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Dav. Co. Chancery Court

**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 GARDNER, MARY ALICE**

**Bill No: 129813**
**Map & Parcel No: 107050B21200CO**
**212 Oak Grove Dr., Nashville, TN**

**REAL PROPERTY**

Tax Civil Action

No. **13-299-II**

FILED
2015 OCT -7 PM 4:36
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

**AGREED ORDER WITHDRAWING REDEMPTION FILED BY REO HOLDINGS, LLC, AND DISBURSING OVERAGE PROCEEDS**

* * * * *

**THIS** matter is before this Court by a Joint Motion filed by REO Holdings, LLC, by and through its counsel, the tax sale purchaser, Cason A. Dickinson, by and through his attorney, and the taxpayer defendants, Estate and Heirs of Mary Alice Gardner, Marcia Turner, by and through their attorney, moving this Court for an ORDER Withdrawing the Redemption filed by REO Holdings, LLC, and disbursing the overage proceeds from the tax sale of the subject property. This court having reviewed the *Joint Motion to Withdraw Redemption filed by REO Holdings, LLC, and disburse overage proceeds* and being sufficiently advised in the premises;

**IT IS ORDERED** as follows:

BILL GARRETT, Davidson County
Trans:T20150086245 ORDER
Recvd: 10/09/15 10:51 4 pgs
Fees:22.00 Taxes:0.00
20151009-0103113

1. The redemption filed by REO Holdings, LLC, on September 9, 2014, is hereby withdrawn and dismissed with prejudice.

2. REO Holdings, LLC, paid into the Court to begin the Redemption process $5,457.38, Receipt # 266002, and $2,073.73 paid into the Court on October 13, 2014, Receipt # 266596 for claims, these amounts shall be returned to REO Holdings, LLC, since the Redemption has been withdrawn and dismissed with prejudice.

3. As a result of REO Holdings, LLC, withdrawing the Redemption on the subject property and the statutory period for redemption having expired January 9, 2015, this Court quiets the title in the tax sale purchaser, Cason A. Dickinson, for which a Writ of Possession will issue if necessary.

4. As a further result of REO Holdings, LLC, withdrawing the Redemption of the subject property overage proceeds now exist as a result of the tax sale. By agreement of all the parties with an interest in the overage proceeds, those being Regions Bank, Marcia Turner by and through the estate and heirs of Mary Alice Gardner, and REO Holdings, LLC, this Court is ordering the excess proceeds created as a result of the withdrawal of Redemption by REO Holdings, LLC, be disbursed as follows:

a. $2,451.20 payable to Regions Bank for payoff balance on the Deed of Trust on referencing Mary A. Gardner, property address, 212 Oak Grove Dr, Nashville, Tennessee, 37217, Instrument #20080117-005346, and mail check to R. Todd Mishkin, Regions Bank, 2050 Parkway Office Circle, Hoover, Alabama, 35244.

b. $2,500.00 payable to W. Gary Blackburn, Attorney for Marcia Turner, John Gardner, and William Rogers, and mailed to: W. Gary Blackburn, Attorney, The Blackburn Firm, PLLC, 213 5th Avenue North, Suite 300, Nashville, Tennessee, 37219.

c. The Balance of the overage proceeds shall be held for payment to REO Holdings, LLC, by the Clerk and Master pursuant to a temporary injunction issued by Chancellor Lyle in Part III of the Davidson County Chancery Court. Upon further ORDER by Chancellor Lyle in Part III of the Davidson County Chancery Court the Clerk and Master shall disburse said funds forthwith in accordance with said Order.

Costs of this cause shall be taxed equally between REO Holdings, LLC, and Mr. Cason A. Dickinson.

ENTER this ___ day of _____, 2015

Carol L. McCoy

CAROL L. MCCOY
CHANCELLOR

**APPROVED FOR ENTRY:**

Charles Walker

Charles Walker, BPR #021277
*Attorney for REO Holdings, LLC*
69 Thompson Lane
Nashville, Tennessee 37211
Office: (615) 367-5111
Fax: (615) 383-1154

I hereby certify that this is a true copy of original instrument filed in my office.
This 7th day of October 2015
CRISTI SCOTT, Clerk & Master
By _____ Deputy

Winston Evans w/ permission

Winston S. Evans, Esq.
*Counsel for Tax Sale Purchaser*
Evans, Jones & Reynolds, P.C.
710 Suntrust Plaza
401 Commerce St
Nashville, Tennessee 37219

Gary Blackburn w/ permission

W. Gary Blackburn, BPR # 003484
*Attorney for Marcia Turner, John Gardner, and William Rogers*
The Blackburn Firm, PLLC
213 5th Avenue North
Suite 300
Nashville, Tennessee 37219
Office: (615) 254-7770
Fax: (866) 895-7272

**CERTIFICATE OF SERVICE:**

Undersigned counsel for REO Holdings, LLC, Redemptioner, hereby certifies that a true and accurate copy of the foregoing has been served as follows:

(1) Metro Government of Nashville and Davidson County
Metro Legal
Metro Courthouse, Suite 108
P.O. Box 196300
Nashville, Tennessee 37219

MANNER OF SERVICE: First Class Mail
THIS 21 day of September, 2015,

Charles Walker