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IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

METROPOLITAN GOVERNMENT, ETC.,

Plaintiff,

and

SUNTRUST BANK,

Intervenor,

v.

DELINQUENT TAXPAYERS, ETC.
(STORAGE TECHNOLOGIES, LLC),

Defendant.

RECEIVED
MAR - 2 2012
Dav. Co. Chancery Court

Tax Civil Action No. 09-487-II
09204031000 116849

FILED
2012 MAR 13 PM 12:29
CLERK & MASTER

**AGREED FINAL ORDER WITHDRAWING OBJECTION TO REDEMPTION, PROVIDING FOR DISBURSEMENT OF FUNDS, AND VOIDING TAX SALE**

As evidenced by the signatures of their respective counsel set forth below, the parties have agreed to compromise and settle the claims asserted in this action relating to the following property:

**Property Address:** **809 16th Avenue, Nashville, Davidson County, Tennessee**
**Map/Parcel No.:** **09204031000**

(the "Property"). The parties would show to the Court as follows:

1. The Property was sold by the Clerk & Master of this Court to Cason Dickinson ("Dickinson") at a tax sale on December 9, 2009, and a final decree confirming the sale was entered on January 2, 2010.

2. On November 24, 2010, the owner of the Property, Storage Technologies, LLC ("Storage Technologies"), filed for redemption of the Property pursuant to T.C.A. § 67-5-2701 *et seq.* ("Redemption").

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Fees:28.00 Taxes:64.74
20120327-0026058

3. On December 27, 2010, Dickinson filed an "Objection to Redemption or, in the Alternative, Claim for Taxes and Expenses," and on January 25, 2011 filed a "Motion to Deny Redemption" (collectively, the "Objection to Redemption"). In each, Dickinson claimed that the Redemption was a nullity because Storage Technologies' certificate of authority to do business had been suspended at the time of the Redemption.

4. At all times relevant to this action, SunTrust Bank has been the owner and holder of certain indebtedness evidenced by a promissory note ("Note") dated May 12, 2006, which Note is secured by the Property pursuant to a commercial deed of trust ("SunTrust Deed of Trust") dated May 12, 2006 of record as Instrument No. 20060926-0119084, Register's Office for Davidson County, Tennessee.

WHEREAS, the Clerk & Master of the Court is currently holding the following sums on deposit:

| | |
|---|---|
| Purchase price paid by Dickinson at tax sale | $ 68,000.00 |
| Amounts paid by Storage Technologies to redeem Property | $ 17,497.29 |
| Less back taxes and court costs | $ -8,886.59 |
| **Balance** | $ 76,610.70 |

WHEREAS, the parties have reached an agreement to compromise and settle their claims, pursuant to which the Objection to Redemption shall be withdrawn, the funds on deposit shall be paid to Dickinson, and the sale to Dickinson shall be voided. It is accordingly

ORDERED, ADJUDGED and DECREED by the Court as follows:

1. Funds presently on deposit with the Clerk & Master in the total amount of $76,610.70 shall be disbursed to Cason A. Dickinson by check payable to Cason A. Dickinson;

2. Dickinson's Objection to Redemption and Motion to Deny Redemption are hereby **DISMISSED** with prejudice; and

3. The tax sale of the Property is declared null and void, and title to the Property is hereby divested from Cason Dickinson and vested in Storage Technologies, LLC, subject to any and all valid liens and encumbrances pre-dating the sale, including but not limited to the encumbrance created by the SunTrust Deed of Trust.

4. Court costs are taxed to Storage Technologies, LLC, for which execution may issue, if necessary.

IT IS SO ORDERED.

This _____ day of _____, 2012.

Carol L. McCoy

Chancellor Carol McCoy

I hereby certify that this is a true copy of original instrument filed in my office.
This 19th day of March, 2012
CRISTI SCOTT, Clerk & Master
BY _____ Deputy

APPROVED FOR ENTRY:

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by U.S. Mail on this 20 day of ~~February,~~ March, 2012 upon:

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Garry K. Grooms

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STATE OF TENNESSEE )
COUNTY OF DAVIDSON )

The actual consideration or value, whichever is greater, is $17,497.29

Garry K. Grooms

Subscribed and sworn to before me this 27 day of March, 2012.

Comm. Exp. 4-29-15

NOTARY PUBLIC

JACKIE R. DUSEK
STATE OF TENNESSEE
NOTARY PUBLIC
ROBERTSON COUNTY, TENN.