Karen Johnson Davidson County
Batch# 980372 ORDER
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Fees: $27.00 Taxes: $0.00
20230314-0018385

STATE OF TENNESSEE

I, JOSEPH P. DAY, 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 THIRD Circuit Court for Davidson County, Tennessee, on the 10 day of MARCH, 2023, in Docket Number 17D75 between WALL, JAMES GARLAND JR., Plaintiff, and WALL, ALLYSON KENT, 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 14 day of MARCH in the year two thousand twenty-three and in the 246th year of American Independence.

JOSEPH P. DAY, Clerk,

[SEAL]

JOSEPH P. DAY CIRCUIT COURT CLERK

By: _____
Deputy Clerk

COPY

EFILED 03/10/23 08:40 AM CASE NO. 17D75 Joseph P. Day, Clerk

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE

JAMES GARLAND WALL, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**No. 17D75**
	)	
ALLYSON KENT WALL,	)	
	)	
Defendant.	)	

ORDER ON MOTION FOR RELIEF PURSUANT TO TENN. R. CIV. P 70

This Cause came to be heard on the 3rd day of March, 2023, before the Honorable Phillip Robinson, Judge of the Third Circuit Court of Davidson County, Tennessee, on the Motion for Relief Pursuant to Tenn. R. Civ. P. 70 filed by Plaintiff, James Garland Wall, Jr., (hereinafter "Mr. Wall"), by and through counsel. Defendant, Allyson Kent Wall (hereinafter "Ms. Wall"), after having been duly noticed, failed to appear or respond. Mr. Wall appeared with counsel, Lori Thomas Reid. After hearing testimony and reviewing the record, the Court found as follows:

1. The parties were divorced pursuant to a Final Decree of Divorce entered on April 11, 2017 (See attached **Exhibit 1**).
2. Pursuant to Paragraph 3 of the Marital Dissolution Agreement, Ms. Wall agreed to convey to Husband all of her of right, title, and interest in and to the marital residence located at 3057 Bluffhollow Gap, Cane Ridge, Davidson County, Tennessee and to execute the documents upon presentation to her by Husband.

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3. On January 31, 2023, an individual at 1558 Crescent Point Lane, Virginia Beach, Virginia 24353 received a letter dated January 24, 2023 enclosing the Quitclaim Deed as verified by the United States Post Office. (See attached **Exhibit 2**).

4. The Motion for Relief Pursuant to Tenn. R. Civ. P. 70 was filed on February 9, 2023 and sent to 1558 Crescent Point Lane, Virginia Beach, Virginia 24353. No responsive pleading has been filed.

5. On February 27, 2023, Ms. Wall sent a text to Mr. Wall stating, "I will not sign anything...." (See attached **Exhibit 3**).

6. The Court finds Ms. Wall has failed to comply with the Final Decree of Divorce to execute a conveyance of land to Mr. Wall upon presentation to her and grants Mr. Wall's request pursuant to Tenn. R. Civ. P. 70. Therefore, all of Ms. Wall's right, title, and interest in and to the following described real estate, situated and being located in Davidson County, Tennessee shall be divested out of her and into James G. Wall, Jr.:

BEING Lot No. 104, Deer Valley, Section Four, a Cluster Subdivision, as shown by plat of record in Instrument Number 20061012-0126729, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to James G. Wall, Jr., and Allyson K. Wall, husband and wife, by Warranty Deed on June 20, 2014, of record in Instrument Number 20140630-0056972, Register's Office for Davidson County, Tennessee, from Lake Forest Homes, Inc., a Tennessee corporation.

The property is subject to any and all existing easements and restrictions, as shown of record, including the following:

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1. Subject to all matters as shown on the Plan of records in Instrument Number 20061012-0126729.

2. Covenants, conditions, and restrictions as set forth in instrument recorded in Instrument Number 20021212-0153693, Register's Office for Davidson County, Tennessee.

3. By-Laws of record in Instrument Number 20021212-0153693, Register's Office for Davidson County, Tennessee.

4. Easements of record in Instrument Numbers 20001205-0119205; 20001205-0119206; 20040224-0020945; 20021212-0153692; 20070807-0093758 and Book 222, Page 565, Register's Office for Davidson County, Tennessee.

This is improved property known as 3057 Bluffhollow Gap, Cane Ridge, Tennessee 37013.

This transfer is made pursuant to the provisions of Section 66-1-110, Tenn. Code Ann., and for the express purpose of terminating a tenancy by the entirety in and to the above-described property, so that title to said property is hereby vested solely in JAMES G. WALL, JR.

7. This Order shall operate as a deed to convey the property located at 3057 Bluffhollow Gap, Cane Ridge, Tennessee to Mr. Wall, free and clear of any claims by Ms. Wall.

8. Ms. Wall be responsible for all fees incurred by Mr. Wall in his attempts to have Ms. Wall sign the Quitclaim Deed, including attorney fees and private investigator fees and costs, in the amount of $5,326.80.

IT IS SO ORDERED.

ENTERED this 10th **day of** March **, 2023.**

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HONORABLE PHILLIP ROBINSON

APPROVED FOR ENTRY:

Lori Thomas Reid

Lori Thomas Reid, #12462
CHEATHAM, PALERMO & GARRETT
109 Jennings Street
Franklin, Tennessee 37064
(615) 224-3434
Attorney for Plaintiff,
James Garland Wall, Jr.
lreid@cpgfamilylaw.com

CERTIFICATE OF SERVICE

The undersigned certifies that on the 8th day of March, 2023 the following were served with a copy of the foregoing document by the identified method:

Allyson Kent Wall
1558 Crescent Pointe Lane
Virginia Beach, Virginia 23453

✓ Deposit in the U.S. Mail
_____ Certified Mail, Return Receipt Requested
_____ Hand Delivery
_____ Facsimile
_____ Email

Lori Thomas Reid

Lori Thomas Reid