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Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

JERRY EARWOOD, **Plaintiff,**	)	F04A
	)	**CASE NO. 13-745-IV**
vs.	)	
CHARLES F. FISHER, SR. TRUST, LOIS G. FISHER TRUST, GERALD T. FISHER, NANCY W. FISHER.	)	**Date Heard: July 19, 2013**
Defendants.	)	

FILED
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DAVIDSON CO. CHANCERY CT.

ORDER GRANTING MOTION FOR DEFAULT JUDGMENT ON COMPLAINT TO QUIET TITLE AND FOR DECLARATORY RELIEF

This matter came on to be heard before this Court on July 19, 2013 upon the *Motion for Default Judgment on Complaint to Quiet Title and for Declaratory Relief* (the "Motion") that was filed on July 3, 2013, by Jerry Earwood (the "Plaintiff"), seeking a judgment granting the Plaintiff's claims to quiet title in certain real property owned by Defendants Charles F. Fisher, Sr. Trust, Lois G. Fisher Trust, Gerald T. Fisher, and Nancy W. Fisher (the "Defendants"). Based upon the Motion and the record before the Court, as well as statements of counsel, the Court finds as follows:

1. The Plaintiff filed its Motion with the Court on July 3, 2013, and no Defendants filed any response to the Motion.

2. The Court also finds that Defendants Charles F. Fisher, Sr. Trust, Lois G. Fisher Trust, Gerald T. Fisher, and Nancy W. Fisher were all served with the Summons and Complaint on May 28, 2013.

3. After considering all pleadings filed in support of Plaintiff's Motion, the Court finds the Motion is well taken and, accordingly, Plaintiff should be granted the relief requested in its *Complaint to Quiet Title and for Declaratory Relief* (the "Complaint") regarding its request

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that title be quieted so that the Plaintiff be deemed to be the lawful owner of the Property and be vested with an absolute and unencumbered fee to the Property.

4. Accordingly, the Court finds that Plaintiff is entitled to the relief requested in the Complaint under Tenn. Code Ann. §§ 29-14-102, 29-14-103, and 29-29-105, and, as required under Tenn. Code Ann. § 29-14-107, all persons who have or claim any interest which would be affected by this proceeding have been made parties to this lawsuit.

IT IS THEREFORE

ORDERED, ADJUDGED and DECREED that Plaintiff's Motion shall be, and hereby is, granted in all respects. It is further

ORDERED, ADJUDGED and DECREED that the title to the Property is hereby quieted, such that Plaintiff is deemed to be the lawful owner and vested with an absolute and unencumbered fee to the Property. It is further

ORDERED, ADJUDGED and DECREED that all court costs shall be taxed to Defendants for which execution may issue, if necessary.

IT IS SO ORDERED this ___ day of _____, 2013.

Chancellor

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE THIS 25 DAY OF Oct 2013
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY
NASHVILLE

PREPARED FOR ENTRY BY:

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order has been placed in the U. S. mail, postage pre-paid, via first class, and properly addressed to:

Charles F. Fisher, Sr. Trust
c/o James A. Rose, Esq.
19 Music Square West, Suite R.
Nashville, Tennessee 37203-3296

Lois G. Fisher Trust
c/o James A. Rose, Esq.
19 Music Square West, Suite R.
Nashville, Tennessee 37203-3296

Nancy W. Fisher
c/o James A. Rose, Esq.
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Nashville, Tennessee 37203-3296

Gerald T. Fisher
c/o James A. Rose, Esq.
19 Music Square West, Suite R.
Nashville, Tennessee 37203-3296

this 19th day of July, 2013.

C. Tucker Herndon