BILL GARRETT, Davidson County
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20160202-0010243

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

FARRIS YOUNG, AND BRENDA YOUNG,	)
Plaintiffs,	)
v.	)
RICKY TEMPLE, SR., LINDA TEMPLE, AND THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS, CSH FUND IV, LLC, ITS SUCCESSORS AND ASSIGNS, AND METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY,	)
Defendants.	)

RECEIVED
JAN 14 2016
FOHT Dav. Co. Chancery Court

DOCKET NO. 15-0795-III

FILED
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CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.&M.

ORDER TO APPROVE NOTICE BY PUBLICATION AND FOR DEFAULT JUDGMENT

The Motion of the Plaintiffs, Farris Young and Brenda Young, for Approval of Notice by Publication and Default Judgment as to the Defendants Ricky Temple, Sr., Linda Temple, and their heirs, successors, personal representatives and assigns in this cause was made pursuant to TRCP 55 and was scheduled to be heard on January 8, 2016. It appears to the Court that the Complaint was filed in this Court on July 2, 2015 and that the title to the real property described as 5804 Ethel Street, Nashville, Tennessee 37209 (the "Property"), was vested into The Metropolitan Government of Nashville and Davidson County, Tennessee pursuant to the Final Decree Confirming Sale of record in Instrument No. 20130822-008823, in the Register's Office for Davidson County, Tennessee. Title was subsequently vested into Plaintiffs pursuant to a Quitclaim Deed from The Metropolitan Government of Nashville and Davidson County, Tennessee, of record in Instrument No. 20150414-0032801, in the Register's Office for Davidson County, Tennessee. Notice of the 2012 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 owners, Ricky Temple, Sr. and Linda Temple 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 11, September 18, September 25 and October 2, 2015. It also appears to this Court that no answer or other defense has been filed by the Defendants Ricky Temple, Sr., Linda Temple, or their heirs, successors, personal representatives or assigns nor has any response been timely filed or served on counsel for the Plaintiffs. Plaintiffs have dismissed their claims against Defendants Metropolitan Government of Nashville and Davidson County and CSH Fund IV, LLC with prejudice. It is hereby

ORDERED, ADJUDGED AND DECREED that notice was properly served upon the Defendants Ricky Temple, Sr., Linda Temple, and their heirs, successors, personal representatives and assigns by publication as the Defendants are deceased or otherwise not to be found; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiffs in this action are entitled to a Default Judgment against the Defendants Ricky Temple, Sr., Linda Temple, 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 5804 Ethel Street, Nashville, Tennessee 37209 under the Defendants Ricky Temple, Sr., Linda Temple, 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 Ricky Temple, Sr., Linda Temple, and their heirs, successors, personal representatives and assigns in the real property described as follows:

> Being the southerly 80 foot part of Lots Nos. 76 and 77 on the Plan of the Subdivision of Lots Nos. 89 and 40 of the B.F. Cockrill Farm, as of record in Book 332, page 41, Register's Office for said County.

Said part of Lot Nos. 76 and 77 adjoin and front together 100 feet on the southerly side of Mackie Street and run back between parallel lines with the easterly margin of Ethel Street, 80 feet to a dead line on the rear.

IT IS vested in the Plaintiffs; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this cause shall be taxed to the Plaintiffs since service was obtained by publication.

ENTERED this _____ day of _____, 2015.

Ellen Hobbs Lyle

Ellen Hobbs Lyle, Chancellor

APPROVED FOR ENTRY

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 26 DAY OF February 2016
MARIA M. SALAS, CLERK & MASTER
BY _____ DEPUTY

RUDY, PAULUS & CARNEY, PLLC

C. Loy Carney

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Email: loy@rudytitle.com

Attorney for Plaintiffs

CERTIFICATE OF SERVICE

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

Ricky Temple, Sr., Linda Temple and their heirs, successors, personal representatives and assign
5804 Ethel St.
Nashville, TN 37209

by placing the same, postage prepaid in the United States mail on this the 13 day of January, 2016.

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