IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

PATRICIA D. MITCHELL)
)
Plaintiff,) Case No. 15-68-I
)
v.)
)
UNKNOWN JOHN DOES,)
)
Defendants.)

F044

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2015 APR 16 PM 2:47

FILED

ORDER

This cause came to be heard on April 10, 2015, upon a Motion for Default Judgment filed by Plaintiff, Patricia D. Mitchell. Plaintiff's counsel appeared at the hearing, and no person appeared on behalf of any Defendant. No response in opposition to the Motion was filed.

Upon argument of counsel and examination of the record, the Court finds the Motion to be well taken and it is therefore **GRANTED**. In doing so, the Court finds as follows:

1. On January 16, 2015, Plaintiff filed a Complaint to quiet the title to real property known as 3026 Batavia Street, Nashville, Davidson County, Tennessee.

2. All persons known and unknown were constructively served with the Complaint by Order of Publication. Publication dates were January 23, January 30, February 6, and February 13 of 2015.

3. No Defendant has pleaded or otherwise defended the Complaint in the time permitted by law. Furthermore, Counsel for Plaintiff has represented to the Court that no papers in response to the Complaint were served upon him.

4. By failing to plead or otherwise defend the Complaint, all Defendants have admitted Plaintiff's allegations of fact, as well as all inferences and conclusions of fact that arise from those allegations.

BILL GARRETT, Davidson County
Trans:T20150031603 ORDER
Recvd: 04/27/15 10:23 3 pgs
Fees:17.00 Taxes:0.00
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5. Plaintiff and those through whom she claims have paid all state and county taxes continuously for 3026 Batavia Street, Nashville, Tennessee for the prior 20 years with their deeds recorded in the Register's Office of Davidson County, Tennessee. Therefore, Patricia D. Mitchell is presumed to be the prima facie owner of this property pursuant to T.C.A. §28-2-109.

6. Accordingly, title to 3026 Batavia Street, Nashville, Davidson County, Tennessee is divested from all persons known or unknown and is vested in fee to Patricia D. Mitchell, such property being more fully described as follows:

> Land in Davidson County, Tennessee, being the middle part of the lots 1 to 4, both inclusive, of Block "A" on the map of Fisk University Place, of record in Book 421, pages 4 and 5, Register's Office for said County, described as follows:
>
> BEGINNING at a point in the north margin of Batavia Street, 50.1 feet east from the east margin of 31st Avenue North, thence northerly parallel to the east margin of 31st Avenue North, 113.33 feet more or less to the line of Lot No. 5; thence with the line between Lots No. 4 and 5. Easterly 50 feet to a point 100 feet east from the east margin of 31st Avenue North, 115.66 feet more or less to the north margin of Batavia Street; thence with the margin of said Street, westerly 50.1 feet to the point of beginning. Said tract being unimproved.
>
> Being the same property conveyed to Patricia D. Mitchell via Quitclaim Deed by Rosa D. Mitchell and Richard Manson, of record in in Book 9666, Page 381, Register's Office for Davidson County, Tennessee.
>
> This is unimproved property known as 3026 Batavia Street, Nashville, Tennessee.

7. All deeds in the chain of title for 3026 Batavia Street, Nashville, Tennessee that describe the property as lying in Fisk University Subdivision are amended and revised to reflect that the property lies in Fisk University Place.

8. All persons known or unknown, or any person claiming under them, are forever barred from claiming an interest in 3026 Batavia Street, Nashville, Tennessee.

9. Any outstanding costs in this matter are taxed to the Plaintiff.

IT IS SO ORDERED.

Claudia Bonnyman, Chancellor

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE THIS 22nd DAY OF APRIL 2015
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

APPROVED FOR ENTRY:

Christopher English Hugan #22853
Film House Building
810 Dominican Drive
Nashville, Tennessee 37228
615.669.7299
Counsel for Plaintiff