitioned to redeem real property situated in the City of Antioch, County of Davidson, State of Tennessee, known as Parcel No. 173050A04800CO in this cause and more particularly described as follows:

> Lot 48, on the plan of subdivision for Oak Highlands, Phase I, of record in Book 6900, Page 432, 433, 434, 435m Register's Office for Davidson County, Tennessee to which record is made for a more complete description.

Property Address: 5000 West Oak Highland Dr. Antioch, TN 37013

2. The Purchaser, Bulldog South, Inc. (Bulldog), was advised of the redemption and filed an Objection of Purchaser to Redemption on November 12, 2008.

3. The said Petitioner was the holder of a mortgage on said property at the time the property was sold in this cause for unpaid taxes on October 24, 2007.

4. The Purchaser of said real estate, Bulldog, paid the sum of $107,000.00 for said property which included taxes, attorney fees, court costs and incidental expenses.

5. MERS has tendered two payments to the Clerk and Master of the Chancery Court of Davidson County,Tennessee, in an attempt to redeem said property and both payments are currently held in the registry of the Court. The first payment was in the amount of $15,868.55 and was tendered to the Clerk and Master by FIS Tax Services, which is a duly appointed agent of MERS authorized to handle all tax related matters involving properties held by MERS and/or its servicing agents. The Clerk and Master's records reflect that it currently holds $11,353.27 which is the $15,868.55 originally submitted minus the delinquent property taxes and tax sale expenses. The second payment was in the amount of $17,373.87 and this payment was submitted by Crislip, Philip & Associates as counsel for MERS and all of its agents and servicers.

6. Bulldog filed a claim for reimbursement of expenses in the amount of $1,802.64 on November 24, 2008.

7. MERS, through its counsel, Crislip, Philip & Associates, has also tendered a payment to the Clerk and Master of the Chancery Court of Davidson County, Tennessee in the amount of $1,802.64 and this payment is also being held in the registry of the Court.

8. Less than one year has passed between the date of said tax sale and the tendering of the

money necessary to redeem.

9. The Petitioner is duly entitled to redeem said property from said tax sale.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT and consent of the parties that:

1. The Petitioner, Mortgage Electronic Registration Systems, Inc. through EMC as servicer, is entitled to redeem said property from said tax sale and the title to said property described herein is hereby divested out of Bulldog South, Inc. and vested in Mortgage Electronic Registration Systems, Inc.; and

2. The Clerk and Master of this Court is authorized, ordered and directed to retain out of the redemption payments paid into the registry of this Court, the sum necessary to pay the delinquent taxes, expenses associated with the tax sale and the court costs herein; and

3. The Clerk and Master of this Court is authorized, ordered and directed to distribute the balance of the funds held in this matter as follows:

a. To the Purchaser of the property at the tax sale, Bulldog South, Inc., the purchase price paid for the property plus 10% interest calculated through October 21, 2008, the amount of $1,802.64 which was claimed as additional taxes and expenses by Bulldog, and an additional $2,500.00 which the parties have agreed to in order to resolve the Purchaser's objection;

b. To the Petitioner, Mortgage Electronic Registration Systems, Inc. through EMC as servicer, the balance of funds in the amount of $13,368.55.

I hereby certify that this is a true copy of original instrument filed in my office.
This 20th day of February, 2009
CRISTI SCOTT, Clerk & Master
By _____ Deputy

Russell T. Lee
CHANCELLOR

DATE: January 9, 2009

APPROVED:

James A. Crislip Jr. w/permission

James A. Crislip, Jr., (#20718)
Attorney for MERS, EMC Mortgage
and FIS Tax Services, collectively
known as Petitioner
4515 Poplar Ave., Ste. 322
Memphis, TN 38117
(901) 525-2427

Winston S. Evans

Winston S. Evans (#6281)
Attorney for Purchaser
Evans, Jones & Reynolds, P.C.
710 Suntrust Plaza
401 Commerce Street
Nashville, TN 37219
(615) 259-4685