MB 135 Page 881

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY IN ITS OWN CAPACITY AND FOR THE USE AND BENEFIT OF THE STATE OF TENNESSEE,

Plaintiff,

v.

DELINQUENT TAXPAYERS AS SHOWN ON THE **2010** REAL PROPERTY TAX RECORDS OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

COMMERCE UNION BANK

Bill No: 167327
Map & Parcel No: 13307015400

Davidson County ROS
Recvd: 08/20/14 12:19 8 pgs
Fees:43.00 Taxes:35.27
20140820-0075804

RECEIVED
AUG - 6 2014
Dav. Co. Chancery Court

REAL PROPERTY

Tax Civil Action
No. **12-368-I**

FILED
2014 AUG 12 AM 10:39
DAVIDSON COUNTY CHANCERY CT
DEPT #

DECREE FOR REDEMPTION

It appearing to this Honorable Court that **COMMERCE UNION BANK,** by and through **REO HOLDINGS, LLC**, has exercised the right of redemption in accordance with Tenn. Code Ann. § 67-5-2701 and paid into the Court the amount required in order to redeem the property described as:

3332 DUMAS DR NASHVILLE 37211
Map & Parcel No: 13307015400

It is, therefore, ORDERED:

1. That all the right, title and interest of the purchaser(s), **MICHAEL T STEVENSON** and said parcel of land be divested out of **MICHAEL T STEVENSON** and be vested into **COMMERCE UNION BANK.**

2. That, upon request, the Clerk and Master will provide a certified copy of this decree for recording with the Register of Deeds.

3. The costs of the certified decree will be paid by Defendant and upon application, a writ of possession will issue to put the Defendant in possession of said parcel of land at Defendant's cost.

4. That the purchaser(s) be refunded the purchase amount, interest as called for by law, and all other lawful charges.

THE AMOUNT PAID TO REDEEM
THIS PROPERTY IS $ 9,533.38

Clara Pontu
DEPUTY CLERK & MASTER

CHANCELLOR

Approved for Entry:

The Department of Law of the Metropolitan
Government of Nashville and Davidson County
Saul Solomon, #11689, Director of Law

Jason P. Bobo, #29756
Assistant Metropolitan Attorney
Metropolitan Courthouse, Suite 108
P. O. Box 196300
Nashville, TN 37219
(615) 862-6343
Attorneys for Plaintiff

I hereby certify that this is a true cop
of original instrument filed in my office
This 15th day of August 20 14
CRISTI SCOTT Clerk & Master
By Deputy

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing *Decree for Redemption* were forwarded by U.S. Mail to the following this 15th day of August, 2014.

COMMERCE UNION BANK
C/o WILLIAM R. DEBERRY, Registered Agent
SPRINGFIELD, TN 37172

MICHAEL T STEVENSON
1210 SE 14TH ST
DEERFIELD BEACH, FL 33441

CHARLES WALKER, Attorney
REO HOLDINGS, LLC
69 THOMPSON LANE
NASHVILLE, TN 37211

New Owner & Send tax bills

METRO MAIL
Metro Tax Assessor
Metropolitan Trustee

OATH OF CONSIDERATION:

Jason P. Bobo

SS.
STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION FOR THIS TRANSFER IS $ 9,533.38 .

AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS 14th DAY OF August, 2014.

JULIE COONE STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY TENN.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

METROPOLITAN GOVT OF NASHVILLE & DAVIDSON CO

2014 JUN 30 AM 9:13

CHANCERY COURT
DAVIDSON COUNTY
OFFICE OF CLERK AND MASTER
NASHVILLE, TENNESSEE

METRO DEPT. OF LAW
METROPOLITAN GOVERNMENT, ETC

12-368-I VS. 13307015400 167327

DELINQUENT TAXPAYERS ETC.
(COMMERCE UNION BANK)

TO: MICHAEL T STEVENSON
1210 SE 14TH ST
DEERFIELD BEACH, FL 33441

FILED
2014 MAY 23 PM 3:16
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

NOTICE OF REDEMPTION PROCESS

YOU ARE HEREBY NOTIFIED THAT ON 5/23/2014, FUNDS WERE TENDERED TO REDEEM THE PROPERTY SOLD IN THIS CAUSE. You have 30 days from the date of the tender to file the attached claim requesting additional amounts to be paid to compensate you for any lawful charges or monies you have expended to preserve the value of the property. If you protest the redemption on other grounds, you must explain your objection in papers filed with the Clerk and Master pursuant to the Tennessee Rules of Civil Procedure.

CRISTI SCOTT, CLERK & MASTER

BY Claire Porter
Deputy Clerk and Master

DATE 5/23/14

Payer of Funds to Redeem:
CHARLES WALKER, ATTORNEY FOR REO HOLDINGS, LLC
69 THOMPSON LANE
NASHVILLE, TN 37211

Purchase Price:	$ 38,000.00
Date Purchase Paid:	6/20/2013
Redemption Date:	5/23/2014
Redemption Amount Paid:	$ 9558.38
Interest to Date:	$ 3,508.17

FILED

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
TWENTIETH JUDICIAL DISTRICT

2014 JUL 18 PM 1:55

CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

D.C. & M.

THE STATE OF TENNESSEE IN ITS OWN BEHALF AND FOR THE USE AND BENEFIT OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,	)
Plaintiff,	)
vs.	)File Tax Civil Action)Number 12-368-I
DELINQUENT TAXPAYERS (real property) (Commerce Union Bank)	)
Defendant.	)

REPORT AND RECOMMENDATION

All redemption matters and claims therefrom have been referred to the Clerk and Master by Order of Reference by the Chancellors dated May 14, 2014.

The property was purchased by Michael T. Stevenson at the delinquent real property tax sale on June 19, 2013. The Purchaser complied with its bid and paid thirty eight thousand dollars ($38,000) to the Clerk and Master on June 20, 2013. The Final Decree Confirming the Sale was entered on August 23, 2013. On May 23, 2014, REO Holdings, LLC ("REO Holdings") tendered funds to redeem the real property described as:

3332 Dumas Drive.
Map and Parcel No. 13307015400
Deed Book 00004872 Page 0000116
0.45 acres

Pursuant to Tennessee Code Annotated ("T.C.A.") § 67-5-2704, the Purchaser, filed a claim for reimbursement of lawful charges on June 11, 2014. The claims were paid June 26, 2014. However, the Purchaser also contests the legal authority of REO

Holdings to redeem the property.

On July 11, 2014, Attorney Charles Walker, filed copies of the following:

1. Affidavit of Heirship from the heirs of the James E Payne Estate, Instrument No. 20140523-0044415 recorded at the Davidson County Register of Deeds Office on May 23, 2014. (Exhibit A)

2. Affidavit of Heirship from Michael Lee Chumney, Instrument No. 20140523-0044416 recorded at the Davidson County Register of Deeds Office on May 23, 2014. (Exhibit B)

3. Quitclaim Deed executed by the heirs of James E. Payne Estate to REO Holdings, LLC, Instrument No. 20140523-0044926 recorded at the Davidson County Register of Deeds Office on May 23, 2014. (Exhibit C)

On July 17, 2014, Attorney Walker filed:

4. Affidavit of Title from Julie Coone a title examiner with Vandybine Title and Escrow, Inc. (Exhibit D)

Pursuant to the Affidavit of Title, Commerce Union Bank, acquired ½ interest in the property on November 15, 1974 to satisfy an outstanding debt of James E. Payne. His wife, Virginia Ruth Payne continued to own the other ½ interest. The debt was eventually satisfied and Commerce Union Bank does not claim any ownership interest in the property. Virginia Payne died on or about October 24, 1994 and her interest passed to her husband James E. Payne (Exhibit D). James E. Payne died intestate on or about November 17, 2009. His interest in the property passed to his children, William Douglas Payne, Angela Dawn McBride, Mary Virginia Davis, Joel Thomas Payne, and James Lawrence Payne (Exhibit A).

James and Virginia Payne resided at the property continuously from January 28, 1961 until their deaths.(Exhibit B) On May 22, 2014, the heirs of James E. Payne quitclaimed their interest in the property to REO Holdings (Exhibit C).

T.C.A.§ 67-5-2701 provides in part, "a person entitled to redeem property

includes any person who owns a legal or equitable interest in the property sold at the tax sale and creditors of the taxpayer having a lien on the property..." It is clear REO Holdings obtained its interest after the tax sale date. However, this subsequent conveyance does not diminish or invalidate REO Holdings' redemption rights under the statute. *Marsh v. Store, E2011-00101-COA-R3-CV (January 26, 2012).*

Based on the documents filed in this matter and the applicable case law the Master finds that REO Holdings has a valid legal interest in the property and is entitled to redeem the property pursuant to T.C.A.§ 67-5-2701. Therefore, the Master recommends that the redemption by REO Holdings be completed.

A hearing date on this matter was set for July 29, 2014. In light of the above the hearing has been cancelled.

The parties have ten (10) days from receiving this report to file objections pursuant to Rule 53 of the Tennessee Rules of Civil Procedure. Absent objections filed within this time allowed by law, the report will be confirmed.

Respectfully submitted,

Cristi Scott

CRISTI SCOTT
CLERK AND MASTER

Rule 53 Certification

A copy of this Master's Report has been served by U.S. Mail, postage prepaid, upon all parties or their counsel named below on this the 18th day of July 2014.

Deputy Clerk and Master
Chancery Court

cc:

Michael T. Stevenson
1210 SE 14th Street
Deerfield Beach, FL 33441

Charles E. Walker, Esq.
69 Thompson Lane
Nashville, TN 37211
Attorney for REO Holdings, LLC. (redeeming party)

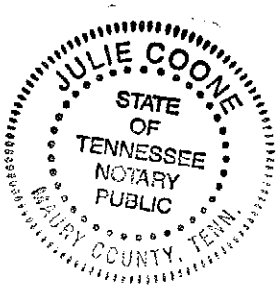
CERTIFICATE OF AUTHENTICITY

I, Charles Walker, 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.

CHARLES WALKER

State of Tennessee
County of Davidson

Personally appeared before me, Julie Coone, a notary public for this county and state, Julie Coone, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.



JULIE COONE, NOTARY PUBLIC
My commission expires: May 24, 2017