IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

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Dav. Co. Chancery Court

JERRY EARWOOD
PLAINTIFF,

VS.

CASE NO: 12-1222-I

CHARLES F. FISHER, SR. TRUST
LOIS G. FISHER TRUST
GERALD T. FISHER
NANCY W. FISHER

AND THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS.

DEFENDANTS.

FILED
2013 JAN 16 PM 12:36
DAVIDSON CO. CHANCERY CT
BC&H

DEFAULT JUDGMENT

The Motion of the Plaintiff, **Jerry Earwood,** for a Default Judgment as to Defendant, Charles F. Fisher Trust, 2/6 interest; Lois G. Fisher Trust 2/6 interest; Gerald T. Fisher 1/6 interest; and Nancy W. Fisher 1/6 interest, and their heirs, successors, personal representatives and assigns, in this cause was made pursuant to TRCP 55 and was scheduled to be heard on December 14, 2012, it appears to the Court that the Complaint was filed with this court on 23rd day of August, 2012, and that title to the real property described 908 Stockell Street, Nashville, Tennessee 37207, (hereinafter the Property) was vested in Plaintiff pursuant to the Final Decree Confirming Sale of record in Instrument Number 20070216-0019991, Register's Office for Davidson County, Tennessee. It appears to this Court that the Defendant, service of process as to the Defendant was obtained through Order of Publication which was published in The Tennessean on September 7, 14, 21, and 28, 2012. It also appears to the Court that no answer or other defense has been filed by the Defendant, Charles F. Fisher Trust, 2/6 interest; Lois G.

Davidson County ORDER
Recvd: 02/01/13 14:30 4 pgs
Fees:22.00 Taxes:0.00
20130201-0010925

Fisher Trust 2/6 interest; Gerald T. Fisher 1/6 interest; and Nancy W. Fisher 1/6 interest, 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 Defendant, Charles F. Fisher Trust, 2/6 interest; Lois G. Fisher Trust 2/6 interest; Gerald T. Fisher 1/6 interest; and Nancy W. Fisher 1/6 interest, and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any person claiming title to the real property known as 908 Stockell Street, Nashville, Tennessee 37207, (hereinafter the Property) under the Defendant, Charles F. Fisher Trust, 2/6 interest; Lois G. Fisher Trust 2/6 interest; Gerald T. Fisher 1/6 interest; and Nancy W. Fisher 1/6 interest, 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 Defendant, Charles F. Fisher Trust, 2/6 interest; Lois G. Fisher Trust 2/6 interest; Gerald T. Fisher 1/6 interest; and Nancy W. Fisher 1/6 interest, in the real property described as follows:

> Being Lot No. 24 in Benedict Land Company's Subdivision of East Nashville, Tennessee, as of record in Book 332, page 40, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 24 fronts 50 feet on the west side of Stockell Street and runs westerly 180 feet more or less to a 16 foot alley in the rear.
>
> Being the same property conveyed to Charles F. Fisher Trust, 1/6 interest; Lois G. Fisher Trust 1/6 interest; Gerald T. Fisher 1/6 interest; Nancy W. Fisher 1/6 interest; and Mark G. Fisher 1/3 interest by deed from Gerald T. Fisher, Trustee, dated December 31, 1986, of record in Book 7227, page 890, Register's Office for Davidson County, Tennessee. Mark G. Fisher further conveyed his 1/3 interest to Charles F. Fisher Sr. Trust (1/2 of his 1/3 interest) and to Lois G. Fisher Trust (1/2 of his 1/3 interest), of record in Book 7682, page 575, said Register's office. Further conveyed to The Metropolitan Government of Nashville and Davidson County, Tennessee by the Final Decree Confirming Sale of the Chancery Court for Davidson County, Tennessee in Case No. 05-660-II, of record in Instrument No. 20070216-0019991, Register's Office for Davidson County, Tennessee. Further conveyed to Jerry Earwood by Quitclaim Deed from The Metropolitan

Government of Nashville and Davidson County, Tennessee, of record in Instrument Number 20120531-0047327, Register's Office for Davidson County, Tennessee.

This is improved property commonly known as 908 Stockell Street, Nashville, Tennessee 37207.

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 Defendant, Charles F. Fisher Trust, 2/6 interest; Lois G. Fisher Trust 2/6 interest; Gerald T. Fisher 1/6 interest; and Nancy W. Fisher 1/6 interest, for which execution may issue if necessary.

ENTERED this _____ day of _____, 2012.

Chancellor Claudia C. Bonnyman

APPROVED FOR ENTRY:

Andy Maloney (28722)
Andy Maloney, Attorney-at-law
2818 Bransford Avenue
Nashville, TN 37204
(615) 627-3845

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 31st DAY OF Jan 2013
CRISTI SCOTT, CLERK & MASTER
BY _____
DEPUTY

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been sent via U. S. Mail, postage prepaid, to the property address of 908 Stockell Street, Nashville, TN 37207. No service was made to the Defendants as their whereabouts are unknown and cannot be served.

DATED this 14th day of December, 2012.

Andy Maloney

I, Andy Maloney, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of TN
County of Davidson

Personally appeared before me, Carl E. Dunphy, II, a notary public for this county and state, Andy Maloney, who acknowledges that this certificate of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My commission expires: 1-6-2015

CARL E. DUNPHY II
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY, TENN.

NOTARY PUBLIC
AT LARGE
Carl E. Dunphy II
My Commission Expires
1-6-2015
STATE OF TENNESSEE