

**IN THE CHANCERY COURT OF HENDERSON COUNTY, TENNESSEE
AT LEXINGTON**

BRENDA AUSTIN

PLAINTIFF

VS.

JEFF TURNBOW AND
TERESA BARNETT

DEFENDANTS

No. 27076

REC'D AND
ENTERED
Order & Decree Book
270 p. 696
L. W. Lam
Date 11/2/17 C. & M.

**ORDER GRANTING MOTION FOR SUMMARY JUDGMENT
OF THE PLAINTIFF AGAINST DEFENDANTS AND ORDER
DISMISSING COUNTER COMPLAINT OF JEFF TURNBOW FOR
FAILURE TO STATE A CAUSE OF ACTION AND GRANTING
RELIEF REQUESTED IN ORIGINAL COMPLAINT FOR PARTITION**

This matter came to be heard on the 2nd day of November, 2017, before the Honorable James F. Butler, Chancellor of the Chancery Court of Henderson County, Tennessee, upon the Plaintiff's Motion for Summary Judgment, Affidavit in Support of Motion for Summary Judgment, Statement of Undisputed Facts, pro-se Answers of Defendants to original Complaint, (Defendants filed no response to Motion for Summary Judgment or Motion to Dismiss) statements of counsel and upon the entire record from all of which the Court is of the opinion that the Motion for Summary Judgment should be granted in this cause for the Plaintiff against the Defendants as there are no genuine issues of material fact, and that the Plaintiff is entitled to judgment in her favor as a

matter of law. The Court is of the opinion that the Plaintiff's Motion to Dismiss the Counter Complaint of Jeff Turnbow for Failure to State a Cause of Action should be granted, and Motion for Sanctions will be taken under advisement and deferred. The Court further finds as follows:

1. That the property in this cause is so situated that it is not proper for partition in kind and that it is in the interest of all parties that property be sold for division.

2. That Clerk and Master be appointed Special Commissioner to carry out the terms of the sale and to otherwise dispose of property according to law.

3. Any existing debts, the cost of this cause, including attorney fees, surveying cost, Clerk's commission, and publication cost be taxed as cost and shall be paid from the proceeds of the sale, and the remaining proceeds be distributed to parties as their interest shall appear.

4. That a surveyor be employed if necessary to survey the property and prepare plats.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Motion for Summary Judgment filed by Plaintiff against the Defendants, and the Motion to Dismiss the Counter Complaint of Defendant, Jeff Turnbow, heretofore filed by the Plaintiff is hereby granted. Motion for Sanctions will be taken under advisement and deferred for later ruling.

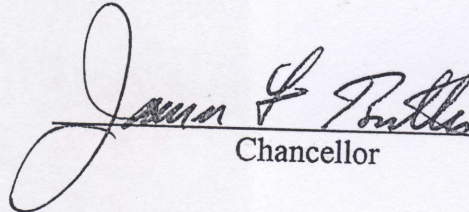
2. That the property in this cause be sold for division.

3. That Clerk and Master be appointed Special Commissioner to carry out the terms of the sale and to otherwise dispose of property according to law.

4. Any existing debts, the cost of this cause, including attorney fees, surveying cost, Clerk's commission, and publication cost be taxed as cost and shall be paid from the proceeds of the sale, and the remaining proceeds be distributed to parties as their interest shall appear.

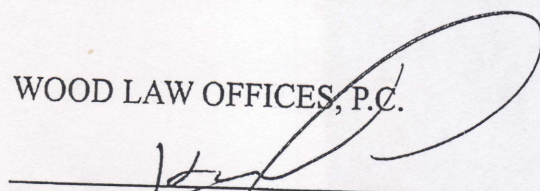
5. That a surveyor be employed if necessary to survey the property and prepare plats.

This the 2 day of November, 2017.


Chancellor

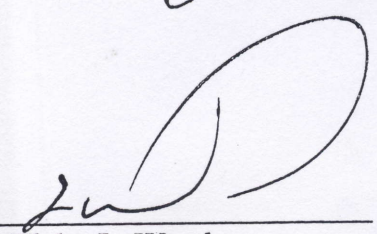
APPROVED FOR ENTRY:

WOOD LAW OFFICES, P.C.


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Hannah Wood Lee - BPR # 033965
Attorneys for Plaintiff
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Parsons, Tennessee 38363
(731) 847-6713

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing has been mailed to Defendants, by placing same in the United States mail, postage prepaid and addressed to them at their last known addresses, this the 2 day of November, 2017.



Ricky L. Wood

