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Karen Johnson Davidson County
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Fees: $17.00 Taxes: $0.00

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FAX RECEIVED ORDER
DATE
TIME
DAVIDSON COUNTY CHANCERY COURT

E-FILED
6/25/2020 12:04 PM
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

FAX FILED
ON JUN 19 2020
BY
MARIA M. SALAS DC & M
DAVIDSON CO. CHANCERY CT. C & M

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

BERNARD D. GOLDSTEIN, RONNA S. GOLDSTEIN USMANI and STEWART M. GOLDSTEIN, d/b/a GOLDRUB PROPERTIES,	)	
Plaintiffs,	)	
v.	)	**No. 20-0083-III**
JANNA RUBIN,	)	
Nominal Defendant.	)	

ORDER GRANTING MOTION FOR JUDGMENT ON THE PLEADINGS AND JUDGMENT QUIETING TITLE

This cause came to be heard on June 19, 2020 before the Honorable Chancellor Ellen Hobbs Lyle upon Plaintiffs' Motion for Judgment on the Pleadings on the Complaint to Quiet Title and Declaratory Relief, wherein Plaintiffs seek to quiet title and a declaratory judgment as to certain improved real property in Davidson County, Tennessee known as 105 Duluth Avenue, Book Number 4809, Page 905, Map and Parcel No. 91-9-37, subject to Quitclaim Deed to Clear Title, instrument number 20200113-00004179 (the "Property"). Based on the pleadings filed by the Plaintiffs, there being no response to the Motion for Judgment on the Pleadings, and the agreement of Janna Rubin with the relief requested, the Court finds that the Motion is well-taken and should be granted.

It is, therefore, ORDERED, ADJUDGED, and DECREED as follows:

1. Bernard D. Goldstein, Ronna S. Goldstein Usmani and Stewart M. Goldstein d/b/a Goldrub Properties own in fee simple and are entitled to the quiet and peaceful possession of those parcels of land situated in Davidson County, Tennessee and described as follows:

Land in Davidson County, Tennessee, being the south ½ of Lot 44 on the Map showing the Resubdivision of Westover Subdivision of Lot No. 37 on the Cockrill Plan, as of record in Book 421, Page 25, Register's Office for said County.

Said part of said lot no. 44 fronts 50 feet on the east side of Duluth Avenue, and runs back between parallel lines 202.5 feet to a dead line.

Being the same property conveyed to Bernard Goldstein and wife and Harvey D. Rubin and wife, by Warranty Deed from Frank B. Delk and wife, Kathleen Delk and Robert H. Williams and wife, Patsy Williams of record in Book 4809, Page 905, Register's Office for Davidson County, Tennessee on April 26, 1974.

The said Harvey and Norma Rubin divorced in 1977, by Final Decree in Case Number 86212, Circuit Court for Davidson County, Tennessee. Paragraph 2 of their Property Settlement Agreement incorporated in the Decree, dated March 14, 1977 stated that "Norma Rubin relinquishes all interest which she may have in other real property in which Harvey Rubin or both Harvey Rubin and Norma Rubin may have an interest. This includes property owned by the Goldstein and Rubin families in West Nashville and Miami Springs property." Harvey Rubin subsequently married Janna B. Rubin. Harvey Rubin died on January 23, 1995. His Last Will and Testament was probated in Davidson County, Tennessee, Case No. 95P-478. Bernard Goldstein purchased any interest of the Rubin family in this property and/or Goldrub Properties in 1996.

Sandra Goldstein, the wife of Bernard Goldstein, died on February 12, 1995, and upon her death, her ownership passed to Bernard Goldstein.

2. That title be forever quieted against all claims or demands of the Defendant Janna Rubin and any person claiming under the Defendant to any estate, right, title, lien, or interest in the Property.

3. That the sole and complete possession of the Property be awarded to Bernard D. Goldstein, Ronna S. Goldstein Usmani and Stewart M. Goldstein d/b/a Goldrub Properties and that Bernard D. Goldstein, Ronna S. Goldstein Usmani and Stewart M. Goldstein d/b/a Goldrub Properties remain in possession thereof.

4. Any remaining court costs shall be taxed to Plaintiffs.

It is so ORDERED. Entered this the _____ day of June, 2020.

s/ Ellen Hobbs Lyle
Ellen Hobbs Lyle, Chancellor

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 10th DAY OF August 2020
MARIA M. SALAS, CLERK & MASTER
BY _____ DEPUTY

Approved for Entry:

Tyler Chance Yarbro, BPR # 23553
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Attorney for Bernard D. Goldstein, Ronna S. Goldstein Usmani and Stewart M. Goldstein d/b/a Goldrub Properties, a Tennessee general partnership

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served on the following individuals by first class U.S. Mail, postage prepaid, on this the 19th day of June, 2020.

Janna Rubin
394 4th Avenue North, E1
Cookeville, TN 38506

Tyler Chance Yarbro