Karen Johnson Davidson County
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IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE

CATHERINE SMITH,	)	
	)	
Petitioner,	)	
	)	F.04 - TI
v.	)	**Case No. 21-0801-IV**
	)	
UNKNOWN INTERESTED PERSONS,	)	
	)	
Respondents.	)	

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FINAL ORDER REFORMING DEED TO REAL PROPERTY

This matter came before the Court upon the Motion for Default Judgment filed by Catherine Smith. Upon consideration of the Motion, the Petition, and the entire Court record, the Court is of the opinion that the Motion for Default Judgment should be granted and Petitioner is entitled to the relief in accordance with the prayer set forth in the Petition. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the Warranty Deed to J.P. "Jay" Rutledge dated May 25, 2012, and recorded in the Davidson County Register of Deeds Office on June 1, 2012 as Instrument No. 20120601-0047487 (the "2012 Warranty Deed"), and all subsequent instruments in the chain of title, are reformed to correct the mistake in the 2012 Warranty Deed indicating Mr. Rutledge was a "trustee", as set forth in the legal description of the Property attached hereto as **Exhibit A**;

It is further, **ORDERED, ADJUDGED AND DECREED** that, Petitioner is declared the lawful fee owner of the Property, which is known as 5025 Old Hydes Ferry Pike, and that all other persons are barred from making a claim of ownership against the Property;

It is further **ORDERED, ADJUDGED AND DECREED** that the Davidson County Register of Deeds is directed to record this Order;

RTP

It is further **ORDERED, ADJUDGED AND DECREED** that this Order is a final judgment pursuant to Rules 54 and 58 of the Tennessee Rules of Civil Procedure; and,

It is further **ORDERED, ADJUDGED AND DECREED** that any outstanding court costs shall be taxed to the Petitioner.

RUSSELL T. PERKINS, CHANCELLOR

APPROVED FOR ENTRY:

22nd Dec 21

/s Sarah M. Ferraro
David P. Cañas (TN # 016623)
Sarah M. Ferraro (TN #038383)
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Franklin, TN 37067
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david@thompsonburton.com
sferraro@thompsonburton.com

Counsel for Petitioner

EXHIBIT A

Legal Description

Lot 2 on the Plat of the Toney Subdivision appearing of record in Book 5210, Page 335, Register of Deeds for Davidson County, Tennessee, referenced to which is hereby made for a more complete description of the property.

And being further described as follows: Beginning at an iron pin (new), in the southerly margin of Old Hydes Ferry Pike, the northeast comer of Lot I, Toney Subdivision, being a plat of record in Deed Book 5210, Page 335, Register's Office for Davidson County, Tennessee, the northwest corner of this tract, and continuing, as follows: S 76°27'00" E, 117.99 feet to an iron pin (new), in the southerly margin of Old Hydes Ferry pike, the northwest comer of Lot 3, Toney Subdivision; thence with the boundary of Lot 3, as follows: S 14°41 '21" E, 435.11 feet to an iron pin (new); thence, N 74°11 '39" E, 90.50 feet to an iron pin (new). at the base of a tree near the northerly bank of Sulphur Creek; thence N 41 °10'17" E, 128.40 feet to a steel bar (old) in a rock on the northerly bank of Sulphur Creek, a common comer of said Lot 3, and a tract of land which belongs to Scottsboro Methodist Church, having a deed reference in Deed Book 2246, Page 266, Register's Office for Davidson County, Tennessee; thence with the boundary of said tract of land which belongs to Scottsboro Methodist Church, as follows: N 67°00'15" E, crossing Sulphur Creek, and continuing in all 143.41 feet to a point in said creek near the southerly bank; thence, S 81 °27'30" E, 176.59 feet to a concrete monument (old), in the northerly margin of Old Hickory Boulevard, a corner of said tract of land which belongs to Scottsboro Methodist Church; thence with the northerly margin of old Hickory Boulevard, as follows: with a curve to the right, having a radius of W54.00 feet, an arc distance of 288.43 feet, and a chord bearing and distance of S 45°57'34" W, 287.53 feet to an iron pin (new); thence, S 53°47'57" W, 387.73 feet to an iron pin (old), in the northerly margin of Old Hickory Boulevard, the southeast comer of said Lot 1; thence, N 14°11 '42" W, crossing Sulphur Creek, and continuing in all, 749.19 feet, to the point of beginning, as surveyed by Steven E. Artz, Tennessee License No. 1708, d/b/a, Steven E. Artz and Associates, Inc., 4779 Highway 41 North, Springfield, Tennessee, 37172, dated February 20, 2012; being Map and Parcel No. 067-00-0-113, on the Maps of the Assessor of Property for Davidson County, Tennessee. This description was obtained from the previous deed of record.

This property known as 5025 Old Hydes Ferry Pike.

This property was conveyed to Jay Rutledge, Trustee, by deed dated May 25, 2012, of record at 20120601-0047487, Register's Office for Davidson County. As shown by the affidavits of his only children and heirs, Catherine Smith and Nathaniel Rutledge, of record at 20180817-0081812 and 20180817-0081811, Register's Office for Davidson County, their father, Jay Rutledge never created a trust. Jay Rutledge died on August 20, 2014, as shown by the Affidavit of Inheritance with attached death certificate, of record at 20180625-0061159, Register's Office for Davidson County. As stated in said Affidavit, J.P. "Jay" Rutledge, III, was not married at the time of his death and is survived by his two children Nathaniel Rutledge and Catherine Smith.

TRUE COPY CERTIFICATION

I, Anna Barry, do hereby make oath that I am a licensed attorney and/or the custodian of the original version of the electronic document tendered for registration herewith and that this electronic document is a true and exact copy of the original document executed and authenticated according to law on **December 8, 2021** (date of document).

Anna Barry

12/8/21
Date

STATE OF TENESSEE)
COUNTY OF WILLIAMSON)

On 12/8/21, before me, the undersigned, personally appeared Anna Barry, who acknowledges that this certification of an electronic document is true and correct.

NOTARY PUBLIC

My Commission Expires: 3/25/24

