MB 137 Page 795

**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 **2011** REAL PROPERTY TAX RECORDS OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

**ESTATE & HEIRS OF HARRISON, CARRIE M A**

**Bill No: 46401**
**Map & Parcel No: 052160A06400CO**

RECEIVED
APR 10 2015
Davidson County Chancery Court

**REAL PROPERTY**

Tax Civil Action
No. **13-299-II**

FILED
2015 APR 16 PM 2:09
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

Davidson County ROS
Recvd: 04/28/15 16:12 7 pgs
Fees:38.00 Taxes:16.29
**20150428-0038089**

**DECREE FOR REDEMPTION**

It appearing to this Honorable Court that **ESTATE & HEIRS OF HARRISON, CARRIE M A,** 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:

**1301 NEELYS BEND RD G64, MADISON 37115**
**Map & Parcel No: 052160A06400CO**

1. That all the right, title and interest of the purchaser(s), **JIM ATTAR,** and said parcel of land be divested out of **JIM ATTAR** and be vested into **ESTATE & HEIRS OF HARRISON, CARRIE M A.**

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

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.

3. 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 $ 4401.56

DEPUTY CLERK & MASTER

Carol L McCoy

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

J. Brooks Fox, # 16096
Margaret O. Darby, #20701
Jason P. Bobo, #29756
Assistant Metropolitan Attorneys
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 copy of original instrument filed in my office.
This 16th day of April, 2015
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 10th day of April, 2015.

ESTATE & HEIRS OF HARRISON, CARRIE M A
1301 NEELYS BEND RD G64
MADISON, TN 37115

JIM ATTAR
1053 WLANUT BEND LANE
BRENTWOOD, TN 37027

REO HOLDINGS, LLC
C/o Charles Walker, Atty
69 Thompson Ln
Nashville, TN 37211

**METRO MAIL**
Metropolitan Assessor
Metropolitan Trustee

Jason P. Bobo

JASON P. BOBO

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

11-5-14

METROPOLITAN GOVERNMENT, ETC

13-299-II VS. 052160A06400CO 46401

DELINQUENT TAXPAYERS ETC.
(Estate & Heirs of Carrie M.A. Harrison)

TO: Jim Attar
1053 Walnut Bend Lane
Brentwood TN 37027

METRO DEPT. OF LAW
2015 APR -3 AM 9:02
METRO GOV'T OF NASHVILLE & DAVIDSON CO

## NOTICE OF REDEMPTION PROCESS

YOU ARE HEREBY NOTIFIED THAT ON 11/04/2014, 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 Regina Allen
Deputy Clerk and Master

DATE 11-4-2014

Payer of Funds to Redeem:
REO Holdings, LLC
c/o Charles Walker, Attorney
69 Thompson Lane
Nashville TN 37211

Address of new owner and tax bills

| | |
|---|---|
| Purchase Price: | $13,000.00 |
| Date Purchase Paid: | 06/25/2013 |
| Redemption Date: | 11/04/2014 |
| Redemption Amount Paid: | $4,401.56 |
| Interest to Date: | $474.81 |

2014 NOV -4 PM 3:45
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C. & M.

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

2015 APR -1 AM 11:40
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<br>)Number 13-299-II |
| DELINQUENT TAXPAYERS (real property)<br>(Estate and Heirs of Harrison, Carrie M.) | ) |
| Defendant. | ) |

**ORDER**

A Report and Recommendation of the Master was filed on December 10, 2014 as follows:

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 Jim A. Attar at the delinquent real property tax sale on June 18, 2014. The Purchaser complied with his bid and paid thirteen thousand dollars ($13,000) to the Clerk and Master on June 25, 2014. The Final Decree Confirming the Sale was entered on August 19, 2014. On November 4, 2014, REO Holdings, LLC ("REO Holdings") tendered funds to redeem the real property described as:

1301 Neelys Bend Rd G64, Madison 37115
Map and Parcel No. 052160A06400CO
Deed Book 00007154 Page 0000646
0.0 acres

On November 14, 2014, the Purchaser filed an Objection contesting the legal

authority of REO Holdings to redeem the property arguing that there was no evidence in the record that Charles Walker Attorney nor REO Holdings, LLC have or held, a legal or equitable interest in the property prior to the tax sale or are otherwise entitled to redeem the property.

On November 25, 2014, Attorney Charles Walker filed A *Response with Authority Supporting REO Holdings, LLCs Right to Redeem* with copies of the following:

1. Quitclaim Deed executed by Karen V. Amos to REO Holdings, LLC, Instrument No. 20141104-0101784. (Exhibit B)
2. Affidavit of Heirship from Kim Watkins, Instrument No. 20141104-0101489 recorded at the Davidson County Register of Deeds Office on November 4, 2014. (Exhibit C)

Carrie G. Harrison, a widow, died intestate on or about August 9, 2013. She was survived by her daughter, Karen V. Amos, as her sole heir at law and beneficiary (Affidavit of Heirship-Exhibit C to Response and Obituary Exhibit 1). Therefore, her interest in the property passed to her daughter, Karen V. Amos.

Karen V. Amos quitclaimed her interest in the property to REO Holdings, LLC on November 3, 2014 (see Quitclaim Deed-Exhibit B to Response).

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..." The statutory right of redemption may be sold or transferred as an estate or interest in land. *State v. Delinquent Taxpayers*, M2002-00718-COA-R3-CV, 2003 WL 21171858 (Tenn.Ct.App. 2003). 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.

Purchaser submitted claims for the certified copy of the Final Decree Confirming the Sale; the recording of the deed with the Office of the Register of Deeds; Association Fees from September 2014 to January 2015; and the cost to re-key the door for a total claim of $1,208.60. REO Holdings agreed to pay the claim if the redemption was allowed to be completed. Interest shall be calculated from the date of the start of the redemption period November 4, 2014 until the date of Purchaser's Objection, November 26, 2014.

There were no objections filed to this report within the time allowed by law; therefore, this report is hereby confirmed.

IT IS SO ORDERED.

Carol L. McCoy

CAROL L. MCCOY
Chancellor

cc:

Jim A. Attar
1053 Walnut Bend Lane
Brentwood, TN 37027
Purchaser

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

OATH OF CONSIDERATION:

SS.
STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION FOR THIS TRANSFER IS $ 4,401.56 .

AFFIANT
SWORN TO AND SUBSCRIBED BEFORE ME THIS 28th DAY OF April, 2015.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 5-24-17

JULIE COONE STATE OF TENNESSEE NOTARY PUBLIC MAURY COUNTY, TENN.

**ADDRESS OF NEW OWNER:**
**SEND TAX BILLS TO SAME ADDRESS:**

REO HOLDINGS, LLC
69 THOMPSON LANE
NASHVILLE, TENNESSEE 37211

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, Charles Walker, 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

JULIE COONE STATE OF TENNESSEE NOTARY PUBLIC MAURY COUNTY, TENN.