E-FILED
3/28/2023 4:10 PM
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

IN THE CHANCERY COURT
FOR THE TWENTIETH JUDICIAL DISTRICT OF TENNESSEE

WAYNE N. REMENY, LLC and GARY C BAKER a/k/a CHAD BAKER Plaintiffs/Counter-Plaintiff, v WAYNE N REMENY, Defendant/Counter-Plaintiff.	)	Case No. 21-0353-II

Karen Johnson Davidson County
Batch# 986854 ORDER
03/30/2023 02 27 19 PM 4 pgs
Fees $22 00 Taxes $0 00
20230330-0023227

AGREED FINAL ORDER

THIS MATTER IS BEFORE THE COURT upon the agreement of the parties The crux of this dispute is the ownership of certain real property located at 3606 Pilcher Avenue, Nashville, TN 37209 (the "Property")

Plaintiffs Wayne N Remeny, LLC (the "Company") and Gary C Baker a/k/a Chad Baker ("Mr Baker," and collectively with the Company, the "Plaintiffs") filed an *Amended Verified Complaint to Quiet Title, Lien Lis Pendens, and to Set Aside Fraudulent Deed* (the "Operative Complaint") on November 5, 2021 and have asserted the following claims

1 Unjust enrichment;

2 Declaratory judgment to declare a deed executed by Defendant Wayne N. Remeny ("Mr Remeny") on July 21, 2019 purporting to convey title to the Property to himself from the Company legally invalid and void *ab initio*,

3 Lien *lis pendens* to notify the world of the Company's interest in the Property asserted in this matter, and

4 Fraud

On June 10, 2021, Mr Remeny filed a *Counterclaim* in this case (the "Counterclaim") and asserted that the underlying conveyance of the Property from Mr Remeny to the Company on January 17, 2017 violated Tennessee law, resulting in title to the Property remaining with Mr Remeny subject to either (a) an equitable mortgage in favor of the Company or (b) a claim for monetary damages in favor of the Company and against Mr. Remeny

The Parties have reached a settlement of the claims at issue in this case (the "Settlement") which shall fully resolve all matters at issue, inclusive of the claims asserted in both the Operative Complaint and the Counterclaim, and any defenses thereto. Based on the agreement of the Parties, as evidenced by the signature of their respective counsel below, the Court finds the relief requested by the Parties to be well-taken Accordingly, it is hereby **ORDERED** as follows.

1 The warranty deed executed by Mr. Remeny conveying title to the Property to the Company, which was dated January 17, 2017 and is recorded with the Register of Deeds for Davidson County, Tennessee (the "Register") on January 18, 2017 as Instrument No. 20170118-0005083 (the "First Deed"), effected a valid and enforceable conveyance of the Property from Mr Remeny to the Company which vested lawful title to the Property in the Company

2. The quitclaim deed executed by Mr Remeny conveying title to the Property from the Company to himself, which was dated June 21, 2019 and recorded with the Register on June 21, 2019 as Instrument No 20190621-0060240 (the "Second Deed") is **void *ab initio***, as Mr Remeny had no actual or apparent authority to execute such deed on behalf of the Company The Second Deed therefore has no force and effect, and it shall be treated as if it were never executed or recorded. Title to the Property therefore shall remain in the name of the Company subject to any lawful encumbrances thereon in accordance with the relief provided herein

3 The Company is hereby instructed to record a copy of this Agreed Final Order with the Register upon its entry by this Court to reflect the legal invalidity of the Second Deed in the Property's chain of title.

4 All other claims, counterclaims, and defenses asserted by the Parties not otherwise addressed in this Agreed Final Order, including but not limited to any claims for damages by one party against the other, are hereby DISMISSED WITH PREJUDICE

5 This shall constitute a final order in this case. Any outstanding court costs shall be taxed to the Plaintiffs

Entered this the 28th day of March, 2023

s/Anne C. Martin
CHANCELLOR ANNE C. MARTIN

APPROVED FOR ENTRY:

/s/ Henry E. ("Ned") Hildebrand, IV
Henry E. ("Ned") Hildebrand, IV, (BPR #032168)
DUNHAM HILDEBRAND, PLLC
2416 21st Avenue South, Suite 303
Nashville, TN 37212
615 933 5851
ned@dhnashville.com
Counsel for the Plaintiffs/Counter-Defendants

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 30th DAY OF March 2023
MARIA M. SALAS, CLERK & MASTER
BY Lisa Neal
DEPUTY

/s/ David J Tarpley (with permission)
David J. Tarpley (BPR #004059)
LEGAL AID SOCIETY OF MIDDLE TENNESSEE AND THE CUMBERLANDS
1321 Murfreesboro Pike, Suite 400
Nashville, TN 37217
615 780.7113
dtarpley@las org
Counsel for the Defendant/Counter-Plaintiff

CERTIFICATE OF SERVICE

I certify that on March 24, 2023, the foregoing was served to the following parties via regular U.S. mail, with a courtesy copy sent via email.

David J Tarpley
Katie Ovalle
Legal Aid Society of Middle Tennessee and the Cumberlands
1321 Murfreesboro Pike, Suite 400
Nashville, TN 37217
E: dtarpley@las org
E. kovalle@las org

/s/ Henry E ("Ned") Hildebrand, IV
Henry E. ("Ned") Hildebrand, IV