IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

IMSEVEN, LLC

Plaintiff,

v.

WOODLAND FOREST PARTNERSHIP;
NVR, INC.;
REAL TIME RESOLUTIONS, INC., AS RECEIVER FOR TENNESSEE COMMERCE BANK;
and
ANY HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS OF THE FOREGOING NAMED PARTIES,

Defendants.

FO-4

Case No. 16-0372-II

FILED
2019 MAR 14 PM 4:36
DAVIDSON COUNTY CHANCERY CT.

Karen Johnson Davidson County
Batch# 217962 ORDER
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Fees: $22.00 Taxes: $0.00
20190415-0034286

ORDER

Plaintiff Imseven, LLC has moved this Court, pursuant to Rule 55.01 of the Tennessee Rules of Civil Procedure, for a default judgment against Defendants Woodland Forest Partnership and NVR, Inc. Based upon Plaintiff's motion, the failure of Defendants to file a response to this motion and the record in this case, this Court finds (1) that Defendant Woodland Forest Partnership was served on May 26, 2016 and did not serve an answer within the time required by law, (2) that Defendant NVR, Inc. was served on April 25, 2016 and did not serve an answer within the time required by law.

Plaintiff further moved this Court to take judicial notice that the Deed of Trust ("Deed of Trust") dated November 12, 2003 from Wood Forest Partnership, a Tennessee General Partnership, to Phyllis Sweat, Trustee, to secure an obligation to Tennessee Commerce Bank, and bearing Instrument Number 20031117-0167255 in the Register of

Deeds Office for Davidson County, Tennessee, and the promissory note secured thereby have been satisfied and released and no longer constitute a lien upon the property located at 801 Woodland Way, Nashville, TN, which property is the subject of this quiet title action. Based upon Plaintiff's motion, the certified, true and correct copy of a Release of Deed of Trust executed by the Federal Deposit Insurance Corporation as Receiver for Tennessee Commerce Bank and Owner and Holder of the Note and Deed of Trust on February 14, 2019 and recorded in the Register of Deeds Office for Davidson County, Tennessee on February 21, 2019 as Instrument No. 20190221-0015889, the failure of Defendants to file a response to this motion and the record in this case, this Court finds that the Deed of Trust has been released and does not constitute a lien or encumbrance on the title to the aforementioned property, further described as:

Map & Parcel No.: 114140A4400CO

> Street Address: 400 Eagle Ridge (now 801 Woodland Way)
>
> Land in Davidson County, Tennessee, being Lot 44 on the plan of Woodland Forest, Section 2, or record as instrument number 20050331-0035005, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.
>
> Being a portion of the property conveyed to Woodland Forest Partnership, a Tennessee General Partnership, by deed of Eagle Crest, a Tennessee General Partnership, of record as instrument number 20031117-0167254, said Register's Office, and subsequently conveyed to IMSEVEN, LLC, by Final Decree Confirming Sale of record as instrument number 20100412-0027394, said Register's Office. (the "Property")

It is, therefore, ORDERED, ADJUDGED and DECREED, that Plaintiff's motion for default is granted and judgment is entered in this matter in favor of Plaintiff Imseven, LLC and against Defendants Woodland Forest Partnership and NVR, Inc., with the costs of this action taxed against the Plaintiff.

It is further ORDERED, ADJUDGED and DECREED, that Plaintiff's motion to take judicial notice is granted and that the Deed of Trust, having been released of record, does not constitute a lien or encumbrance on the Property.

It is further ORDERED, ADJUDGED and DECREED, that title to the Property is vested solely in Imseven, LLC and that it may sell the Property free and clear of any right, title and interest of Defendants.

Entered this 14th day of March, 2019.

JUDGE

Approved for Entry:

Thomas J. Elmlinger, BPR #12064
Attorney for Plaintiff
1616 Westgate Circle, Suite 349
Brentwood, TN 37027
(615) 844-6280
Email: tomelmlaw@comcast.net

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Order was served by regular U.S. mail, postage prepaid, upon

Woodland Forest Partnership
c/o Nick and Debbie Psillas, General Partners
55 Bayou Pointe Drive
Houston, TX 77063-1037

NVR, Inc.
Serve: Corporate Creations Network.

MAILED
3/15/19

Registered Agent
205 Powell Place
Brentwood, TN 37027

FDIC, as Receiver for Tennessee Commerce Bank
810 Royal Parkway, Suite 210
Nashville, TN 37027

Real Time Resolutions, Inc.
Registered Agent:
Anthony A. Pettocchi
5127 Spyglass Drive
Dallas, TX 75287

Thomas J. Elmlinger

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 10th DAY OF April 2019
MARIA M. SALAS, CLERK & MASTER.
BY _____ DEPUTY