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IN THE CHANCERY COURT OF DAVIDSON COUNTY
STATE OF TENNESSEE

2011 DEC 19 PM 4:10

BAC HOME LOANS SERVICING, L.P. f/k/a COUNTYWIDE HOME LOANS SERVICING, LP,	
Petitioner,	CIVIL ACTION FILE NO. 09-2351-II
v.	
DARRELL HORTON AND DONNA MAGUIRE AS TRUSTEE OF THE HORTON FAMILY LAND TRUST,	
Respondents.	

BILL GARRETT, Davidson County
Trans:T20120004518 ORDER
Recvd: 01/19/12 12:49 5 pgs
Fees:27.00 Taxes:0.00
20120119-0005357

DEFAULT JUDGMENT AND FINAL ORDER AGAINST DONNA MAGUIRE AS TRUSTEE OF THE HORTON FAMILY LAND TRUST

WHEREAS, the Motion of BAC HOME LOANS SERVICING, LP f/k/a COUNTRYWIDE HOME LOANS SERVICING, LP (hereinafter, "BAC Home Loans"), Petitioner, having moved for entry of an Order for Default Judgment against the Respondent, Donna Maguire as Trustee of the Horton Family Land Trust (hereinafter, "Ms. Maguire"), and it appearing that Ms. Maguire was served by Publication on September 16, 2011, September 23, 2011, September 30, 2011, and October 7, 2011, with the Summons and Complaint in this matter, as evidenced by an Affidavit of Publication, and that Ms. Maguire has failed to answer or otherwise respond to the Complaint within the time allowed by law; and

WHEREAS, this action concerns the real property located at 1124 Pin Oak Drive, Davidson County, Tennessee 37013 (hereinafter, the "Property").

THEREFORE, IT IS ORDERED AND ADJUDGED that BAC Home Loans' Motion for Default Judgment Against Donna Maguire as Trustee of the Horton Family Land Trust is granted and that judgment is hereby entered in BAC Home Loans' favor as follows:

1) That the Deed of Trust, recorded at Instrument Number 20030602-0074497, Davidson County, Tennessee records, the Successor Trustee's Deed recorded at Instrument Number 20090415-0034381, Davidson County, Tennessee records, and the Quitclaim Deed recorded at Instrument Number 20090630-0060650, Davidson County, Tennessee records are hereby reformed to include the correct legal description as follows:

   LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 150 ON THE PLAN OF MEADOW WOODS, SECTION TWO, OF RECORD IN INSTRUMENT NO. 200003090024168, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE TO WHICH PLAN IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.; and

2) That the Davidson County the real estate records are hereby reformed to reflect that the Successor Trustee's Deed recorded at Instrument Number 20090415-0034381, Davidson County, Tennessee records is void, thus invalidating the foreclosure sale of the Property ; and

3) That the Parties are restored to their rights, interests, duties and obligations under the aforesaid instruments as prevailed prior to the Successor Trustee's Deed being executed; and

4) That the Deed of Trust recorded in Instrument Number 20030602-0074497, Davidson County, Tennessee records is a valid, enforceable, first position lien on the entire Property; and

5) That Court costs are hereby assessed against the Plaintiff.

SO ORDERED, this _____ day of _____ 2011.

Carol L. McCoy

Judge, Chancery Court of Davidson County

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 6th DAY OF January 2012
CRISTI SCOTT, CLERK & MASTER
BY Vicki Bailey
DEPUTY

Order prepared and presented by:

PETER L. LUBLIN
BPR # 027928
BRIAN LINKOWSKI
BPR # 028640
J. KELSEY GRODZICKI
BPR# 030034
NATALIE BROWN
BPR #022452
ATTORNEYS FOR PETITIONER

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CERTIFICATE OF SERVICE

I hereby certify that I have this 8th day of ~~November~~ December, 2011, served all parties the within and foregoing **Default Judgment and Final Order Against Donna Maguire as Trustee of the Horton Family Land Trust** by placing a true and correct copy of same in the United States Mail, with first-class postage affixed thereto, properly addressed as follows:

Robert J. Hill, Esq.
The Hill Firm PLLC
Attorney for Respondent Darrell Horton
109 Kenner Avenue
Suite 201
Nashville, TN 37205

Donna Maguire
1124 Pin Oak Drive
Antioch, TN 37013
At last known address

PETER L. LUBLIN
BPR # 027928
BRIAN LINKOWSKI
BPR # 028640
J. KELSEY GRODZICKI
BPR# 030034
NATALIE BROWN
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