MB 116 Pg 54

IN THE CHANCERY COURT FOR DAVIDSON COUNTY

BILL GARRETT, Davidson County
Trans:T20090064355 ROS
Recvd: 09/21/09 12:43 5 pgs
Fees:28.00 Taxes:83.25
20090921-0087737
Dav. Co. Chancery Court

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY IN ITS OWN CAPACITY AND FOR THE USE AND BENEFIT OF THE STATE OF TENNESSEE,

Plaintiff,

v.

DELINQUENT TAXPAYERS AS SHOWN ON THE 2007 REAL PROPERTY TAX RECORDS OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

MARY KATE WALLER SMITH

Control Number: 106489
Map & Parcel No: 08510000200

REAL PROPERTY

Tax Civil Action
No. 09-487-II

FILED
2009 SEP -3 AM 11:08
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

I hereby certify that this is a true copy of original instrument filed in my office.
This 16th day of September 2009
CHRISTI SCOTT, Clerk & Master
By _____ Deputy

FINAL DECREE CONFIRMING SALE

This cause came to be heard upon motion of Plaintiff to confirm the Report of Sale of the Clerk and Master. It appearing to the Court that this Report has been on file more than five (5) days and is without exception.

It is, therefore, ORDERED by the Court that the Motion to Confirm be, and the same hereby is, granted. All rights, title and interest of the Defendant(s) **MARY KATE WALLER SMITH.** and any and all unknown heirs-at-law or devisees, and of all other interested parties to this suit and to said parcel of land be divested out of them and be vested into the purchaser(s) **BRIAN GAINOUS,** subject to the equity of redemption.

In the names of the parties, the Clerk and Master will make, acknowledge for registration and deliver to said purchaser a deed conveying all the right, title and interest of all the parties to this suit to the purchaser(s) in and to said tract of land or will give the purchaser(s), if preferred, a certified copy of this Final Decree for registration. This Final Decree shall convey good title to the tax sale purchaser(s) against any conveyance of the property while it was under the jurisdiction and control of the Chancery Court, after the Decree for Sale was

entered, but prior to this Final Decree being signed and available for recording by the tax sale purchaser. Tenn. Code. Ann. § 66-3-101.

The costs of the said deed or certified Final Decree will be paid by said purchaser(s), and on application, a writ of possession will issue to put the purchaser(s) in possession of said parcel of land at purchaser's(s') cost.

Out of the proceeds of said sale, the Clerk and Master will make disbursements in the following order:

1. The costs of this cause.

2. All real property taxes, penalty, interest, statutory attorney fees, and costs due and payable to the Metropolitan Government on the date of the sale.

3. Any parks or other liens held by the Metropolitan Government which are of record in the Register's Office for Davidson County, Tennessee.

The Clerk and Master will retain, subject to rightful claims, whatever balance may remain after the above payments. The purchaser(s) shall be liable for the taxes assessed against the property beginning with the year **2008** and continuing so long as he shall own the property.

All other matters are reserved.

The Report of Sale of the Clerk and Master follows and is incorporated herein.

Carol L. McCoy

CHANCELLOR

APPROVED FOR ENTRY:

Jenny L. Howard

Lora B. Fox, # 17243
Jeff Campbell, # 22455
Jenny L. Howard, # 24480
Assistant Metropolitan Attorneys
Metropolitan Courthouse, Suite 108
P. O. Box 196300
Nashville, TN 37219
615-862-6343

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Final Decree Confirming Sale* has been forwarded by U.S. Mail to the following, this 20th day of August, 2009.

BRIAN GAINOUS
2407 ALLISON LANE
SPRINGFIELD, TN 37172

MARY KATE WALLER SMITH
212 BELDING DRIVE
NASHVILLE, TN 37214

TENANT OR RESIDENT
214 BELDING DRIVE
NASHVILLE, TN 37214

METRO MAIL

Metropolitan Trustee
Metropolitan Assessor

Jenny L. Howard
Jenny L. Howard

Send tax bills to:
Brian Gainous
415 Church St Apt 2715
Nashville, TN 37219

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS $ 22,500

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 21 DAY OF Sept 20 09

Deputy Register

IN THE CHANCERY COURT, PART II, DAVIDSON COUNTY, TENNESSEE

FILED

2008 JUL 31 AM 9:32

CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

JS D.C.A.M.

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, IN ITS OWN BEHALF AND FOR THE USE AND BENEFIT OF THE STATE OF TENNESSEE,

PLAINTIFFS

File No. 09-487-II

vs.

Bill No. 106489

DELINQUENT TAXPAYERS AS SHOWN ON THE 2007 REAL PROPERTY TAX RECORDS OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Map & Parcel No. 08510000200

SMITH, MARY KATE WALLER

DEFENDANTS

REPORT OF THE CLERK AND MASTER

TO THE CHANCELLOR:

Pursuant to the Order of Reference entered in Tax Minute Book 113, Page 519, on June 4, 2009, I find as follows:

1. ***The total amount of taxes, interest, penalty and statutory attorney's fee due and payable to the Metropolitan Government on the date of sale, July 22, 2009.***

2007	*$1723.24*
2008	*$1328.53*
	$3051.77

2. ***Court costs due and payable to the Clerk and Master on the date of sale, July 22, 2009.***

$1092.22

Respectfully submitted,
CRISTI SCOTT
Clerk and Master

By Jeffrey Stafford
Deputy Clerk and Master

FILED

2009 JUL 31 AM 8:58

CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

JS

D.C.& M.

METROPOLITAN GOVERNMENT ETC. FILE NO. 09-487-II

VS. BILL NO. 106489

DELINQUENT TAXPAYERS ETC. MAP & PARCEL No: 08510000200
(Mary Kate Waller Smith)

REPORT OF SALE

To the Chancellor:

An order was entered in this case on June 4, 2009 on page 519 of Tax Minute Book 113 directing the Clerk and Master to sell the following described property:

Land in Davidson County, Tennessee

214 Belding Drive
1 Acres
Map and Parcel Number 08510000200
Deed Book 00007516, Page 0000032

TERMS OF SALE: Cash. To the highest and best bidder. Subject to the right of equity of redemption. The purchaser(s) shall be liable for payment of taxes assessed against the property beginning with the year 2008, and continuing so long as purchaser(s) shall own the property. If there are any excess funds remaining from the proceeds of said sale after distribution of all taxes and costs as specified above, a reference will be made to pay any full year's taxes, interest and penalty due and payable to the Metropolitan Government on the date of sale. Judgment in this cause is in the amount of $1551.01 plus interest, penalty, statutory attorney's fees and costs as provided by law.

I respectfully report that I advertised for the required time in the Tennessean, a newspaper published in Nashville, stating that on the ground floor in the jury assembly room of the Metropolitan Courthouse in Nashville, at 12:00 o'clock noon, on July 22, 2009, I would sell the above described property upon the stated terms. I held the sale as ordered and the property was fairly struck off and sold to Brian Gainous for $22,500.00. The purchaser(s) complied by paying $25,500.00.

Respectfully Submitted,

CRISTI SCOTT

Clerk and Master

By Jessica Mathews

Deputy Clerk and Master

Brian Gainous
2407 Allison Lane
Springfield, TN 37172