IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

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Dav. Co. Chancery Court

REGAL HOMES CO.,	)	
	)	
Plaintiff,	)	
	)	**CASE NO. 13-1623-I**
vs.	)	
	)	
WILLIAM BYRD, JR. and FIRST TENNESSEE BANK NATIONAL ASSOCIATION,	)	**Date Set: January 10, 2014**
	)	
Defendants.	)	

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DAVIDSON CO. CHANCERY CT

AMENDED 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 January 10, 2014, upon the *Motion for Default Judgment on Complaint to Quiet Title and for Declaratory Relief* (the "Motion") filed on December 23, 2013, by Regal Homes Co. (the "Plaintiff"), seeking a default judgment granting the Plaintiff's claims to quiet title on certain real property identified as Map 082-07-0, Parcel 314.00 on the Tax Assessor's Map for Davidson County, Tennessee with a street address of 300 Hancock, Nashville, Davidson County, Tennessee (the "Property"), in which Defendant William Byrd, Jr. previously held an ownership interest and in which Defendant First Tennessee Bank, National Association, held a lien in its favor (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 original Complaint against Defendants with this Court on November 19, 2013.

2. Subsequent to the filing of the Complaint, Plaintiff settled its claims against Defendant William Byrd, Jr. and no further action or demands are presented against that party. Although Mr. Byrd was not served with the complaint in this case, the Plaintiff filed a quitclaim deed from Mr. Byrd to the Plaintiff, dated November 21, 2013. (A)

BILL GARRETT, Davidson County
Trans:T20140013340 ORDER
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Fees:22.00 Taxes:0.00
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3. The Court also finds that Defendant First Tennessee Bank National Association was served with the Summons and Complaint by certified mail delivery through its registered agent on November 21, 2013, and has not filed any answer to the Complaint.

4. The Plaintiff filed its Motion with the Court on December 23, 2013, and Defendant First Tennessee National Association did not file a response to the Motion.

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

6. 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 interests held by the Defendants, including the lien claimed by First Tennessee under that March 8, 1999 *Tennessee Deed of Trust* (the "Deed of Trust") securing Defendant First Tennessee's interest in the Property recorded on

March 11, 1999, in Book 11378, Page 933, Davidson County Register of Deeds Office, is extinguished by the December 17, 2003 Tax Sale and this Order. It is further

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

IT IS SO ORDERED this ____ day of _____, 2014.

Chancellor

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 23rd DAY OF July, 2014
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

MAILED 2/14/14

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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:

First Tennessee Bank National Association
c/o Lenore S. Halle
165 Madison Avenue
Memphis, Tennessee 38103

William Byrd, Jr.
420 Indian Lake Road
Hendersonville, Tennessee 37075

this 6th day of February, 2014.

David Anthony