172-2 7-2-80
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TONI LOU MCDONALD COLLINS)
)
VS.)
)
CARL EDWARD COLLINS)

IN THE FOURTH CIRCUIT COURT
FOR DAVIDSON COUNTY, TENNESSEE
NO. 80D-948

BOOK 5639 PAGE 573

FINAL DECREE

This cause came on for hearing on this the 27th day of June, 1980, before the Honorable ~~Benson Trimble~~ Donald Arkovitz, Special, Judge of the Fourth Circuit Court of Davidson County, Tennessee upon the original complaint filed by the complainant, Toni Lou McDonald Collins, personal service had upon the defendant Carl Edward Collins, with the cause proceeding to trial as an uncontested matter upon the grounds of irreconcilable differences with the parties hereto having executed a property settlement and custody agreement dated March, 10, 1980 and with said agreement further being amended by an amended property settlement and custody agreement executed by the parties on May 9, 1980, and with said agreement submitted to the court, testimony of the complainant heard in open court, statement of counsel and the entire record herein. From all of which the court is of the opinion and finds as follows:

It appears to the court from the testimony of the complainant that the parties hereto have marital differences which cannot be reconciled.

It is therefore ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing by and between the parties hereto are hereby dissolved and the complainant, Toni Lou McDonald Collins is hereby awarded an absolute divorce from the defendant, Carl Edward Collins upon the grounds of irreconcilable differences and she is hereby restored to all the rights and privileges of an unmarried person.

It further appears that the parties have entered into a property settlement and custody agreement dated March 10. 1980, and further said agreement has been amended by an additional property settlement and custody agreement executed by the parties on May 9, 1980, and said agreements are hereby approved by the court and made the judgment of the court herein in all respects and the same are made reference to herein as if copied herein verbatim.

In accordance therewith it is ORDERED, ADJUDGED AND DECREED that the custody of the two minor children herein to wit, Christopher Carl Collins age 10 and Scott Edward Collins age 8 are hereby vested in the complainant, Toni Lou McDonald Collins, with reasonable visitation being reserved to the defendant and natural father on an every-other weekend basis or as the parties may otherwise agree as reflected by the property settlemen

It is further ORDERED, ADJUDGED AND DECREED that the defendant shall pay to the complainant the sum of $1500.00 per month as child support as reflected by the amended property settlement and custody agreement dated May 9, 1980 as long as said complainant remains in and is maintaining the homeplace awarded herein located at 5925 Abbott Drive, Nashville, Tennessee she maintaining the residence for herself and the children and he is hereby ordered to pay said support as long as she resides therein as reflected by the agreement and until the youngest of the parties children have attained the age of 18 years.

It is further ORDERED AND DECREED that in the event the complainant desires to sell the homeplace prior to the youngest reaching the age of 18 years, the child support hereto for the two children of the parties shall be reduced to the sum of $1000.00 to be paid by the defendant herein and it is further ORDERED that as long as the husband pays the amount of $1500.00 per month as child support, and the wife is residing in the homeplace, the husband will be allowed to deduct the interest insofar as his income tax return is concerned, all in accordance with the property settlement agreement executed by the parties.

It is further ORDERED, ADJUDGED AND DECREED that the defendant shall furnish Major Medical Insurance upon the two minor children of the parties and will pay all medical and dental bills not covered by said insurance inclusive of all those expenses pertaining to the children which would not be filed as claims.

It is further ORDERED, ADJUDGED AND DECREED that the defendant shall furnish the children a $100,000.00 life insurance policy upon his life with the two children of the parties designated as beneficiaries until the youngest has reached the age of 22 years.

It is further ORDERED, ADJUDGED AND DECREED that the homeplace located at 5925 Abbott Drive, Nashville, Tennessee is hereby awarded to the complainant/wife, Toni Lou McDonald Collins, to be hers absolute and in fee simple, free and clear of any claim of the defendant but she assumes the same subject to the first mortgage thereon.

It is further ORDERED that any right, title or interest that the defendant has in and to said property is hereby divested from him and reinvested in the complainant to be hers absolute, all in accordance with the amended property settlement and custody agreement executed by the parties. Said real estate is more particularly described in words and figures as follows

Land in Davidson County, Tennessee, being Lot No. 14 on the Plan of Resubdivision of Lots 13,14,15, the Highlands Annex, of record in book 5190, page 164, Register's Office for said County.

Said lot no. 14 fronts 123.37 feet on the southwesterly margin of Abbott Drive and extends back 486.82 feet on the northwesterly line and 424.97 feet on the southeasterly line to a dead line in the rear, measuring 138.00 feet thereon.

Being part of the same property conveyed to Carl E. Collins and wife Toni Lou Collins by warranty deed from Medlin Building Industries, Inc., in Book 5413, page 73, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that the complainant shall retain all household furniture and furnishings and appliances to be hers absolute and in fees simple, free and clear of the claim of the defendant herein.

It is further ORDERED, ADJUDGED AND DECREED that each of the parties shall claim one child as a dependant for their income tax purposes.

It is further ORDERED, ADJUDGED AND DECREED that the defendant shall retain as his own personal property the following items:

1. The water bed
2. His personal clothing
3. His personal tools, and bench
4. Small lawnmower
5. Chain Saw
6. Stereo Unit
7. Two Portable Color Television Sets
8. Fish Tank
9. Patio Furniture
10. Ski Boat subject to any mortgages owing thereon

It is further ORDERED, ADJUDGED AND DECREED that the wife shall receive the equity in the property owned by the parties at Fairfield Glade and said real estate shall be placed upon the market and sold as soon as possible and both parties are hereby ORDERED to sign all documents necessary to effect a speedy sale.

It is further ORDERED, ADJUDGED AND DECREED that each of the parties shall retain their own respective automobiles, free and clear of the claim of the other and title shall be transferred one to the other if necessary.

It is further ORDERED, ADJUDGED AND DECREED that the husband shall provide the college education forthe minor children at a school or college or trade school or vocational school not to exceed a 4 year program at a State institution where the children may reside, all as reflected in the

property settlement agreement incorporated herein and attached hereto.

It is further ORDERED, ADJUDGED AND DECREED that all agreements attached hereto and incorporated herein by reference are hereby approved by the court and made the judgement hereof in all respects. Each party is specifically ordered to carry out the provisions and obligations thereunder.

The defendant shall pay the cost of this cause for all of which let execution issue if necessary.

This the _____ day of _____, 1980.

Special JUDGE

7-2-80

Approved for Entry:

Attorney for Complainant

IDENTIF. REFERENCE

FILED Aug 19 4 18 PM '80
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

G0 3323

CERTIFICATE

I certify a copy of this final decree has been mailed to the Defendant herein at his last known address being c/o Collins Dental Lab, 5023 Harpeth Drive, Nashville, Tennessee on this the 30 day of June, 1980.

Attorney

7-2-80 117C/1645

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* Joan Lou McDonald Collins *Plaintiff, and* Carl Edward Collins *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* 19th *day of* Aug *in the year one thousand nine hundred and* 80 *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*