Karen Y Johnson Davidson County
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SEP - 6 2018
Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

FILED
2018 SEP 12 PM 3:44
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
C. & M.

L. SHANE WHITEHEAD,	
PLAINTIFF,	
VS.	
MARVIN MASHATT, BRAD REYNOLDS, AND RUTH M. FORAN	
DEFENDANT.	

NF
DOCKET ~~NO. 18-695-III~~
#18-0696-III

ORDER

THIS CAUSE came to be heard on the 31st day of August, 2018, before the Honorable Judge Ellen Hobbs Lyle, Chancellor for Part III, Chancery Court for Davidson County, Tennessee, upon **PLAINTIFF L. SHANE WHITEHEAD'S** Motion For Default Judgment against **DEFENDANT MARVIN MASHATT**, and upon review of **PLAINTIFF L. SHANE WHITEHEAD'S** Motion for Default Judgment against **DEFENDANT MARVIN MASHATT**; and statement of Counsel for **PLAINTIFF L. SHANE WHITEHEAD** in Open Court; and it appearing to the Court that **DEFENDANT MARVIN MASHATT** was duly served with a copy of the summons and Verified Complaint on June 29, 2018, as fully appears in the record of this Court; and **DEFENDANT MARVIN MASHATT** has failed to plead or otherwise make defense in this cause; and it further appearing to the Court that **DEFENDANT MARVIN MASHATT** was given proper notice to appear in Court on August 31, 2018, on **PLAINTIFF L. SHANE WHITEHEAD'S** Motion for Default Judgment against **DEFENDANT MARVIN MASHATT**; and it further

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LEGAL DOCUMENT

appearing to the Court that **DEFENDANT MARVIN MASHATT** did not appear in Open Court on August 31, 2018, for said hearing on **PLAINTIFF L. SHANE WHITEHEAD'S** Motion for Default Judgment against **DEFENDANT MARVIN MASHATT;** and after review of the record as a whole, and the relief sought by **PLAINTIFF L. SHANE WHITEHEAD'S** Verified Complaint, from all of which, the Court hereby grants **PLAINTIFF'S** Motion for Default Judgment against **DEFENDANT MARVIN MASHATT**; and the Court further finds that **PLAINTIFF L. SHANE WHITEHEAD** shall be awarded a judgment in the amount of Twenty Five Thousand ($25,0000.00) Dollars against the **DEFENDANT MARVIN MASHATT** for which execution may issue. The Court further finds that the Quit Claim Deed of the subject real estate known as 114 Lucille Street, Nashville, Davidson County, Tennessee 37207, recorded in the Register's Office for Davidson County, Tennessee on October 13, 2017, in Instrument No. 2017/013-0104918 is a forged QuitClaim Deed, in that **PLAINTIFF L. SHANE WHITEHEAD'S** signature to said QuitClaim Deed was forged by the **DEFENDANT MARVIN MASHATT**. The Court further finds the conveyance of the subject real known as 114 Lucille Street, Nashville, Tennessee 37207 by said QuitClaim Deed is declared **null and void**. The Court further finds that the title to the subject real estate located at 114 Lucille Street, Nashville, Tennessee 37207 is vested in **PLAINTIFF L. SHANE WHITEHEAD**.

The Court further finds that a certified copy of this Order shall be duly recorded in the Register's Office for Davidson County, Tennessee, to establish that **PLAINTIFF L. SHANE WHITEHEAD** is the rightful owner of 114 Lucille Street, Nashville, Davidson County, Tennessee, 37207.

The Court further finds that **PLAINTIFF L. SHANE WHITEHEAD'S** request for the award of attorney fees and other relief against **DEFENDANT MARVIN MASHATT** is hereby reserved. Therefore, it is hereby:

ORDERED, ADJUDGED and DECREED that **PLAINTIFF L. SHANE WHITEHEAD'S** Motion for Default Judgment against **DEFENDANT MARVIN MASHATT** is hereby granted.

It is further **ORDERED, ADJUDGED and DECREED** that the Verified Complaint shall be taken as confessed against **DEFENDANT MARVIN MASHATT**, and that the relief sought by **PLAINTIFF L. SHANE WHITEHEAD** in this Verified Complaint against **DEFENDANT MARVIN MASHATT** is hereby granted.

It is further **ORDERED, ADJUDGED and DECREED** that **PLAINTIFF** shall have and recover a judgment against the **DEFENDANT MARVIN MASHATT** in the amount of Twenty Five Thousand ($25,000.00) Dollars for which execution may issue.

It is further **ORDERED, ADJUDGED and DECREED** that the QuitClaim Deed of the subject real estate known as 114 Lucille Street, Nashville, Davidson County, Tennessee 37207, dated October 4, 2017, wherein **DEFENDANT MARVIN MASHATT** forged **PLAINTIFF L. SHANE WHITEHEAD'S** name to said QuitClaim Deed, which was recorded in Instrument No. 20171013-0104918, on October 13, 2017, in the Register's Office for Davidson County, Tennessee, shall be declared a forged QuitClaim Deed, and that said QuitCLaim Deed shall be and and is hereby declared **null and void**.

It is further **ORDERED, ADJUDGED and DECREED** that the title to the subject said real estate located at 114 Lucille Street, Nashville, Davidson County, Tennessee 37207,

is vested in **L. SHANE WHITHEAD.**

It is further **ORDERED, ADJUDGED and DECREED** that a certified copy of this Order shall be duly recorded in the Register's Office for Davidson County, Tennessee to establish that **PLAINTIFF L. SHANE WHITEHEAD** is the rightful owner of 114 Lucille Street, Nashville, Davidson County, Tennessee 37207.

It is further **ORDERED, ADJUDGED and DECREED** that **PLAINTIFF L. SHANE WHITEHEAD'S** request for the award of attorney fees and other relief against **DEFENDANT MARVIN MASHATT** is hereby reserved.

It is so **ORDERED** this the ____ day of September, 2018.

Ellen Hobbs Lyle

HONORABLE CHANCELLOR
ELLEN HOBBS LYLE
CHANCELLOR FOR PART III,
CHANCERY COURT FOR
DAVIDSON COUNTY, TENNESSEE

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE,
THIS 17th DAY OF September 2018
MARIA M. SALAS, CLERK & MASTER
BY Beth Welch
DEPUTY

SUBMITTED FOR ENTRY,

PAUL T. HOUSCH, ESQ.

BY:_____
PAUL T. HOUSCH, ESQ. #11538
Washington Square, Suite 310
222 Second Avenue North
Nashville, TN 37201
(615) 259-3313

ATTORNEY FOR PLAINTIFF
L. SHANE WHITEHEAD

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and exact copy of the foregoing has been forwarded, postage prepaid, U.S. Mail, to **Defendant Marvin Mashatt, 115 West Trinity Lane, Nashville, Tennessee 37207; Hon. Todd Faulkner, Esq., Parkway Towers, Suite 1623, 404 James Robertson Parkway, Nashville, Tennessee, 37219, and Hon. David A. Bates, Esq., 2560 Meridian Boulevard, Suite 200, Franklin, Tennessee 37067,** on this the 6th day of September, 2018.

PAUL T. HOUSCH, ESQ.

TRUE COPY CERTIFICATION

I, KAY B. HOUSCH, 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.

Kay B. Housch

STATE OF TENNESSEE)

COUNTY OF WILLIAMSON)

Personally appeared before me, MARJORIE A. HAINES, a notary public for this county and state, KAY B. HOUSCH, who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Marjorie A. Haines, Notary Public
My commission expires 10/21/2018

MARJORIE A. HAINES
STATE OF TENNESSEE NOTARY PUBLIC
COUNTY OF WILLIAMSON
My Comm. Expires October 21, 2018