

Form 7 - Order Sustaining Petition

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

The University of Tennessee
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Reference Number: MTAS-1335

ORDER SUSTAINING PETITION FOR CONDEMNATION AND ORDERING WRIT OF INQUIRY

This cause came on to be heard on the _____ day of _____, 20____, before the Honorable _____, Judge of the _____ Circuit Court of _____ County, Tennessee, upon the Petition for Condemnation and Notice to respondents. It appearing to the court that the petition and notice have been served, or publication made, as required by law, and that the cause is before the court on application to sustain a petition and for a writ of inquiry of damages and the appointment of a jury of view; and it further appearing that the respondents are before the court and that petitioner has the legal power and authority to acquire [insert the interest sought to be condemned] under the eminent domain laws of the state of Tennessee to the following described property located in _____ County, Tennessee:

[insert a description of the property]

Respondents' right of trial by petit jury to determine the amount of compensation to which they are entitled for this taking is not affected by the transfer of title to petitioner.

IT IS ORDERED, ADJUDGED, and DECREED:

1. That the Petition for Condemnation of the property described above is sustained.
2. That the following persons are nominated and appointed to act as a Jury of View as provided by the eminent domain laws of Tennessee:

- 1.
- 2.
- 3.
- 4.
- 5.

Alternate:

3. That the clerk shall issue a writ of inquiry to the sheriff commanding him to summons the Jury of View to appear in open court on the _____ day of _____, 20____, at _____, and no other notice need be given, there to be impaneled and sworn, after which they will proceed immediately to the property sought to be condemned and examine it, hear testimony of witnesses, but no argument of counsel, and set apart by metes and bounds the land to be condemned, and assess damages as required by law, reduce their report to writing and deliver it to the sheriff, who will make his return to the court.

This _____ day of _____, 20____.

Circuit Court Judge

Approved for Entry

Attorney for Petitioner

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