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Dav. Co. Chancery Court

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

FILED
2014 DEC -2 AM 11:46
CLERK & MASTER
DAVIDSON CO CHANCERY CT

PUNEET MAHAN	)	
	)	
Plaintiff,	)	
	)	
v.	)	**DOCKET NO. 14-1333-IV**
	)	
MRK INVESTMENTS, INC.,	)	
ITS SUCCESSORS AND ASSIGNS,	)	
	)	
Defendants.	)	

FO4

ORDER TO APPROVE NOTICE BY PUBLICATION AND FOR DEFAULT JUDGMENT

The Motion of the Plaintiff, Puneet Mahan, for Approval of Notice by Publication and Default Judgment as to the Defendants, MRK Investments, Inc., its Successors and Assigns in this cause was made pursuant to TRCP 55 and was scheduled to be heard on November 7, 2014. It appears to the Court that the Complaint was filed in this Court on September 17, 2014 and that the title to the real property described as 1259 Lewis Street, Nashville, Davidson County, Tennessee 37210 (the "Property"), was vested in Plaintiff pursuant to the Final Decree Confirming Sale of record in Instrument No. 20120221-0015002, in the Register's Office for Davidson County, Tennessee. Notice of the 2011 tax sale was properly advertised in *The Tennesseean* according to the Report of Sale and in accordance with Tenn. Code Ann. § 67-5-2502. Notice of said sale was also sent to the record owner, MRK Investments, Inc., at the address of record in the office of the assessor of property pursuant to Tenn. Code Ann. § 67-5-2502(a)(3). Defendants thus had actual and constructive notice of the aforementioned tax sale of the Property, and the Property is currently unimproved land. The Defendants were served by Order of Publication published in *The Tennesseean* on September 26, October 3, October 10 and October 17,

BILL GARRETT, Davidson County
Trans:T20140097387 ORDER
Recvd: 12/31/14 08:40 5 pgs
Fees:27.00 Taxes:0.00
20141231-0119041

2014. It also appears to this Court that no answer or other defense has been filed by the Defendants nor has any response been timely filed or served on counsel for the Plaintiff. It is hereby

ORDERED, ADJUDGED AND DECREED that notice was properly served upon the Defendants by publication as the Defendants are deceased or otherwise not to be found; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff in this action is entitled to a Default Judgment against the Defendants MRK Investments, Inc., its Successors and Assigns; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 1259 Lewis Street, Nashville, Davidson County, Tennessee 37210 under the Defendants, 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 Defendants MRK Investments, Inc., its Successors and Assigns in the real property described as follows:

> Land in Davidson County, Tennessee, being Lot No. 39 on the Trimble Plan of National Hills, as of record in Book 21, page 103, Register's Office for said County.
>
> Said Lot No. 39 fronts 50 feet on the westerly side of Lewis Street, formerly East Hill Street, and extends back between parallel lines, 120 feet to an alley.

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 Plaintiff since service was obtained by publication.

ENTERED this _____ day of _____, 2014.

RUSSELL T. PERKINS
CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 11th DAY OF Dec. 2014
CRISTI SCOTT, CLERK & MASTER
BY: _____ D.C.
DEPUTY

APPROVED FOR ENTRY

RUDY, PAULUS & CARNEY, PLLC

C. Loy Carney, Esq. (BPR #29984)
2012 21st Avenue South
Nashville, Tennessee 37212
Phone: (615) 383-2903
Fax: (615) 383-2412
Email: loy@rudytitle.com

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been served upon:

MRK Investments, Inc.,
its Successors and Assigns
305 Catspaw Ct.
Antioch, TN 37013

by placing the same, certified mail, return receipt requested, in the United States mail on this the 10 day of November, 2014.

C. Loy Carney, Esq.
Rudy, Paulus & Carney, PLLC

This Instrument Prepared By and Return To:
Rudy Title and Escrow, LLC
2012 21st Avenue South
Nashville, TN 37212
(615)383-2903

SPECIFIC POWER OF ATTORNEY

Know all men by these presents:

That I, **PUNEET MAHAN**, by these presents do hereby make, constitute and appoint **SWATI P. PATEL** as my true and lawful attorney-in-fact, with full and complete power to do any and all things and to perform any and all acts for me, and in my stead, including but not limited to the execution of any contracts, deeds, deeds of trust, settlement statements or instruments of encumbrance, or any other papers connected with the closing of the property described herein:

Land in Davidson County, Tennessee, being Lot No. 39 on the Plan of John Trimbles Plan of National Hills of record in Plat Book 21, Page 103, the Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description of the property.

Property Address: **1259 Lewis Street , Nashville, Tennessee 37210**.

This power of attorney shall be deemed to be a durable power of attorney as defined by the Uniform Durable Power of Attorney Act (T.C.A. Section 34-6-101, et seq.), and shall not be affected by the subsequent disability or in capacity of the undersigned.

I ratify and confirm all acts done by my attorney-in-fact under this durable power of attorney. All third parties acting in good faith reliance on this power of attorney shall be absolved of any liability pursuant to the provisions of the Uniform Durable Power of Attorney Act.

This Power of Attorney shall remain in full force and effect until revocation hereof shall have been recorded in the Register's Office of **DAVIDSON** County, Tennessee, or until the matters authorized hereby have been fully performed, whichever shall first occur.

It is my intent to make the said **SWATI P. PATEL** my full and complete Attorney-in-Fact for the above-mentioned purposes whatsoever.

In witness whereof, I have hereunto set my hand this the 29th day of December, 2014.

Puneet Mahan

STATE OF TN)

COUNTY OF Davidson)

Before me, the undersigned Notary Public in and for said County and State, personally appeared **PUNEET MAHAN** with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the foregoing Power of Attorney for the purposes herein set forth.

Witness my hand and official seal of office at this the 29 day of December, 2014.

Notary Public
My Commission Expires: 8-17-2015

(SEAL)

ALISON RODGERS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires 08-17-2015