IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Map 148-8
Par. 44

DEBORAH FAULKNER LONG

VS. NO. 91417

JAMES HILLARD LONG

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 14th day of November, 1978, before the Honorable Benson S. Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the original bill for absolute divorce, personal service upon the Defendant, an Answer filed and subsequently withdrawn on the date of hearing, and default judgment thereupon granted, the testimony of Plaintiff in open Court, statement of Counsel, and upon the entire record in this cause; from all of which the Court is of the opinion that there have arisen irreconcilable differences between the parties hereto, whereby Plaintiff is entitled to an absolute divorce from the Defendant. The Court is further of the opinion that the settlement agreement entered into by and between the parties should be ratified and affirmed in all respects and made a part of this Decree by the inclusion hereof of same, as follows:

AGREEMENT

THIS AGREEMENT, made and entered into this 5th day of December, 1978, by and between DEBORAH FAULKNER LONG and JAMES HILLARD LONG, hereinafter referred to respectively as Plaintiff and Defendant,

WITNESSETH:

That, whereas the parties are husband and wife, but are now living separate and apart; and whereas the wife has instituted suit for absolute divorce against the husband, in the Court and under the docket number above shown; and whereas the parties have this day reached a satisfactory agreement between themselves, out of Court, concerning the divison and settlement of property rights, claims and demands of every nature, and certain other matters as hereinafter set forth; NOW, THEREFORE, the parties agree as follows:

I. REAL PROPERTY: The parties hereto own interest in the following described real property, as tenants by the entirety:

LAND in Davidson County, Tennessee, being Lot No. 53 on the Plan of Beverly

Heights Subdivision, Section II, of record in Book 2331, page 42, Register's Office for said County.

SAID Lot No. 53 fronts 90 feet on the easterly margin of Hopedale Drive and extends back between lines 195 feet on the northerly line and 203.5 feet on the southerly line, to a dead line in the rear, measuring 52.9 feet thereon.

BEING the same property conveyed to James H. Long and wife, Deborah F. Long, by warranty deed from E. Ross Wilkes, dated July 22, 1977, of record in Book 5175, oage 57, Register's Office for Davidson County, Tennessee.

In consideration of the fact that Plaintiff placed her own personalty as security for money ontained as a down payment, made the majority of the mortgage payments, and agrees to accept the obligations of the Deeds of Trust of record in Book 4754, page 17, and Book 4933, page 957, Register's Office for Davidson County, Tennessee, to Fidelity Federal Savings & Loan Association and to Third National Bank, respectively, fair division of the marital property dictates that all right, title and interest of the Defendant in and to this property be divested out of him and vested in Plaintiff, to create an estate in her name alone, in fee simple.

Further, Defendant agrees to obtain release of the Federal Tax Lien of record in Book 4944, page 739; and in Book 4981, page 720, Register's Office for Davidson County, Tennessee, by payment, agreement, or otherwise, on or before seventy-five (75) days after November 14, 1978, the date of hearing of this cause.

In consideration for Defendant's action in the preceding paragraph, Plaintiff disavows any right, title or interest in and to a certain parcel of real property owned by the Defendant, located in Cheatham County, being five (5) acres, more or less, and if any right, title or interest in or to this land remains, same is hereby divested out of Plaintiff and vested in Defendant to create an estate in his name alone, in fee simple.

II. TITLED PERSONALTY: There is no dispute between the parties as to any item of titled personalty.

III. UNTITLED PERSONALTY: Plaintiff agrees to return to the Defendant the following items of personalty now in her possession: several bottles of whiskey, one pocket watch, one law enforcement certificate, one white gold ring. In consideration for the return of the said items, and in the interest of a fair division of the marital property, Defendant agrees to return to Plaintiff all fixtures which he removed from the house at 4826 Hopedale Drive, with the exception of two broken mirrors and one storm door. The parties agree that there is no dispute as to any other items of personalty.

IV. JOINT AND SEVERAL DEBTS: Each party hereto shall be responsible for the payment in full of all debts incurred by him- or herself after the execution of this agreement, and for all individually incurred debts prior thereto, except as

otherwise herein specified. All debts incurred by the parties during the marriage having been assumed under the name of one party or the other individually, rather than jointly, each party hereby acknowledges and assumes sole responsibility for the payment in full of all outstanding balances accruing to his or her personal accounts, and agrees to hold the other harmless from any liability therefor.

No further charges shall be made by either party upon any joint account whatsoever, and all credit cards held by either party pertaining to joint accounts shall be immediately surrendered to the companies to which they pertain. All such accounts shall be immediately closed or converted to the sole use of one party or the other. Any credit cards held by either party pertaining to any account held solely in the name of the other shall be immediately returned to the party in whose name such accounts are held.

V. JOINT BANK ACCOUNTS: None.

VI. ALIMONY: None.

VII. COURT COSTS AND ATTORNEYS' FEES: Each party hereto shall pay one-half (1/2) of the total costs of Court accruing to this cause. Each party shall further be solely responsible for the payment in full of any and all attorney's fees incurred by him- or herself relative to this cause.

ALL OTHER MATTERS ARE RESERVED TO THE DISCRETION OF THE COURT.

THIS AGREEMENT shall be binding, in all of the tenets hereof, severally and in sum, upon both parties hereto and upon their heirs and assigns forever, from the date of execution hereof, unless and until countermanded or modified by Decree of the Court having jurisdiction of this cause hereafter entered, and may be incorporated, in full or in part, into or attached to and fererenced within any Final Decree of Divorce to be hereafter entered herein, at the discretion of the Court.

WITNESS our hands on the date first above written:

/s/ DEBORAH FAULKNER LONG

/s/ JAMES HILLARD LONG

It is therefore ORDERED, ADJUDGED and DECREED that Plaintiff, DEBORAH FAULKNER LONG, be and is hereby granted an absolute divorce from the Defendant, JAMES HILLARD LONG, and restored to all of the rights and privileges of an unmarried person.

It is further ORDERED that the Plaintiff's maiden name, FAULKNER, be restored and with it all of the rights and privileges attached thereto.

It is further ADJUDGED that the property settlement agreement entered into by and between the parties as hereinabove set forth be, and is hereby, ratified and affirmed by the Court in all respects and same is hereby made a part of this Final Decree of Divorce.

Entered this 8 day of December, 1978:

JUDGE

Approved for Entry:

KENNETH M. SWITZER
Plaintiff's Counsel

I hereby certify that a true copy hereof has been furnished to ROBERT H. SCHWARTZ, Defendant's Counsel herein, at 213 Third Avenue North, Nashville, Tennessee 37201, this 6th day of December, 1978:

KENNETH M. SWITZER

8959 04/27 10.00- CASH

F 26387

BOOK 5427 PAGE 415

IDENTIF. REFERENCE

APR 27 12 43 PM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

12-8-78 110B/1699

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a* ~~correct transcript~~ True Copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Deborah Faulkner Long *Plaintiff, and* James Hilliard Long *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 23rd *day of* Jan *in the year one thousand nine hundred and* 79 *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By K. Cyer, *D. C.*

Form #GR-117