Karen Johnson Davidson County
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JUN 10 2020
Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

RANDALL KEITH CANTER	)
	)
Plaintiff,	)
	)
v.	)
	)
SYLVIA ADAMS, DAVID BRATCHER, GENE BRATCHER, STEVE BRATCHER, DEBBIE BRATCHER, JEFF BRATCHER, and KEVIN BRATCHER,	)
	)
Defendants.	)

Case No. 19-416-I

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AMENDED ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT AND FOR JUDGMENT ON THE PLEADINGS

THIS MATTER WAS BEFORE THE COURT on June 5, 2020, on Plaintiff Randall Keith Canter's *Motion for Entry of Amended Order Granting Motion for Default Judgment and for Judgment on the Pleadings and Memorandum of Law in Support Thereof* (the "Motion"), wherein Mr. Canter requested that this Court amend the *Order Granting Motion Default Judgment and for Judgment on the Pleadings* (the "Judgment"), which this Court entered on February 3, 2020 following a hearing on the motion for entry thereof, to reflect the correct legal description of the Property as defined therein.

For the reasons set forth in the Motion and articulated by counsel at the hearing thereon, the Court finds the Motion well-taken. Accordingly, the Court hereby finds as follows:

1. Mr. Canter filed his *Verified Complaint* seeking to quiet his title to the Property on March 21, 2019. [Docket No. 1].

2. Defendants Sylvia Adams and Debbie Bratcher each were served with the Summons and Complaint on March 26, 2019. [Docket Nos. 2, 5].

3. Debbie Bratcher filed a single, handwritten responsive pleading to the Complaint on April 25, 2019. [Docket No. 6]. To date, Sylvia Adams has not filed an answer or other responsive pleading.

4. On September 6, 2019, this Court entered an *Order Granting Motion to Serve Defendants by Publication* (the "Publication Order"), authorizing service by publication on the named defendants other than Sylvia Adams and Debbie Bratcher, and on "any other person or entity asserting an interest in the property located at 1301 Plymouth Avenue, Nashville, TN 37216" (the "Publication Order"). [Docket No. 15]. This publication ran in *The Tennessean* on October 4, 2019; October 11, 2019; October 18, 2019; and October 25, 2019. [Docket Nos. 15-17].

5. No person other than Debbie Bratcher filed any responsive pleading in this case on or before the date of the Motion, which was filed more than thirty (30) days after the last date of publication as set forth above.

6. While Debbie Bratcher filed a responsive pleading, her responsive pleading fails to articulate any legal or factual response to the allegations set forth in the Complaint.

In light of these findings, the Court hereby ORDERS as follows:

1. The Motion for Default Judgment against all named Defendants other than Defendant Debbie Bratcher and Motion for Judgment on the Pleadings against Defendant Debbie Bratcher is hereby GRANTED;

2. All named defendants and any other person or entity having any interest in the Property were lawfully served with process, either through personal service or service by publication through the Publication Order.

3. Judgment is hereby entered in favor of Mr. Canter against the named defendants and any other person or entity that has or may assert any interest in the Property;

4. By this Order, Mr. Canter's title to the Property is hereby quieted as to all persons that have or may assert any interest in the Property, which is more specifically described as follows:

> Land in Davidson County, Tennessee, being Lot No. 25 and the westerly one-half of Lot No. 24 on the Map showing the Resubdivision of certain lots in Eastdale Place, as of record in Book 974, page 22, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 25 and part of Lot No. 24 adjoin and front together 90 feet on the northerly side of Plymouth Avenue and run back between parallel lines, along the easterly margin of a 40 foot unnamed street (Earlene Drive), 180 feet to a dead line.
>
> Being the same property conveyed to Randall Keith Canter by Administrator's Deed from Barbara Boyd, Executor, dated February 17, 2016, recorded December 10, 2018, of record in Instrument No. 20181210-0120208, Register's Office for Davidson County, Tennessee.
>
> See also:
>
> Quitclaim Deed of record in Instrument No. 20180725-0072435; as corrected in Instrument No. 20180827-0084350, Register's Office for Davidson County, Tennessee;
>
> Quitclaim Deed of record in Instrument No. 20180725-0072436; as corrected in Instrument No. 20180827-0084351, Register's Office for Davidson County, Tennessee;
>
> Quitclaim Deed of record in Instrument No. 20180725-0072437; as corrected in Instrument No. 20180827-0084352, Register's Office for Davidson County, Tennessee.

5. This Order shall constitute a final judgment in this matter. Mr. Canter is authorized to record this Order with the appropriate office to provide notice to the world of the relief granted herein.

6. Any outstanding court costs, if any, shall be taxed to Mr. Canter.

IT IS SO ORDERED

CHANCELLOR

APPROVED FOR ENTRY:

Henry E. ("Ned") Hildebrand, IV (BPR No. 32168)
DUNHAM/HILDEBRAND, PLLC
2416 21st Avenue South, Suite 303
Nashville, TN 37212
615.933.5851
ned@dhnashville.com
Counsel for Randall Keith Canter

CERTIFICATE OF SERVICE

I hereby certify that on this the 5th day of June, 2020, a true and correct copy of the foregoing was sent via regular U.S. mail to the following:

Debbie Bratcher
151 Rebel Road
Smyrna, TN 37167

Sylvia Adams
1028 Issac Clifton Road
Chapmansboro, TN 37035

Henry E. ("Ned") Hildebrand, IV

RULE 58 CERTIFICATION
A Copy of this order has been served by U. S. Mail upon all parties or their counsel named above.

Deputy Clerk and Master
Chancery Court

Date

True Copy Certification

I, Christopher M. Corriveau, 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.

C. M. C.

Signature

State of Tennessee
County of Davidson

Personally appeared before me, Rachel Marie Collins, a notary public for the state of Tennessee, Christopher M. Corriveau who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Rachel Marie Collins

Notary Signature

My Commission Expires: 3-6-2024

