

IN THE CIRCUIT COURT FOR ROANE COUNTY, TENNESSEE

CITY OF HARRIMAN BY AND  
THROUGH ITS AGENT HARRIMAN  
UTILITY BOARD

VS.

NO. 9843

LIBERTY PROPERTIES, INC.,  
EDDIE G. WEIFORD AND WIFE,  
SHEILA R. WEIFORD AND  
ROANE COUNTY, TENNESSEE.

#325  
J U D G M E N T

This cause came on for hearing, on the 4th day of December, 1992 at 9:00 a.m. pursuant to Notice duly served upon all of the defendants, on the Motion of the City of Harriman by and through its agent Harriman Utility Board, plaintiff in the above-entitled cause for a default judgment pursuant to Rule 55, Tennessee Rules of Civil Procedure, and it appearing to the Court that the complaint was filed in this court on the 14th day of October, 1991, and that the summons and complaint duly served on the defendants, Eddie G. and Shelia R. Weiford on October 18, 1991. A summons and complaint duly served on Liberty Properties Inc. on the 2nd day of November, 1991. No answer or other defense has been filed by the defendants Liberty Properties Inc., Eddie G. Weiford and wife, Shelia R. Weiford, it is hereby ordered and adjudged by the Court that a judgment be entered by default against these defendants and this cause set for hearing Ex Parte as to them.

Thereupon this cause came on to be further and finally heard on the 4th day of January, 1993, before the Honorable Russell E. Simmons, Judge of the Circuit Court for Roane County, Tennessee, upon the Default Judgment heretofore entered, answer of Roane County, Tennessee, evidenced introduced into open Court and the entire record in this cause from all of which the court found that the fair cash market value of the permanent easement hereinafter described as valued at Five Hundred Dollars (\$500), including all incidental damages to the remainder of the defendants' property.

It is accordingly ORDERED, ADJUDGED AND DECREED by the Court that all the right, title, interest and estate of the defendants

Liberty Properties Inc., Eddie G. Weiford and wife, Shelia R. Weiford and Roane County, Tennessee and each of them, in and to the hereinafter described real estate be, and the same is hereby, divested out of said defendants and each of them, and vested in the City of Harriman, Tennessee for its agent Harriman Utility Board for construction of a sewage pumping station designated as sanitary sewerage improvements CDBG project no. Z-353WTW-GM Job No. 88-05 and the plans and specifications for which project are incorporated herein by reference and are on file in the office of the Harriman Utility Board, Roane Street, Harriman, Tennessee. Said property is more particularly described as follows, to-wit:

This parcel is a portion of Parcel No. 5, Tax Map No. 26N, Section "C", Roane County, Tennessee, and more particularly described as follows:

BEGINNING at a point in the north margin of Tub Springs Road, and also being the southeast corner of the Warren L. and Maisie Furr property, Tax Map No. 26N, Section "C", Parcel No. 6, said point also being the southwest corner of the subject property, thence from said beginning point and running with the said north margin of Tub Springs Road, N 73° 00' E 58.0' to a point, thence N 17° 00' W 60.0' to a point, thence N 89° 08' W 51.13' to a point in the line of the said Furr property, thence with the line common to said Furr and the subject property S 27° 00' E 35.0' to a point, thence with the line common to said properties S 3° 30' W 44.0' to the point of beginning, and containing 0.0745 acres, more or less.

Being part of the property conveyed to Liberty Properties, Inc., a Tennessee corporation of Roane County, Tennessee, from Louis McPeters and wife Penny McPeters and George Melhorn and wife Donna. Melhorn in a Warranty Deed dated January 9, 1985 and recorded in Deed Book Z16, page 587 in the registers office for Roane County, TN and also the portion of property conveyed to Eddie G. Weiford and wife, Shelia R. Weiford from Liberty Property Inc. in a Quitclaim Deed dated April 3, 1985 and recorded in Deed Book A17, Page 533, in the Register's Office for Roane County, TN.

The Court further found that the defendants Liberty Properties and Eddie G. Weiford and wife, Shelia R. Weiford are indebted to Roane County for delinquent taxes.

It is accordingly ORDERED, ADJUDGED AND DECREED that the defendants Liberty Properties, Eddie G. Weiford and wife, Shelia R. Weiford and Roane County have and recovered of the City of Harriman and of the Harriman Utility Board as such, as full payment for the real estate taken and all incidental damages, the sum of Five Hundred Dollars (\$500), and all of the costs of the cause. It appearing that the plaintiff paid into the registry of the court



the sum of Five Hundred Dollars (\$500) on the date the petition was filed on the 14th day of October, 1991.

The City of Harriman obtained possession of the property on 18th day of October, 1990. The defendants Liberty Properties, Inc., Eddie G. Weiford and wife, Shelia R. Weiford owe Roane County, Tennessee taxes for the years 1987, 1988, 1989, 1990 and 1991 which amount is greater than the amount of the tender of Five Hundred Dollars (\$500). The full amount of the tender should be paid to Roane County.

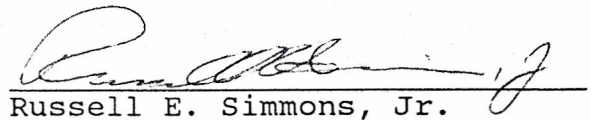
When receipts for Roane County taxes or such part as the tender represents are filed with the clerk the clerk will pay the total judgment directly to Roane County in satisfaction of the taxes owed on the part taken.

*Costs are taxed to the ~~defendants~~ plaintiffs.*  
This judgment was made on the 4th day of January, 1993.

ENTERED

Date 1-20-93

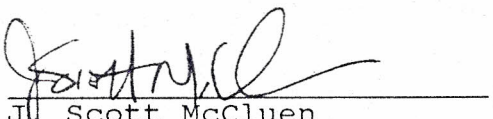
By B. Staff

  
Russell E. Simmons, Jr.  
Circuit Court Judge

APPROVED FOR ENTRY:

NEWCOMB & MURPHY

By: William A. Newcomb  
William A. Newcomb  
Attorney for City of Harriman  
and Harriman Utility Board

  
J. Scott McCluen  
Attorney for Roane County

IN THE CIRCUIT COURT FOR ROANE COUNTY, TENNESSEE

CITY OF HARRIMAN BY AND  
THROUGH ITS AGENT HARRIMAN  
UTILITY BOARD

VS.

NO. 9843

LIBERTY PROPERTIES, INC.,  
EDDIE G. WEIFORD AND WIFE,  
SHELIA R. WEIFORD AND  
ROANE COUNTY.

C E R T I F I C A T E

I, Louise Thomas, Circuit Court Clerk, in the said State and County, do hereby certify that the above and a foregoing, is a true, perfect and complete copy of the cause in the case The City of Harriman by and through its agent Harriman Utility Board vs. Liberty Properties, Inc., Eddie G. Weiford and wife, Shelia R. Weiford and Roane County, Tennessee, one of the ninety five counties of Tennessee.

As the same appears of record in Minute Book 93, Page 487 in my office at Kingston, Tennessee. Witness my hand and official seal, this the 4th day of January, 1993.

(1-22-93)

Louise Thomas  
Louise Thomas,  
Circuit Court Clerk Roane county  
by: B. Scalf

RULE 58 CERTIFICATE

This is to certify that in accordance with Tennessee Rule of Civil Procedure 58.02, I have served a true copy of this JUDGEMENT on Liberty Properties, Inc., Eddie G. Weiford and Shelia R. Weiford, by placing the same in the U. S. Mail to the last known address, with sufficient postage to reach its destination:

Liberty Properties, Inc.  
Route 1, Box 34  
Wartburg, TN 37887

Eddie G. Weiford and wife,  
Shelia R. Weiford  
Route 1, Box 488-A  
Harriman, TN 37748

This the 22<sup>nd</sup> day of January, 1993.

CIRUCIT COURT CLERK

By: Barbara Scalf, Deputy  
Louise Thomas, Clerk Clerk



STATE OF TENNESSEE, ROANE COUNTY, REGISTER'S OFFICE  
This instrument and certificate were noted in  
Note Book R, Page 245 at 9:55 O'clock A M. 7-14, 1993  
and recorded in Deed Book G, Series 19, Page 684  
Rec. Fee \$ 20.00 State Tax \$ \_\_\_\_\_ Regs. Fee \$ \_\_\_\_\_  
Total \$ 20.00 Receipt No. \_\_\_\_\_  
Witness my hand. Maxie Crowe Register  
By Gail Woods



PROPERTY FOR Tub Spring Sewer Sta

LAW OFFICES  
NEWCOMB & MURPHY  
307 DEVONIA STREET  
P.O. Box 823  
HARRIMAN, TENNESSEE 37748

WILLIAM A. NEWCOMB  
PATRICIA D. MURPHY

TELEPHONE  
AREA CODE 615  
882-1145

July 15, 1993

Harriman Utility Board  
P. O. Box 434  
Harriman, TN 37748

Re: Harriman Utility Board vs. Liberty Properties  
Roane Circuit No. 9843

Gentlemen:

Find enclosed herewith Judgment entered in the Circuit Court for Roane County and recorded in the Register of Deeds Office for Roane County. Also find enclosed statement from the Register of Deeds Office in the amount of \$20.00. Please pay this statement as soon as possible.

I have also enclosed herewith my statement on the above styled cause. This concludes this matter, and I wish to express my appreciation for your allowing me to handle it for you.

In the event you have any questions concerning my services or my fees, please feel free to contact me, and I will be happy to discuss the same with you. I feel the most satisfactory relationship between an attorney and his client is one based on a friendly, mutual understanding of all matters.

If I can be of any service to you in the future, do not hesitate to contact me.

Sincerely yours,

  
William A. Newcomb

WAN/ssl  
Enclosures

LAW OFFICES  
NEWCOMB & MURPHY  
307 DEVONIA STREET  
P.O. Box 823  
HARRIMAN, TENNESSEE 37748

WILLIAM A. NEWCOMB  
PATRICIA D. MURPHY

TELEPHONE  
AREA CODE 615  
882-1145

July 12, 1993

Department of Economic  
and Community Development  
Office of Program Management  
Rachel Jackson Building/6th Floor  
320 Sixth Avenue North  
Nashville, TN 37243-0405


RE: City of Harriman vs. Liberty Properties, Inc.  
(Eddie G. Weiford, Shelia R. Weiford)  
(1988 Harriman CDBG Sewer Extension Project, Z-38353)

Gentlemen:

I am replying on behalf of Patricia D. Murphy, City Attorney,  
with regard to your inquiry of June 30, 1993, requesting  
documentation that the acquisition of the land actually took place.

Find enclosed herewith copy of the Judgment obtained in the  
condemnation suit acquiring this property. In the event you have  
any further questions please let us here from you promptly.

Sincerely yours,

  
William A. Newcomb

WAN/ssl  
Enclosure

## CLIENT LEDGER

By Law Publications  
A Division of Allstate Legal Supply CO  
Los Angeles, CA and Hartford, CT  
To order, call 800-368-6338

MATHIEUX

## Future Work

ADDRESS

### ADVERSE PARTY

PHONE

PROOF.

[illegible]



This instrument prepared by:  
George H. Lockett, Attorney  
P.O. Box 436, 315 Devonia St.  
Harriman, TN 37748

STATE OF TENNESSEE, ROANE COUNTY, REGISTER'S OFFICE

This instrument and certificate were noted in  
Note Book P Page 381 at 9:00 o'clock PM 8, 1989  
and recorded in Deed Book D, Series 18, Page 357  
Rec. Fee \$ 3.00 State Tax \$        Regs. Fee \$         
Total \$ 3.00 Receipt No. 32101

Witness my hand,  
Marie M. Capwell Register  
Br. Jamul

#206

1989

GRANT OF SEWER LINE EASEMENT

This Agreement made and entered into on the day and date hereinafter set forth by and between EDDIE G. WEIFORD and wife, SHEILA R. WEIFORD, Parties of the First Part, of Roane County, Tennessee, hereinafter sometimes referred to as "Grantors" and CITY OF HARRIMAN, TENNESSEE, for the use and benefit of the HARRIMAN UTILITY BOARD, Party of the Second Part, of Roane County, Tennessee, hereinafter sometimes referred to as "Grantee".

WITNESSETH:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, in hand paid, receipt of which is hereby acknowledged, Grantors do hereby grant and convey unto Grantee an easement described as follows:

Situated in the First (1st) Civil District of Roane County, Tennessee, and within the corporate limits of the City of Harriman, Tennessee, and identified on Roane County Property Assessor's Map as part of Tax Map No. 26-N, Group C, Parcel No. 5, and being more particularly described as follows:

BEGINNING in the southeastern corner of the subject property, also being the southwestern corner of a strip of land on which is situated a common entrance road (Parcel No. 4, Area "C"), thence with the eastern property line a strip of land 25 feet wide extending to the property line common to subject property and Parcel No. 4, and containing approximately 0.06 acres for the purpose of a permanent sewer line easement.

In addition, a strip of land 25 feet wide and 99.5+ feet long and bounded by the same property lines as above described permanent easement, for the purpose of a temporary construction easement, shall exist for 450 days after the contract for the construction of the proposed line is executed or until the City of Harriman accepts the construction.

Being a part of the same property conveyed to Parties of the First Part by deed dated April 3, 1985, executed by Liberty Properties, Inc., and recorded on April 4, 1985, in Deed Book A-17, page 533, Office of the Register for Roane County, TN. Reference is also made to the following deeds of record in the Office of the Register for Roane County: Deed Book Z-16, pages 628 and 587, and X-16, page 591.

The within conveyance is a perpetual easement on, over, under and across the aforescribed strip of land for the purpose of installing, operating and maintaining, including the rights of ingress and egress, of an eight inch (8") sanitary sewer collection line and all appurtenances thereto.

Grantors reserve the right to use said easement area for any other purpose which will not interfere with the safe and proper installation, operation, maintenance, alteration, repair, replacement or removal of the facilities of Grantee. Grantors certify that they are the owners of the property described and have a good and perfect right to enter into this Agreement and will defend the title to said property against the lawful claims of all persons whomsoever.

Wherever herein a singular designation is made for more than one Grantor, it is agreed that all Grantors are included in said designation.

IN WITNESS WHEREOF, the Grantors herein have affixed their signatures on this instrument on this the 23 day of May, 1989.

Eddie G. Weiford  
Eddie G. Weiford  
Sheila R. Weiford  
Sheila R. Weiford

STATE OF TENNESSEE  
COUNTY OF ROANE

Personally appeared before me, Richard A. Hall, a Notary Public in and for said County and State, the within named bargain-ors, Eddie G. Weiford and wife, Sheila R. Weiford, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand and official seal at office this 23 day of May, 1989.

Richard A. Hall  
Notary Public

My Commission Expires: June 12, 1993.

