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FEB 26 2009
Dav. Co. Chancery Court

IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

NANCY STANLEY and DONALD R. STANLEY,

Plaintiffs,

vs.

WAYNE RICH,

Defendant.

Case No. 07-918-II

NF

FILED
2009 MAR -4 PM 3:32
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

DECREE OF PARTITION

This matter is before the Court on the Agreed Order of the parties, entered simultaneously herewith, and upon a review of the entire file herein, from all of which the Court finds and concludes as follows:

1. Plaintiff Nancy Stanley has, pursuant to the Buy/Sell Agreement approved by this Court, purchased the Defendant's ½ undivided interest in the real property commonly referred to in this litigation as 2801 Foster Avenue;

2. Plaintiff Nancy Stanley has, pursuant to the Buy/Sell Agreement approved by this Court, purchased the Defendant's ½ undivided interest in the real property commonly referred to in this litigation as 311 Carter Street; and

3. The Defendant has refused to execute Warranty Deeds to the two parcels.

It is, therefore, ORDERED, ADJUDGED and DECREED as follows:

1. The Court hereby divests the Defendant, Wayne Rich, of all his right, title and interest in that certain tract or parcel of improved property in Davidson County, Tennessee known as 2801 Foster Avenue and more particularly described as follows:

BILL GARRETT, Davidson County
Trans:T20090023265 ORDER
Recvd: 04/07/09 15:13 4 pgs
Fees:22.00 Taxes:0.00
20090407-0031923

Beginning at a point in the right of way of Foster Avenue, said point being the southeast corner of parcel 155 Tax Map 119-9 R.O.D.C., TN.

Thence leaving said right of way South 56 deg 40 min 31 sec West 224.39 feet; thence North 19 deg 37 min 06 sec West 195.33 feet to a point; thence North 67 deg 36 min 31 sec East 142.72 feet to a point; thence South 21 deg 16 min 40 sec East 17.98 feet to a point; thence North 62 deg 53 min 57 sec East 59.50 feet to a point on the right of way of Foster Avenue; thence South 26 deg 09 min 54 sec East 139.75 feet to the point of beginning, containing 35,694.03 square feet or 0.81 acres.

Being the same property in which a one-half (1/2) undivided interest was devised to F. W. Rich, by the Last Will and Testament of Ethel Rich Marshall, deceased, of record in the office of the Circuit Court Clerk for Davidson County, Tennessee (Probate Division), Docket No. 02P-676, as evidenced by a Quitclaim Deed from the Estate of Ethel Rich Marshall, deceased, recorded in Instrument No. 20030320-0036746, Register's Office, Davidson County, Tennessee.

F. W. Rich and Wayne Rich are one and the same person.

2. The Court hereby vests Plaintiff Nancy Stanley with all right, title and interest divested out of Defendant, Wayne Rich, in the property described in the immediately preceding paragraph;

3. The Court hereby divests the Defendant, Wayne Rich, of all his right, title and interest in that certain tract or parcel of improved property in Davidson County, Tennessee known as 311 Carter Street and more particularly described as follows:

Beginning at a point in the right of way of Carter Street, said point being the northeast corner of parcel 139 Tax Map 119-9 R.O.D.C., TN.

Thence leaving said right of way South 19 deg 52 min 09 sec East 183.92 feet; thence South 19 deg 37 min 06 sec East 195.33 feet to a point; thence South 57 deg 30 min 00 sec West 134.72 feet to a point; thence South 26 deg 55

min 00 sec West 132.00 feet to a point; thence North 34 deg 10 min 00 sec West 40.00 feet; thence North 31 deg 54 min 09 sec West 282 feet; thence South 57 deg 30 min 00 sec West 36.00 feet; thence North 31 deg 58 min 32 sec West 246.36 feet; thence North 61 deg 15 min 00 sec East 43.00 feet; thence North 57 deg 30 min 00 sec East 141.00 feet; thence North 58 deg 13 min 20 sec East 59.92 feet to a point in the right of way of Carter Street; thence with the right of way of Carter Street South 75 deg 36 min 03 sec East 176.00 feet to the point of beginning, containing 154,396.55 square feet or 3.54 acres.

Being the same property in which a one-half (1/2) undivided interest was devised to F. W. Rich, by the Last Will and Testament of Ethel Rich Marshall, deceased, of record in the office of the Circuit Court Clerk for Davidson County, Tennessee (Probate Division), Docket No. 02P-676, as evidenced by a Quitclaim Deed from the Estate of Ethel Rich Marshall, deceased, recorded in Instrument No. 20030320-0036746, Register's Office, Davidson County, Tennessee.

F. W. Rich and Wayne Rich are one and the same person.

4. The Court hereby vests Plaintiff Nancy Stanley with all right, title and interest divested out of Defendant, Wayne Rich, in the property described in the immediately preceding paragraph; and

5. The Court hereby expressly directs pursuant to T.R.C.P. 54.02 that this Decree of Partition is a final judgment as to ownership of the parcels in question, there being no just reason for delay as to that issue.

ENTER on this the _____ day of February, 2009.

Carol McCoy

Chancellor

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE THIS 16 DAY OF 2009
CRISTI DUNN, CLERK & MASTER
BY

APPROVED FOR ENTRY:

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was placed in the U.S. Mail, First Class postage pre-paid, addressed to Karen McDonald, Esq. at P. O. Box 190573 in Nashville, TN 37219 on this the 26 day of February, 2009.