Karen Johnson Davidson County
Batch# 837501 ORDER
04/08/2022 03:41:31 PM 7 pgs
Fees: $37.00 Taxes: $0.00
20220408-0041506

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 entered in the SECOND Circuit Court for Davidson County, Tennessee, on the 16 day of MARCH, 2022, in Docket Number 21C917 between THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY TENNESSEE, Plaintiff, and PATTERSON, JAMES WALTER ET.AL, Defendant, 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 08 day of APRIL in the year two thousand twenty-two and in the 245th year of American Independence.

RICHARD R. ROOKER, Clerk,

RICHARD R. ROOKER CIRCUIT COURT CLERK [SEAL]

By: _____ *Deputy Clerk*

EFILED 03/16/22 01:02 P ... Richard R. Rooker, Clerk

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, Petitioner, v. JAMES WALTER PATTERSON, SAM DAVIS PATTERSON, TERESA MORGAN, as conservator and fiduciary of TAMMY D. PATTERSON, TAMMY D. PATTERSON, individually, MRC RECEIVABLES CORPORATION, and TENNESSEE ADJUSTMENT GROUP, INC. F/d/b XDC FINANCE, INC., Respondents.	)	Case No. 21C917 JURY DEMAND

ORDER OF CONDEMNATION AND POSSESSION

This matter came before the Court on January 7, 2022 for hearing on possession for the property rights sought in Petitioner, the Metropolitan Government of Nashville and Davidson County's ("Petitioner" or "Metro") First Amended Petition for Condemnation ("Petition") filed on November 2, 2021. Counsel for Respondent Tennessee Adjustment Group, Inc. and Respondents James Patterson and Teresa Morgan were present for the hearing and expressed no opposition to possession. Respondent Sam Patterson was not present but has been properly served with process and notice of the hearing. The Court finds that no response or opposition to the original Petition or the First Amended Petition has been filed by Respondents. Accordingly, the Court finds that there is no opposition to Petitioner's right to take the property and property rights sought in the First Amended Petition and there is no opposition to the Petitioner being granted possession of the same.

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Based upon the pleadings, exhibits, as well as the entire record, the Court finds that under the applicable laws of the State of Tennessee, the Petitioner has the right to condemn the property and the property rights described in the Petition for the public purposes set forth therein; that this cause is a lawful exercise of the power of eminent domain by the Petitioner; that the Petitioner is entitled to immediate possession of the property and all rights, title and interest as described in the First Amended Petition by the exercise of eminent domain; that a writ of possession should issue if necessary.

It is therefore **ORDERED** by the Court that this cause be sustained as a lawful exercise of the power of eminent domain by the Petitioner and the property and property rights described in the First Amended Petition be condemned and appropriated to the Petitioner as of the date this Order is entered under the eminent domain laws of the State of Tennessee.

It is further **ORDERED** by the Court that all rights, title, and interest in the property are hereby appropriated to the Petitioner for the purposes set forth in the Petition. The property is described as follows: **1012 Apex Street, Nashville, Tennessee (Map and Parcel: 082-04-0-268.00)**, which is more completely and accurately described according to a Deed conveyed by Mary Frances Goode to James A. Patterson, of record at Book 9373, page 975, in the Register's Office for Davidson County, Tennessee.

> Being the easterly part of Lot No. 38 and the southerly 12 feet of the easterly part of Lot No. 39 on the plan of Alexander's Petway Avenue Subdivision, as of Record in Book 547, Page 87, Register's Office for said County.
>
> Said parts of Lots Nos. 38 and 39 front together 37 feet on the westerly side of Apex Street and run back 129.96 feet, more or less, on the northerly line and 131.44 feet, more or less, on the southerly line to a point 50 feet east of the westerly line of said subdivision, measuring 37 feet on said rear line.
>
> Being the same property conveyed to Mary Frances Goode, unmarried, from the heirs at law and devisees of Ada Palmer, deceased, by Quitclaim Deed of record in Book 9107, Page 974, Register's Office for Davidson County, Tennessee.

It is further **ORDERED** by the Court that the Petitioner shall have immediate legal possession of the property and property rights described above in paragraphs 2 and 14 of the Petition and that a writ of possession issue, if necessary, in order to put Petitioner in possession of said property and property rights.

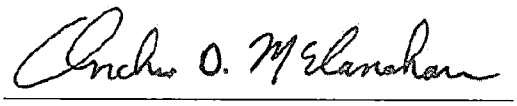
It is further **ORDERED** that the issue of just compensation is reserved and will be determined at a later hearing or trial, if necessary. The Court reserves ruling on the taxing of court costs until all issues have been resolved in this case.

It is so **ORDERED**.

EFILED 03/16/22 01:02 P ... Clerk

APPROVED FOR ENTRY:

THE DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
WALLACE W. DIETZ, #9949
DIRECTOR OF LAW



Andrew D. McClanahan, #23772
Angela D. Williams #32149
Alex S. Blonder, #37509
Assistant Metropolitan Attorneys
Metropolitan Courthouse, Suite 108
P.O. Box 196300
Nashville, Tennessee 37219-6300
Tel: (615) 880-3790/ Fax: (615) 862-6352
E-mail: andrew.mcclanahan@nashville.gov
E-mail: angela.d.williams@nashville.gov
E-mail: alex.blonder@nashville.gov

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent via U.S. Mail and/or electronic mail to the following on this the 2nd day of March 2022:

James Patterson 883 Granada Avenue Nashville, TN 37206	Sam Patterson 871 Carter Street Nashville, TN 37206
MRC Receivables Corp. c/o Midland Credit Management, Inc. 5100 Poplar Avenue, Suite 2700 Memphis, TN 38137	Lisa N. Stanley, Esq. George H. Higgs, Esq. Stone, Higgs & Drexler 150 Court Avenue Memphis, TN 38103 lstanley@stonehiggsdrexler.com ghiggs@stonehiggsdrexler.com *Attorneys for TN Adjustment Group, Inc.*
Teresa Morgan, Esq. P.O. Box 60711 Nashville, TN 37206 tm@teresamlaw.com	

Andrew D. McClanahan, #23772
Assistant Metropolitan Attorney

Case Title: THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY TENNESSEE V PATTERSON

Case Number: 21C917

Type: ORDER OF POSSESSION

The foregoing is hereby ORDERED, ADJUDGED AND DECREED:

Judge Amanda McClendon, Second Circuit