BILL GARRETT, Davidson County
Trans:T20100077993 ORDER
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Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

SOUTHWEST REALTY INVESTMENT GROUP, INC)
)
Plaintiff,)
)
vs.)
)
JAMES WINTERS, LIZZIE WINTERS AND THEIR HEIRS, SUCCESSORS PERSONAL REPRESENTATIVES AND ASSIGNS.)
Defendants.)

F044

Case No. 10-1237-I

FILED
2010 NOV -5 AM 10:57
DAVIDSON CO. CHANCERY CT

DEFAULT JUDGMENT

The Motion of the Plaintiff, Southwest Realty Investment Group, Inc. for a Default Judgment as to Defendants, James Winters and Lizzie Winters in this cause was made pursuant to TRCP 55 and was scheduled to be heard on Friday, November 5, 2010. It appears to the Court that the Complaint was filed with this court on July 30, 2010 and that title to the real property described as 228 Hadley's Bend Boulevard, Old Hickory, Davidson County, Tennessee 37138 (hereinafter the Property) was vested in Plaintiff pursuant to the Quitclaim Deed from Aaron Gilbert of record in Instrument Number 20100311-0018778, Register's Office for Davidson County, Tennessee. It appears to this Court that the Defendants, James Winters and Lizzie Winters were each served by Order of Publication published in The Tennessean on August 6, 2010, August 13, 2010, August 20, 2010 and August 27, 2010. It also appears to this Court that no answer or other defense has been filed by the Defendants, James Winters or Lizzie Winters or has any response been timely filed or serve on counsel for the Plaintiff. It is hereby

ORDERED, ADJUDGED AND DECREED that the Plaintiff in this action is entitled to a

Default judgment against the Defendants, James Winters and Lizzie Winters; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 228 Hadley's Bend Boulevard, Old Hickory, Davidson County, Tennessee 37138 (hereinafter the Property) under the Defendants, James Winters and Lizzie Winters, except as set forth hereinbelow, are barred from claiming title to the Property; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any right, title or interest of Defendants, James Winters and Lizzie Winters in the real property described as follows:

Land in Davidson County, Tennessee known as 228 Hadleys Bend Boulevard, Old Hickory, Tennessee 37318 and being further identified as being Map 6208, parcel 109 and Map 6308, Parcel 240.

> Being all of Lots 7 & 9 and in block "P" on the plan of Hadley Bend City which plan is of record in plat book 421, page 149, Register's Office of Davidson County, Tennessee said whole of lots 7 and 9 front together 100 feet no inches on Hadley's Bend Boulevard and run back between parallel lines 200 feet more or less. Being part of the Property conveyed to MC K Bryan by Atlantic Coast Realty Company by deed dated July 12, 1920.
>
> Being the same property transferred to Southwest Realty Investment Group, Inc. via a quit claim deed from Aaron Gilbert as the beneficiary of the estate of Benjamin Winters as recorded in the Register of Deeds Office of Davidson County, Tennessee as document 20100311-0018778.

IT IS vested in the Plaintiff; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this cause shall be taxed to the Plaintiff for which execution may issue if necessary.

ENTERED this _____ day of November, 2010.

CLAUDIA BONNYMAN
CHANCELLOR

APPROVED FOR ENTRY

ROBERT J. NOTESTINE III
BPR #12195
Attorney for the Plaintiff
109 Kenner Avenue, Suite 201
Nashville, TN 37205
(615) 297-1568, Ext. 11

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 10th DAY OF Dec 2010
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion for Default Judgment, has NOT been mailed, first class, U.S. mail to the Defendants, James Winters and Lizzie Winters as there whereabouts are unknown and they were served by Order of Publication.

Robert J. Notestine III