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IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

THE MADISON SUBURBAN UTILITY DISTRICT, **Plaintiff,**	)	
v.	)	
MICHELE BURKS, **Defendant.**	)	**DOCKET NO. 18C1294**

FILED
2018 JUL 31 PM 2:48
RICHARD R. ROOKER, CLERK
K. Stanton, D.C.

ORDER

This cause came on to be heard on July 27, 2018, upon the Notice for Hearing on Possession filed by the Madison Suburban Utility District. This issue is before the Court pursuant to T.C.A. 7-82-301 et. seq., and T.C.A. 29-17-902—914. These provisions allow for the power of eminent domain to be exercised by utility districts in Tennessee, and to further pay into Court the amount it deems the value of the property, and thereby take possession of the subject property while reserving for a subsequent trial the issue of the actual compensation due the owner.

Upon review of the statutes at issue, the pleadings, hearing testimony from witnesses on both sides, statements of counsel, and considering the record as a whole, the Court is of the opinion that the Madison Suburban Utility District is entitled to possession of the property described in the Petition for Condemnation, said description being copied herein verbatim, with the issue of compensation due the condemnee to be reserved for trial.

Karen Y Johnson Davidson County
Batch# 152649 ORDER
10/19/2018 09:35:56 AM 5 pgs
Fees: $27.00 Taxes: $0.00
20181019-0103784

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IT IS THEREFORE ORDERED that the Madison Suburban Utility District shall be the owner of the following described property effective the 27th day of July, 2018.

> LAND in Davidson County, Tennessee, Being the following Two (2) parcels or tracts described as follows:
>
> TRACT ONE: A tract of land in the 11th, formerly the 19th, Civil District of Davidson County, Tennessee, described according to a survey made by Cantrell, Connel and Morrison, Engineers, dated February 9, 1955, as follows: Beginning at an iron pin on the northerly margin of Webster Street, the easterly line of the property conveyed to the Nashville Pistol and Revolver Club, Inc., by deed from W. M. Graham and wife, of record in Book 1810, page 469, Register's Office for said County, thence with said street, south 64 degrees East 150 feet to an iron pin; thence North 23 degrees 30' East 150 feet; thence westwardly 161 feet, more or less to the westerly line of the Nashville Pistol and Revolver Club, Inc. property; thence with their easterly line, South 18 degrees 33' West 150 feet to the beginning.
>
> TRACT TWO: A tract of land in the 11th, formerly the 19th, Civil District of Davidson County, Tennessee, described according to a survey made by Cantrell, Connel and Morrison, Engineers, dated February 9, 1955, as follows: Beginning at an iron pin on the northerly margin of Webster Street, the easterly line of the property conveyed to the Nashville Pistol and Revolver Club, Inc., by deed from W.M. Graham and wife, of record in Book 1810, page 469, Register's Office for said County, being 150 feet north of the northerly margin of Webster Street; thence with their easterly line, North 18 degrees 33" East 112.5 feet to Cartwright's southerly line; thence with said line, South 55 degrees 175 feet; thence Sough 23 degrees 30' West 80 feet, more or less, to a point 150 feet north of the northerly margin of Webster Street; thence westwardly 161 feet, more or less, to the beginning.
>
> BEING the same property conveyed to Michele Burks, a married person, by James Bryan Lewis, Substitute

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Trustee, by Substitute Trustee's Deed of record in Instrument Number 20150316-0022248, Register's Office for Davidson County, Tennessee.

The address for the above described property being 103 W. Webster Street, Madison, Tennessee 37115.

IT IS FURTHERED ORDERED, pursuant to the agreement of the parties, that while ownership exists in the Madison Suburban Utility District as of July 27, 2018, actual possession shall not occur by the Madison Suburban Utility District until January 23, 2019.

IT IS FURTHER ORDERED that all matters regarding the value of the subject property shall be reserved for a trial of this cause, if necessary.

ENTER this the 31 day of July, 2018.

JUDGE

APPROVED FOR ENTRY:

ROBERT G. WHEELER, JR. (BPR# 5807)
P.O. Box 211
Goodlettsville, TN 37070-0211
(615) 834-0071

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CERTIFICATE OF SERVICE

I hereby certify that I have this day forwarded a copy of the foregoing by regular U.S. Mail to the following:

Devon J. Sutherland
Attorney for the Defendant
Sutherland Law Office
P.O. Box 2852
Hendersonville, TN 37075

This 27th day of July, 2018.

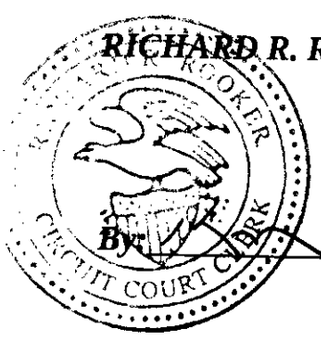
Robert G. Wheeler, Jr.

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the SIXTH Circuit Court for Davidson County, Tennessee, on the 31 day of JULY, 2018, in Docket Number 18C1294 between THE MADISON SUBURBAN UTILITY DISTRICT, Plaintiff, and BURKS, MICHELE, Defendant, as same remains of record in the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 17 day of OCTOBER in the year two thousand eighteen and in the 242nd year of American Independence.

RICHARD R. ROOKER, Clerk,



By: _____ *Deputy Clerk*

[SEAL]