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Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, DAVIDSON COUNTY

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FILED
2010 JUL 28 AM 9:04

PLEDGED PROPERTY II, LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**Civil Action No. 10-306-IV**
	)	
LAWSANNE G. PRATHER and GERALD L. GULLEY, JR.,	)	
	)	
Defendants.	)	

AMENDED AND RESTATED ORDER GRANTING
MOTION TO APPROVE REPORT OF SALE

This Amended and Restated Order is made to emphasize and restate certain matters in the Report of Sale filed herein by the Clerk and Master. This matter is before the Court on the Motion to Approve Sale filed by Plaintiff, Pledged Property II, LLC. It appearing to the Court from the Report of Sale filed by the Clerk and Master, and the Court so finds, that the following should be made the order of this Court:

1. the property located at 2495 Walker Lane, Nashville, Davidson County, Tennessee, more particularly described in the Complaint herein (the "Property"), was sold by the Clerk and Master pursuant to and in accordance with the Order entered May 17, 2010;

2. the Report of Sale filed herein by the Clerk and Master, which Report is attached as Exhibit A to this Order and incorporated herein as if set forth verbatim, being unexcepted to is in all things confirmed, and said sale for partition is ratified and approved;

3. that the Property was sold to George Hadley and Christopher Hadley (the "Purchasers") for $155,000.00;

BILL GARRETT, Davidson County
Trans:T20100047852 ORDER
Recvd: 08/04/10 08:30 6 pgs
Fees:32.00 Taxes:0.00
20100804-0061164

4. that title to the Property, more particularly described below, is hereby divested out of Pledged Property II, LLC and Lawsanne G. Prather and vested in George Hadley and Christopher Hadley, to wit:

> Land in Davidson County, Tennessee, being Lot No. 14 on the Plan of Haynes View Subdivision, as of record in Book 3700, page 71, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 14 fronts 155 feet on the easterly side of Walker Lane and extends back 307 feet on the northerly side, 263 feet on the southerly side to a dead line on which it measures 160 feet thereon.
>
> Being the same property conveyed to Credit Based Asset Servicing and Securitization, LLC by Trustee's Deed dated June 26, 2008 of record as Instrument No. 20080630-0066805, Register's Office for Davidson County, Tennessee, and subsequently conveyed to Pledged Property II, LLC by Quitclaim Deed dated July 14, 2008 of record as Instrument No. 20080718-0073983, Register's Office for Davidson County, Tennessee. Also being the same property vested in Lawsanne G. Prather by Order of Default Judgment entered September 25, 2008, in the Chancery Court for the State of Tennessee, Twentieth Judicial District, Davidson County in the civil action styled *Lawsanne G. Prather v. H. Leon Prather, Jr. and Aaron L. Squyres, Successor Trustee*, Civil Action No. 08-1114-II, and of record as Instrument No. 20081008-0101890, Register's Office for Davidson County, Tennessee.

5. that the Purchasers have deposited $155,000.00 in the Registry of the Court;

6. that no objections to Plaintiff's Motion to Confirm Sale have been timely filed;

7. that the Motion to Confirm Sale should be granted and the sale to the Purchasers confirmed;

8. that the Clerk and Master shall execute and deliver to the Purchasers a deed to the Property in recordable form;

9. that this Order shall be entered *nunc pro tunc* to April 16, 2010, the date of the hearing on the Motion to Confirm Sale and the entry of the previous Order which this Order amends and restates;

10. that in accordance with Tenn. R. Civ. P. 54.02, the Court has determined there is no just reason for the delay of the entry of a final judgment with respect to the findings and orders herein, and the Court expressly directs that this Order shall be entered as a final judgment; and

11. that all other matters in this action are reserved.

IT IS SO ORDERED.

RUSSELL T. PERKINS, CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 30 DAY OF Sept 2010
CRIST SCOTT, CLERK & MASTER
BY _____ DEPUTY

APPROVED FOR ENTRY:

HIX & GRAY, PLC

By: _____
Marshall L. Hix
Tennessee Supreme Court
Registration Number 10481

Frank H. Reeves
Tennessee Supreme Court
Registration Number 3651

1230 Regions Center
315 Deaderick Street
Nashville, Tennessee 37238
Telephone: (615) 254-4444
Facsimile: (615) 254-4445
Electronic Mail: mhix@hixgray.com

Attorneys for Pledged Property II, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order was served by plac: ıg the same in the United States mail, first class postage prepaid, addressed as follows:

Lawsanne G. Prather
1369 North Hampton Road, Number 94
DeSoto, Texas 75115

Gerald L. Gulley, Jr., Esquire
1129 Southgate Road
Knoxville, Tennessee 37919-7647

Date: July 27, 2010

Marshall L. Hix

JUN 2 4 2010

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

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Dav. Co. Chancery Court

PLEDGED PROPERTY II, LLC

vs.

Chancery Case No. 10-306-IV

LAWSANNE G PRATHER, ET AL

REPORT OF SALE

To the Chancellor:

An order was entered in this case on May 17, 2010 directing the Clerk and Master to sell the following described property:

Land in Davidson County, Tennessee, being Lot No. 14 on the Plan of Haynes View Subdivision, as of record in Book 3700, page 71, Register's Office for Davidson County,Tennessee.

Said Lot No. 14 fronts 155 feet on the easterly side of Walker Lane and extends back 307 feet on the northerly side, 263 feet on the southerly side to a dead line on which it measures 160 feet thereon.

Being the same property conveyed to Credit Base Asset Servicing and Securitization, LLC by Trustee's Deed dated June 26, 2008 of record as Instrument No. 20080630-0066805, Register's Office for Davidson County, Tennessee, and subsequently conveyed to Pledged Property II, LLC, by Quitclaim Deed dated July 14, 2008 of record as Instrument No. 20080718-0073983, Register's Office for Davidson County, Tennessee.

Also being the same property vested in Lawsanne G. Prather by Order of Default Judgment entered September 25, 2008, in the Chancery Court for the State of Tennessee, Twentieth Judicial District, Davidson County, in the civil action styled *Lawsanne G. Prather v. H. Leon Prather, Jr. and Aaron L. Squyres, Successor Trustee*, Civil Action No. 08-1114-II, and of record as Instrument No. 20081008-0101890, Register's Office for Davidson County, Tennessee.

Pledged Property II, LLC, and Lawsanne G. Prather are each vested with a one-half undivided interest in the property as tenants-in-common.

TERMS OF SALE: Sold to highest and best bidder for cash and bidders must be qualified and prepared to pay their bid on the day of sale. Bidding will start with a minimum bid of $155,000.00. If the minimum bid is not obtained, the sale will be adjourned to another date and time certain without further

EXHIBIT A

(Amended and Restated Order Granting Motion to Approve Report of Sale)

publication. All announcements at the sale shall take precendence over the terms stated herein.

I respectfully report that I advertised for the required time in the Tennessean, a newspaper published in Nashville, stating that at the main entrance of the Historic Court House and City Hall, One Public Square, in Nashville, Tennessee at 12:00 o'clock noon, on Friday, June 18, 2010, I would sell the above described property upon the stated terms. I held the sale as ordered and the property was sold to GEORGE HADLEY AND CHRISTOPHER HADLEY for $155,000.00. The purchasers complied by paying $155,000.00.

Respectfully Submitted,
CRISTI SCOTT, Clerk and Master

By _____
Deputy Clerk and Master

cc: Marshall L Hix, Attorney for Plaintiff
Lawsanne G Prather, Defendant
Gerald L Gulley Jr, Defendant
George Hadley & Christopher Hadley, Purchasers