SM

IN THE CHANCERY COURT FOR THE STATE OF TENNESSEE
DAVIDSON COUNTY AT NASHVILLE

ANTONIO ERVIN, NAVY FEDERAL CREDIT UNION and BICENTENNIAL TITLE & ESCROW, Trustee,	)
Plaintiffs,	)
v.	)
JOANNE ALEXANDER KIMBRO WEBB, GWENDOLYN ALEXANDER BRYANT, ROBERT WILLIAM ALEXANDER, HARLAN WAUGH, ROBERT WAUGH, GINA ERVIN GIVENS, and TINA LANICE YARBRO	)
Defendants.	)

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MAR 06 2013
Dav. Co. Chancery Court

F02, 7
Case No. 12-397-IV

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AGREED ORDER OF DISMISSAL AND TO DIVEST AND VEST TITLE TO REAL ESTATE

It appears to the Court from the signatures of counsel and the *pro se* parties below that the parties have agreed to compromise and settle this matter in full through mediation. It further appears that this action should be dismissed with prejudice in accordance with the requirements set forth in this Agreed Order. It further appears that the parties agree that the dispute of title to the real property that is the subject of this action should be resolved, and that all Defendants agree that any interest they may have in the subject property be divested from them and vested in Plaintiff Antonio Ervin by and through the terms of this Agreed Order.

It is therefore, ORDERED, ADJUDGED, and DECREED that all claims which were or could have been brought between the parties shall be, and hereby are, DISMISSED WITH PREJUDICE, and any prior order of injunction is dissolved.

It is further ORDERED that court costs shall be taxed to Plaintiffs, with execution to issue if necessary.

BILL GARRETT, Davidson County
Trans:T20130021965 ORDER
Recvd: 03/18/13 14:07 7 pgs
Fees:37.00 Taxes:0.00
20130318-0026695

514097.1/2010898

It is further ORDERED that the parties shall otherwise bear their own respective expenses, discretionary costs, and attorneys' fees.

It is further ORDERED that the disputed parcel that is the subject of this action (the "Property") shall be, and hereby is, described and defined as residential real property generally known as 1506 Eastland Avenue, located in Nashville, Davidson County, Tennessee, more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 2 and the westerly 14 feet of Lot No. 3 on the Map showing Olivia W. Sharpe's 2nd Addition to Nashville, as of record in Book 421, Page 176, Register's Office for Davidson County, Tennessee. Said Lot No. 2 and the westerly part of Lot No. 3 front together 85 feet on the southerly side of Eastland Avenue and runs back between parallel lines 196.5 feet on the west line and 200 feet, more or less, on the east line to an alley and shows 85 feet on said alley.
>
> Being the same property conveyed to Addie Alexander, by deed from P.B. Timmons, et ux, Ethel H. Timmons, of record in Book 5713, Page 276, Register's Office, the said Addie Alexander having died on July 25, 1982, intestate, the property thereby vesting in her heirs at law as set forth in the Affidavit of Heirship of record at Instrument No. 20100420-0029866, Register's Office, with sole, exclusive and adverse possession of the property having been thereafter maintained and held by Millicent Ann Alexander n/k/a Millicent Ann Smith who conveyed the subject property to Antonio Ervin by warranty deed dated May 3, 2006, of record at Instrument No. 20060503-0051171, Register's Office for Davidson County, Tennessee.

It is further ORDERED that Defendants Joanne Alexander Kimbro Webb, Gwendolyn F. Alexander Childress Bryant, Robert William Alexander, Gina Ervin Givens, Robert Waugh, Harlan Waugh, and Tina Ervin Lanice Yarbro, both individually and collectively, shall be, and hereby are, fully and completely divested of any and all ownership, right, title, interest, or claim in and to the Property, and the interests in the Property divested from said Defendants are hereby vested in Plaintiff Antonio Ervin.

It is further ORDERED that all other unresolved interests in the Property of the intestate heirs of Addie Alexander were previously fully transferred, conveyed to, and vested in Antonio Ervin by true and proper quitclaim deeds of record in the Register's Office of Davidson County, Tennessee, at Instrument Nos. 20100420-0029876 (Cheryl Alexander), 20100420-0029884 (Lynn Alexander

Holder), 20100420-0029897 (Darla Dewitt Flowers), 20100420-0029899 (Karen Alexander Gaskins), 20100420-0029871 (Lewell Simmons), and 20100420-0029875 (Loyce R. Alexander).

It is further ORDERED that the entire ownership, right, title, interest, and claim in the Property, by virtue of the above prior transfers and the transfers made and described herein, are fully and completely vested in Plaintiff Antonio Ervin.

It is further ORDERED that Plaintiff Navy Federal Credit Union holds a first-priority deed of trust in the Property pursuant to the Deed of Trust recorded May 3, 2006, of record as Instrument No. 20060503-0051172, Register's Office for Davidson County, Tennessee (the "Deed of Trust"), securing a loan to Antonio Ervin in the original principal amount of $108,000.00. The entire interest of Antonio Ervin in the Property is vested in the Trustee under the Deed of Trust pursuant to the terms and provisions thereof.

It is further ORDERED that a certified copy of this Agreed Order shall be recorded in the Register's Office for Davidson County, Tennessee, at the expense of Plaintiffs, to effect the transfer, conveyance, and divestiture of the Property as described herein and that said Agreed Order may be relied upon to alter, change, amend, and/or correct all tax maps, plats, and any other public and private records which describe the Property or title thereto. This Agreed Order shall also release any lien *lis pendens* or other claim of lien by Defendants in, to, or against the Property, including but not limited to the lien recorded by Defendant Joann Alexander Kimbro Webb on June 19, 2008, of record as Instrument No. 20080619-0063189, Davidson County Register of Deed's Office, and re-recorded on October 22, 2009, of record as Instrument No. T20090072027.

IT IS SO ORDERED THIS ____ DAY OF _____, 2013

Honorable Russell T. Perkins, Chancellor

AGREED TO AND APPROVED FOR ENTRY:

Phillip P. Welty, #20327
GULLETT, SANFORD, ROBINSON & MARTIN, PLLC
150 Third Avenue South, Suite 1700
Nashville, TN 37201
(615) 244-4994 – Phone
(615) 256-6339 – Fax
pwelty@gsrm.com
Attorneys for Plaintiffs

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE THIS 14 DAY OF MARCH 2013
CRISTI SCOTT, CLERK & MASTER
BY _____ D.C.

_____
Joanne Alexander Kimbro Webb, Defendant

_____
Mark Freeman, #16098
9 Music Square West
Nashville, TN 37203
(615) 298-7272
Attorneys for Defendant Joanne Alexander Kimbro Webb

_____
Gwendolyn Alexander Bryant, Defendant

_____
Robert F. Spann, #2531
1312 6th Avenue North
Nashville, TN 37208
(615) 248-2300
Attorneys for Defendant Gwendolyn Alexander Bryant

_____
Robert William Alexander, Defendant

_____
Harlan Waugh, Defendant

IT IS SO ORDERED THIS ____ DAY OF _____, 2013

_____
Honorable Russell T. Perkins, Chancellor

AGREED TO AND APPROVED FOR ENTRY:

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150 Third Avenue South, Suite 1700
Nashville, TN 37201
(615) 244-4994 – Phone
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Attorneys for Plaintiffs

_____
Joanne Alexander Kimbro Webb, Defendant

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Mark Freeman, #16098
9 Music Square West
Nashville, TN 37203
(615) 298-7272
Attorneys for Defendant Joanne Alexander Kimbro Webb

_____
Gwendolyn Alexander Bryant, Defendant

_____
Robert F. Spann, #2531
1312 6th Avenue North
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(615) 248-2300
Attorneys for Defendant Gwendolyn Alexander Bryant

_____
Robert William Alexander, Defendant

_____
Harlan Waugh, Defendant

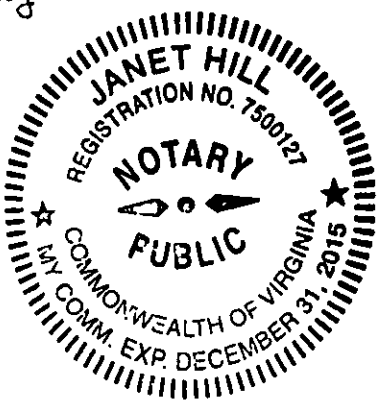
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Robert Waugh, Defendant

I Janet Hill Notarize this signature of Robert Waugh his True. Notary # 7500127 Expires 12/31/15

Gina Ervin Givens, Defendant

Tina Lanice Yarbro, Defendant



CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served by first class mail postage prepaid, this _____ day of February, 2013, upon:

Tina Ervin Lanice Yarbro
3203 Lagrange Drive
Nashville, TN 37218-3113

Mark Freeman, Esq.
9 Music Square West
Nashville, TN 37203
Attorney for Defendant
Joanne Alexander Kimbro Webb

Robert F. Spann, Esq.
1312 6th Avenue North
Nashville, TN 37208
Attorney for Defendant
Gwendolyn Alexander Bryant

Harlan Waugh
825 Garfield Street
Nashville, TN 37208

Gina Ervin Givens
1221 Foster Place
Nashville, TN 37207

Robert Waugh
1524 Garland Way
Virginia Beach, VA 23453

Robert William Alexander
1810 Meridian Street
Nashville, TN 37207

Robert Waugh, Defendant

Gina Ervin Givens

Gina Ervin Givens, Defendant

Tina Lanice Yarbro

Tina Lanice Yarbro, Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been served by first class mail postage prepaid, this 6th day of ~~February~~ March, 2013, upon:

Tina Ervin Lanice Yarbro
3203 Lagrange Drive
Nashville, TN 37218-3113

Mark Freeman, Esq.
9 Music Square West
Nashville, TN 37203
Attorney for Defendant
Joanne Alexander Kimbro Webb

Robert F. Spann, Esq.
1312 6th Avenue North
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Attorney for Defendant
Gwendolyn Alexander Bryant

Harlan Waugh
825 Garfield Street
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Gina Ervin Givens
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Robert Waugh
1524 Garland Way
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