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EFILED 12/16/19 10:29 AM CASE NO. 18P112 Richard R. Rooker, Clerk

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

IN THE MATTER OF	)	
ELEANOR ROMANOFF	)	
	)	
v.	)	**Case No. 18P-112**
	)	
THOMAS ROMANOFF	)	
JASON CROSBY	)	

Karen Johnson Davidson County
Batch# 409989 ORDER
06/04/2020 09:24:06 AM 8 pgs
Fees: $42.00 Taxes: $0.00
20200604-0057386

ORDER

This cause came to be hard on the 3rd day of October 2019 before the Honorable Randy Kennedy, Judge, Seventh Circuit Court for Davidson County, Tennessee upon a Complaint to Quiet Title filed by Thomas Romanoff.

Present before the Court was Thomas Romanoff, Carolyn Warden, Tracy Collier. Andrew Baumann was notified of the date and time of the hearing but failed to appear.

It appearing from the statements of counsel, testimony of Thomas Romanoff and the witnesses, and the record as a whole:

1. That the Complaint to Quiet Title was filed on November 13, 2018.

2. That the real property located at 613 Claridge Drive was purchased by Eleanor Romanoff and Catherine Baumann, mother and daughter respectively, on August 30, 1999.

3. Eleanor Romanoff and Catherine Baumann owned the real property as tenants in common with no right of survivorship.

4. The property is divided into "Side A" and "Side B".

5. Catherine Baumann died intestate on July 31, 2013, leaving three heirs at law, her husband, Dennis Baumann, her sons Christopher Baumann and Andrew Baumann. That upon the death of Catherine Baumann, the heirs at law were vested with 1/6 of an interest in the whole.

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6. After Catherine Baumann's death, Dennis Baumann and Christopher Baumann lived on Side A of the real property.

7. Eleanor Romanoff continued to live on Side B of the real property with her son Thomas Romanoff.

8. Eleanor Romanoff died intestate on April 13, 2017.

9. Eleanor Romanoff's heirs at law are her son, Thomas Romanoff; Dennis Baumann, the surviving husband of Eleanor Romanoff's daughter, Catherine Baumann; Christopher Baumann; and Andrew Baumann. That upon the death of Eleanor Romanoff, the heirs at law were vested with 1/4 interest each or a 25% interest in the property as a whole.

10. While living on Side A of 613 Claridge Drive, Dennis Baumann and Christopher Baumann caused substantial damage to the real property.

11. Andrew Baumann never resided at 613 Claridge Drive.

12. Dennis Baumann and Christopher Baumann caused substantial damages to the real property known as 613 Claridge Drive, Side A, Nashville Tennessee, then abandoned then real property in 2018. Their whereabouts are unknown.

13. That Dennis Baumann and Christopher Baumann were served with Thomas Romanoff's Complaint to Quiet Title by publication pursuant to T.C.A. 21-1-204.

14. Dennis Baumann and Christopher Baumann failed to file an Answer and a Default Judgment was entered on July 12, 2019.

15. Dennis Baumann and Christopher Baumann failed to appear or otherwise plead.

16. That Andrew Baumann was personally served with the Complaint to Quiet Title on July 25, 2019.

17. Andrew Baumann failed to appear or otherwise plead.

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18. Plaintiff testified that the real property would have been worth $135,000.00, but for the damages done to the property by Dennis Baumann and Christopher Baumann.

19. Plaintiff testified that the real property is now worth $90,000.00.

20. Plaintiff and the witnesses testified about the condition of Side A as follows:

That the carpet was soiled with dirt and dog feces.
The carpeting was damaged by cigarette burns.
The pipes on Side A of the property had burst due to neglect.
That the kitchen sink was full of dirty dishes and mold.
That toilets were full of toilet paper and human waste.
That the toilets would not flush.
That the electric bill had not been paid and the electricity was shut off.
That water had leaked from the upstairs bathroom and through the floor, causing damage to the living room ceiling.

21. That the witnesses testified that the damages caused to the real property known as 613 Claridge Drive, Side A, were caused by someone other than Thomas Romanoff.

22. That because of the willful and deliberate acts of Dennis Baumann and Christopher, the property value diminished, and that Thomas Romanoff and Andrew Baumann suffered damages.

23. That the damages caused by the willful and deliberate refusal to maintain, keep clean and make habitable the improved property known as 613 Claridge Dr. is valued at $45,000.00.

24. That Thomas Romanoff and Andrew Baumann are entitled to an increase in their respective ownership interest.

25. It is fair and equitable for the Court to reduce the ownership interests of Dennis Baumann and Christopher Baumann in the property known as 613 Claridge Drive due to their willful and deliberate refusal to maintain, keep clean and make habitable the approved property known as 613 Claridge Drive

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IT IS THEREFORE ORDERED:

1. That after the intestate death of Catherine Baumann on July 31, 2013, her heirs at law, i.e. her husband, Dennis Baumann, her sons Christopher Baumann and Andrew Baumann were vested with 1/6 of an interest and Eleanor Romanoff maintained one-half interest in the whole improved property known as 613 Claridge Drive, Nashville, Tennessee and more particularly described as

LAND in Davidson County, Tennessee, being Lot No. 30 on the Plan of Larkwood Subdivision, of record in Plat Book 2900, Page 144, Register's Office for Davidson County, Tennessee, to which reference is made for a more complete description.

BEING the same property conveyed to Stephen A. Brandon, by Quitclaim Deed from Steve Brandon and Wendell Cooper, of record in Book 9261, Page 501, Register's Office for Davidson County, Tennessee.

BEING the same property conveyed to Eleanor C. Romanoff and Catherine L. Baumann, by Warranty Deed dated September 1, 1999, from Steve Brandon, of record in Book 11645, Pages 459-460, Register's Office for Davidson County, Tennessee.

2. That after the intestate death of Eleanor Romanoff on April 13, 2017, her heirs at law, i.e. Thomas Romanoff; Dennis Baumann (the surviving husband of Eleanor Romanoff's daughter, Catherine Baumann); Christopher Baumann; and Andrew Baumann were vested with one-fourth (1/4) interest each or a 25% interest in the whole improved property known as 613 Claridge Drive, Nashville, Tennessee and more particularly described as

LAND in Davidson County, Tennessee, being Lot No. 30 on the Plan of Larkwood Subdivision, of record in Plat Book 2900, Page 144, Register's Office for Davidson County, Tennessee, to which reference is made for a more complete description.

BEING the same property conveyed to Stephen A. Brandon, by Quitclaim Deed from Steve Brandon and Wendell Cooper, of record in Book 9261, Page 501, Register's Office for Davidson County, Tennessee.

BEING the same property conveyed to Eleanor C. Romanoff and Catherine L. Baumann, by Warranty Deed dated September 1, 1999, from Steve Brandon, of record in Book 11645, Pages 459-460, Register's Office for Davidson County, Tennessee.

3. That the ownership of the whole improved property known as 613 Claridge Drive, Nashville, Tennessee was vested as follows:

Thomas Romanoff 25% interest

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Dennis Baumann 25% interest

Christopher Baumann 25% interest

Andrew Baumann 25% interest.

4. That the ownership interests of Dennis Baumann and Christopher Baumann in the property known as 613 Claridge Drive are hereby reduced and extinguished, due to their willful and deliberate refusal to maintain, keep clean and make habitable the improved property known as 613 Claridge Drive, Nashville, Tennessee and more particularly described as

5. The reduction of the ownership interests divests Dennis Baumann and Christopher Baumann of their interest in said property.

6. The ownership interests of Dennis Baumann and Christopher Baumann, having been divested from them of them, are hereby vested Thomas Romanoff and Andrew Baumann (despite his non-participation).

7. That Thomas Romanoff and Andrew Baumann are vested with title, as joint tenants in common, in the improved property known as 613 Claridge Drive, Nashville, Tennessee and more particularly described as

LAND in Davidson County, Tennessee, being Lot No. 30 on the Plan of Larkwood Subdivision, of record in Plat Book 2900, Page 144, Register's Office for Davidson County, Tennessee, to which reference is made for a more complete description.

BEING the same property conveyed to Stephen A. Brandon, by Quitclaim Deed from Steve Brandon and Wendell Cooper, of record in Book 9261, Page 501, Register's Office for Davidson County, Tennessee.

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THIS CONVEYANCE IS MADE SUBJECT TO NOTES, EASEMENTS, BUILDING SETBACK LINES, ETC.., IF ANY, AS MAY BE SET FORTH ON THE PLAN OF LARKWOOD SUBDIVISION, AS OF RECORD IN BOOK 2900, PAGE 144, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

8. That because of their intentional and willful acts, costs are taxed , jointly and severally, to Dennis Baumann and Christopher Baumann.

ENTERED this 13 **day of** Dec. **, 2019.**

JUDGE RANDY KENNEDY

APPROVED FOR ENTRY:

s/ *Paula Ogle Blair*

PAULA OGLE BLAIR, #15862
Attorney for the Petitioner
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order was forwarded on the 13th day of December 2019, by regular U.S. mail, postage prepaid to:

Dennis K. Baumann
at his last known address
613A Claridge Drive
Nashville, TN 37214

Christopher Baumann
at his last known address
613A Claridge Drive
Nashville, TN 37214

Andrew Baumann
401B S. Greenwood Street
Lebanon, TN 37086

s/ *Paula Ogle Blair*

PAULA OGLE BLAIR

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 filed in the SEVENTH Circuit Court for Davidson County, Tennessee, on the 16 day of DECEMBER, 2019, in Docket Number 18P112, IN RE: ROMANOFF, ELEANOR, 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 22 day of MAY in the year 2020 and in the 243 year of American Independence.

RICHARD R. ROOKER, Clerk,

By: _____
Deputy Clerk

[SEAL]

