

**IN THE CHANCERY COURT FOR BLOUNT COUNTY, TENNESSEE**

BLOUNT MEMORIAL HOSPITAL,  
INCORPORATED, and DENNY MAYES,

Plaintiff, Counter-Defendants

v.

BLOUNT COUNTY, TENNESSEE, and  
MARVIN EDWARD MITCHELL, in his  
official capacity as MAYOR OF BLOUNT  
COUNTY, TENNESSEE

Defendants, Counter-Plaintiffs.

Docket No. 22-CH-114

NOTICE OF ENTRY REQUESTED

FILED  
BLOUNT COUNTY

APR 02 2024  
3:20pm CB  
STEPHEN S. OGLE  
CLERK AND MASTER

**AGREED JUDGMENT**

Come the parties and announce to this Court that all matters in controversy between them have been fully compromised and settled, and as part of that settlement, the parties agreed to entry of this Agreed Judgment. The parties, Blount Memorial Hospital Inc and Blount County, have entered into a separate Management Agreement and this Agreed Judgement has been included as Exhibit A to the Management Agreement.

It is therefore, ORDERED, ADJUDGED, and DECREED as follows:

1. The Hospital consists of a main campus located, generally, at 907 E. Lamar Alexander Parkway, Maryville, Tennessee ("Main Campus") as well as various other affiliated services located on other parcels ("Affiliated Properties"). The Main Campus is, and shall remain, titled in the name of Blount County. The Affiliated Properties are titled in the name of Blount Memorial Hospital, Inc. In addition, all personal property, including furniture, fixtures, and equipment, on both the Main Campus and any Affiliated Properties, is presently titled in the name of and/or owned by Blount Memorial Hospital, Inc. Notwithstanding that Blount Memorial Hospital, Inc. holds title and/or ownership of the Affiliated Properties and personal property relating to the

Hospital, Blount Memorial Hospital, Inc. acknowledges that such Affiliated Properties and personal property were acquired with revenues of the Hospital and that such Affiliated Properties and personal property are held by Blount Memorial Hospital, Inc. in a resulting trust for the benefit of the County. Blount Memorial Hospital, Inc. shall retain full authority to purchase and sell any and all personal property necessary to operate the Hospital and its affiliated services in the ordinary course of business, including disposing of obsolete property. Blount Memorial Hospital, Inc. agrees to provide the County sixty (60) days' written notice prior to entering into any agreement to sell or acquire any real property titled or to be titled in the name of Blount Memorial Hospital, Inc., and the County shall notify Blount Memorial Hospital, Inc. in writing within forty-five (45) days of receipt of such notice if the County approves such sale or acquisition (and if the County does not approve such sale or acquisition, it shall not proceed). With any such notice, Blount Memorial Hospital, Inc. shall provide the County the form of any proposed purchase agreement along with such other information as the County may reasonably request. Proceeds from any transaction involving real property or personal property titled in the name of and / or owned by Blount Memorial Hospital, Inc. shall be retained by Blount Memorial Hospital, Inc. for any use or purpose consistent with the terms of the parties' Management Agreement unless, with respect to the real property, the parties agree in writing as to another use of such proceeds.

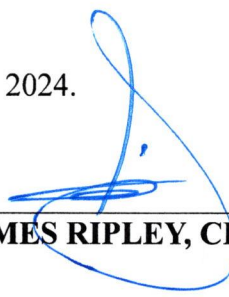
2. All claims of Blount Memorial Hospital, Incorporated against Blount County, Tennessee and all claims of Blount County, Tennessee against Blount Memorial Hospital, Incorporated and Denny Mayes asserted in this lawsuit are DISMISSED WITH PREJUDICE.

3. Each party shall bear its own attorney fees and discretionary costs.

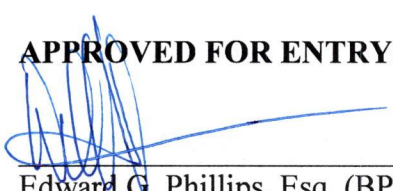
4. Court costs in this case are taxed equally to Blount Memorial Hospital, Inc. c/o Attorney William J. Carver, P.O. Box 629, Knoxville, Tennessee 37901 and Blount County, Tennessee c/o

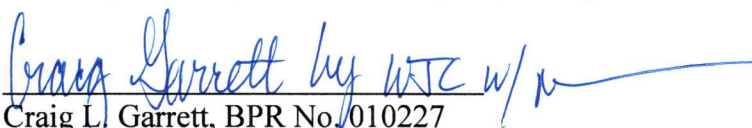
Attorney Craig L. Garrett, 607 Smithview Drive, Maryville, Tennessee 37803 for which execution may issue if necessary.

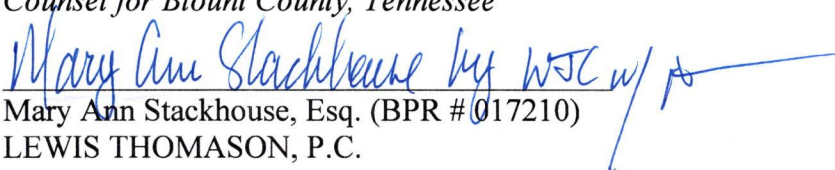
ENTERED this 2<sup>nd</sup> day of April, 2024.

  
HON. JAMES RIPLEY, CHANCELLOR

**APPROVED FOR ENTRY:**

  
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