BILL GARRETT, Davidson County
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20151009-0103200

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

UP DEVELOPMENT, LLC Plaintiff, vs. THE ESTATE OF RICHARD ANDREW KONICKI, VENUS KONICKI REDMAN, CREDITTHRIFT OF AMERICA, INC., BANK OF NASHVILLE, BANK OF AMERICA N.A., GE CAPITAL RETAIL BANK, REGIONS BANK, CORNERSTONE FINANCIAL CREDIT UNION, METROPLEX INVESTMENTS INC., D.B. SERVICING CORP., CITIBANK N.A., AND THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS. Defendants.	)	NF Case No: 15-662-III

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SEP 11 2015
Dav. Co. Chancery Court

FILED
2015 SEP 18 AM 11:13
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B.C. & M.

DEFAULT JUDGMENT

The Motion of the Plaintiff, Up Development, LLC for a Default Judgment as to Defendants, Regions Bank, Synovus Bank, Cornerstone Financial Credit Union, Bank of Nashville, the Estate of Richard Andrew Konicki, GE Capital Retail Bank, Venus Konicki Redman, Bank of America, Citibank, N.A., Metroplex Investments Inc. and D. B. Servicing Corp. and their heirs, successors, personal representatives and assigns, in this cause was made pursuant to TRCP 55 and was set to be heard on Friday, August 21, 2015. It appears to the Court that the Complaint was filed with this court on June 2, 2015 and that title to the real property described at 726 and 728 27th Avenue North, Nashville, Davidson County, Tennessee 37208

(hereinafter the Property) was vested in the Plaintiff pursuant to the Final Decree Confirming Sale of record in Instrument 20130202-0009507, Register's Office for Davidson County, Tennessee. The Defendants, Regions Bank, Synovus Bank, Cornerstone Financial Credit Union, Bank of Nashville, The Estate of Richard Andrew Konicki, GE Capital Retail Bank, Venus Konicki Redman, Bank of America, Citibank, N.A., Metroplex Investments, Inc. and D. B. Servicing Corp. and their heirs, successors, personal representatives and assigns were served with a summons and a copy of the complaint. Defendant, Regions Bank was served by certified mail on June 8, 2015. Defendant Synovus Bank was served by certified mail on June 8, 2015, Defendant, Metroplex Investments, Inc. was served by a summons and copy of the complaint on June 9, 2015. Defendant, D. B. Servicing Corp. was served by summons and a copy of the complaint on June 11, 2015, Defendant, Cornerstone Financial Credit Union was served by summons and a copy of the complaint on or before June 11, 2015, Defendant, Bank of Nashville was served by summons and a copy of the complaint on June 8, 2015, Defendant, The Estate of Richard Andrew Konicki was served by summons and copy of the complaint on June 11, 2015, Defendant, GE Capital Retail Bank was served by summons and copy of the complaint on June 9, 2015, Defendant, Venus Konicki Redman was served by summons and copy of the complaint on June 11, 2015, Defendant, Citibank was served with a Summons and copy of the complaint on June 12, 2015 and Defendant, Bank of America was served by summons and copy of the complaint on June 9, 2015.

It also appears to this Court that no answer or other defense has been filed by the Defendants, Regions Bank, Synovus Bank, Cornerstone Financial Credit Union, Bank of Nashville, the Estate of Richard Andrew Konicki, GE Capital Retail Bank, Venus Konicki Redman, Bank of America, Citibank, N.A., Metroplex Investments Inc. and D. B. Servicing Corp. and their heirs,

successors, personal representatives and assigns, nor has any response been timely filed or served on counsel for the Plaintiff. It is hereby

ORDERED, ADJUDGED AND DECREED that the Plaintiff in this action is entitled to a Default Judgment against the Defendants, Regions Bank, Synovus Bank, Cornerstone Financial Credit Union, Bank of Nashville, the Estate of Richard Andrew Konicki, GE Capital Bank, Venus Konicki Redman, Bank of America, Citibank, M.A., Metroplex Investments Inc. and D. B. Servicing Corp and their heirs, successors, personal representatives and assigns; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any persons claiming title to the real property known as 726 and 728 27th Avenue North, Nashville, Tennessee 37208 (hereinafter the Property) under the Defendant, Regions Bank, Synovus Bank, cornerstone Financial Credit Union, Bank of Nashville, the Estate of Richard Andrew Konicki, GE Retail Capital Bank, Venus Konicki Redman, Bank of America, Citibank, N.A., Metroplex Investments Inc. and D. B. Servicing Corp, and their heirs, successors, personal representatives and assigns 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, Regions Bank, Synovus Bank, Cornerstone Financial Credit Union, Bank of Nashville, the Estate of Richard Andrew Konicki, GE Retail Capital Bank, Venus Konicki Redman, Bank of America, Citibank, M.A., Metroplex Investments Inc. and D. B. Servicing Corp., and their heirs, successors, personal representatives and assigns in the real property described as follows:

> Tract 1: 726 27th Avenue North
> Land in Davidson County, Tennessee, being Lot No. 23 on the plan of J.W. Turners Subdivision of Lot No. 21, Boyd McNairy's plan, of record in Book 57, Page 129, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description thereof.

Said Lot No. 23 fronts 50 feet on the easterly side of 27th Avenue North, and extends back between parallel lines 184.0 feet to an alley.

Being the same property transferred to Up Development, LLC by Final Decree Confirming Sale in Case No. 13-299-II, Chancery Court for Davidson County, Tennessee, of record in the Register of Deeds of Davidson County, Tennessee as recorded in 20130202-0009504, Register's Office for Davidson County, Tennessee.

This is improved Property commonly known as 726 27th Avenue North, Nashville, Tennessee.

Tract 2: 728 27th Avenue North

Being Lot No. 25 on the J.W. Turner's Subdivision of Lot 21, Boyd McNairy's Plan as of record in Book 57, Page 129, Register's Office for Davidson County, Tennessee.

Said Lot fronts 50.0 feet on the easterly side of 27th Avenue North (formerly Lena Avenue) and extends back between parallel lines 184.0 feet to an alley.

Being the same property transferred to Up Development, LLC by Final Decree Confirming Sale in Case No. 13-200-II, Chancery Court for Davidson County, Tennessee, of record in the Register of Deeds of Davidson County, Tennessee as recorded in 20150202-0009503, Register's Office for Davidson County, Tennessee.

This is improved Property commonly known as 728 27th Avenue North, Nashville, Tennessee.

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, Up Development, LLC, for which execution may issue if necessary.

ENTERED this _____ day of _____, 2015

Ellen Hobbs Lyle

ELLEN HOBBS LYLE, CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 8th DAY OF October 2015
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

Respectfully submitted,

ROBERT J. NOTESTINE III
Attorney for the Plaintiff,
Up Development, LLC
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Nashville, Tennessee 37205
(615) 297-1568, Ext. 11
(615) 297-2413 (fax)
bob@notestinelaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Motion for Default Judgment, was served on the Defendants, Venus Konicki Redman, 1033 Gay Court, Murfreesboro, Tennessee 37128, Bank of America, N.A. c/o American Infosource, 4515 North Santa Fe Avenue, Oklahoma City, OK 73118, Bank of Nashville, f/k/a Synovus Bank, 401 Church Street, Nashville, TN 37219, Citibank N.A., 399 Park Avenue, New York, NY 10022, Cornerstone Financial Credit Union c/o Hank Flury, Registered Agent, 1701 21st Avenue South, Nashville, TN 37212, GE Capital Retail Bank, c/o Ron Cunningham, Esq., 1810 Allor Avenue, Knoxville, Tennessee 37921, D. B. Servicing Corp, 1209 Orange Street, Wilmington, DE, 19801, Metroplex Investments, 5129 Highland Drive, S-700, Antioch, Tennessee, 37013, Credit Thrift of America, Inc., 2708 Nolensville Road, Nashville, TN 37211, Metroplex Investments, Inc., c/o Bright C. Usch, Registered Agent, 5129 Highlander Drive, Suite 200, Antioch, Tennessee 37013, Regions Bank, Corporation Service, Registered Agent, 2908 Poston Avenue, Nashville, TN 37203, The Estate of Richard Andrew Konicki, c/o Venus Konicki Redman, 1033 Gay Court, Murfreesboro, TN 37128 on this 10th day of September, 2015.

Robert J. Notestine III