FILED

MAY 19 1983

ARNULFO A. AGBUNAG] IN THE CIRCUIT COURT

] By ____ Deputy

-vs-]

] DAVIDSON COUNTY, TENNESSEE

MERLE PANGAN AGBUNAG] NO. 82D-840

BOOK 6097 PAGE 405

O R D E R

This cause came on to be heard on the 16th day of May, 1983 before the Honorable James M. Swiggart, Judge, upon the original complaint for absolute divorce filed by Arnulfo A. Agbunag, answer filed by the defendant, Merle Pangan Agbunag, subsequent withdrawal of counsel on behalf of the defendant by Court order of December 15, 1982, order of the Court thereafter setting this matter for trial on the contested docket with notice to the defendant, testimony of the complainant and his corroborative witness, statement of counsel in open court and from the entire record in this cause. From all of which the Court finds that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the complainant as renders further cohabitation unsafe and improper. It is therefore

ORDERED AND ADJUDGED by the Court that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby forever and perpetually dissolved and the complainant, Arnulfo A. Agbunag, is granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further ORDERED AND ADJUDGED that the care, custody and control of the three minor children of the parties, to-wit: Arnold Agbunag, Arnulf Agbunag and Arlene Agbunag, shall be vested in the parties jointly, with the primary residence to be with the defendant, Merle Pangan Agbunag, and the secondary residence during visitation to be with the complainant, Arnulfo A. Agbunag.

It is further ORDERED AND ADJUDGED that the complainant will pay the sum of $500.00 per month per child for the support and maintenance of said children, and in addition thereto will be responsible for payment of tuition for private education, including tuition for four years in college for each child. Inasmuch as the oldest child, Arnold Agbunag, is presently seventeen (17) years of age and will become eighteen on August 5, 1983, it is the ORDER of this Court that the complainant will continue to pay support for this child after he attains his eighteenth birthday so long as the complainant is convinced that the child is deserving of said support based on his conduct and educational pursuits.

shall be divested out of her and the sole and exclusive ownership in said property is vested in the complainant, Arnulfo A. Agbunag, in fee simple, absolute The Court further ORDERS that the complainant shall assume the mortgage indebtedness thereon and hold the defendant harmless and indemnify her from any responsibility thereon.

It is further ORDERED AND ADJUDGED by the Court that the complainant shall pay to the defendant, as alimony in solido, the sum of $1,000.00 per month for ten years and one month for a total of one hundred and twenty-one consecutive months, with the first payment to be due in May of 1983 and a like sum each month thereafter until paid in full. These payments will be made directly to the defendant.

It is further ORDERED AND ADJUDGED by the Court that all of the household furniture and furnishings presently remaining in the home at 221 Kennett Drive, Old Hickory, Davidson County, Tennessee, shall become the sole and exclusive property of the defendant, Merle Pangan Agbunag, with the exception of the coin collection, identified as the framed coin collection with silver dollars and also the presidential framed pennies, which coin collections shall become the sole and exclusive property of the complainant. The complainant shall further be awarded the sole and exclusive ownership of any and all items of personal property that he previously removed from the home.

It is further ORDERED AND ADJUDGED by the Court that each party's separate checking and savings accounts shall become the sole and exclusive property of the respective party named thereon.

It is further ORDERED AND ADJUDGED that the complainant shall provide hospital and medical insurance coverage for the minor children and in addition thereto shall pay any and all hospital, medical and dental expenses for the benefit of the minor children that are not covered by insurance.

It is further ORDERED AND ADJUDGED by the Court that the complainant shall maintain in full force and effect a minimum of $200,000.00 life insurance coverage on his life with the proceeds payable to the minor children or in trust for the use and benefit of the minor children.

It is further ORDERED AND ADJUDGED by the Court that each party will retain the sole and exclusive ownership of their individual clothes, jewelry and ornaments of the person.

It is further ORDERED AND ADJUDGED by the Court that the sole and exclusive ownership of the 1978 BMW automobile shall be vested in the defendant, Merle Pangan Agbunag. The sole and exclusive ownership of the 1981 Chevrolet Citation [illegible] the minor son, or in the name of either party as custodian

It is further ORDERED AND ADJUDGED that all right, title and interest which the complainant, Arnulfo A. Agbunag, has in and to the home of the parties located at 221 Kennett Drive, Old Hickory, Davidson County, Tennessee, more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 151 on the Plan of Brandywine Farms, Section VII, as of record in Book 4300, page 65, R.O.D.C., Tennessee.
>
> Said Lot No. 151 fronts 125.0 feet on the easterly margin of Kennett Road and extends back 341.4 feet on the northerly line and 345.0 feet on the southerly line to a broken line in the rear measuring 159.7 feet thereon.
>
> Being the same property conveyed to Willard Powers and wife, Ruby Powers by deed from J.R. Coarsey, Trustee, of record in Book 4465, page 982, Register's Office for Davidson County, Tennessee.
>
> Further being the same property conveyed to Arnulfo A. Agbunag and wife, Merle P. Agbunag by deed from Peggy Akin, of record in Book 4495, page 532, Register's Office for Davidson County, Tennessee.

shall be divested out of him and the sole and exclusive ownership in said property shall be vested in the defendant, Merle Pangan Agbunag, in fee simple, absolute. The Court further ORDERS that the defendant shall assume responsibility for the mortgage indebtedness on said property and hold the complainant harmless thereon.

It is further ORDERED AND ADJUDGED by the Court that all right, title and interest which the defendant, Merle Pangan Agbunag, has in and to the medical building located at 434 Larking Springs Road, Madison, Davidson County, Tennesse more particularly described as follows:

> Land in Davidson County, Tennessee, being a lot marked "A" on the Map of Homeacres, as of record in Book 974, page 39, Register's Office for said County.
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> Said Lot "A" fronts 200 feet on the westerly margin of Larkin Springs Road and extends back between lines, 208 feet on the northerly line, to a dead line in the rear measuring 200 feet thereon.
>
> Being the same property conveyed to Anita D. Gant by deed from the Layman Foundation of record in Book 3074, page 639, Register's Office for Davidson County, Tennessee.
>
> Julian C. Gant joins in this conveyance for the purpose of conveying any right, title or interest in and to said property which he may have.
>
> Further being the same property conveyed to Arnulfo A. Agbunag and wife, Merle P. Agbunag by deed from Anita D. Gant and husband, Julian C. Gant, of record in Book 5201, page 43, Register's Office for Davidson County, Tennessee.

for the minor son until he attains his majority. The complainant will be responsible for the payment of the balance of indebtedness thereon.

It is further ORDERED AND ADJUDGED by the Court that the sole and exclusive ownership of the Professional Corporation known as Arnulfo A. Agbunag, M.D., P.C. shall be vested in the complainant, Arnulfo A. Agbunag, and any right or claim of the defendant, Merle Pangan Agbunag, against said corporation is hereby relinquished and divested from her.

It is further ORDERED AND ADJUDGED by the Court that the Nuveen Tax Exempt Fund Bond Series 65, approximately one hundred and fifty units, which is presently titled in the name of the defendant, shall become her sole and exclusive property. The Nuveen Tax Exempt Fund Bond Series 76, of approximately forty-seven point three one eight units shall be vested in the name of Rodrigo A. Agbunag, M.D., as custodian for the use and benefit of the three minor children The Kemper Money Market in the name of the defendant, Merle Pangan Agbunag, shall become her sole and exclusive property and the Kemper Money Market in the name of Arnulfo A. Agbunag, shall become his sole and separate property. All other stocks, bonds, individual retirement accounts, pension plans, or other investment shares shall be divested from the defendant, Merle Pangan Agbunag, and shall become the sole and exclusive property of the complainant, Arnulfo A. Agbunag.

It is further ORDERED AND ADJUDGED by the Court that all right, title and interest which the defendant, Merle Pangan Agbunag, has in and to any of the limited partnerships, including Wellington Investors Limited, Bluegrass Associates, Austell Limited and any gas wells or gas pipelines shall be divested from the defendant, Merle Pangan Agbunag, and vested solely and exclusively in the complainant, Arnulfo A. Agbunag, and he shall assume responsibility for any indebtedness associated therewith.

It is further ORDERED AND ADJUDGED by the Court that all right, title and interest which the defendant, Merle Pangan Agbunag, has in and to the unimproved acreage of the parties known as the Tidwell Hollow land and described as follows:

> Land in the 13th Civil District of said County and State, being Tract No. 7 as shown on survey made by Southern Land Surveying Company, Inc., dated December 2, 1967, and described as follows:
>
> Beginning on the northwesterly margin of Tidwell Hollow Road at the northeast corner of the property conveyed to James R. Shrum and wife by deed of record in Book 4256, page 205, Register's Office for said County; thence north

40 degrees 31' West 1386.30 feet; thence North 56 degrees 50' 30" east 20.16 feet; thence North 41 degrees 31' east 181.75 feet; thence South 40 degrees 31' East 1404.50 feet to the northwesterly margin of Tidwell Hollow Road; thence with said Road South 49 degrees 29' west 200 feet to the beginning, containing 6.41 acres, more or less.

Being the same property conveyed to the undersigned per deed of record in Book 4340, page 538, R.O.D.C.T.

Conveyance is subject to restrictive covenants of record in Book 4239, page 327, said Register's office.

Further being the same property conveyed to Dr. Arnulfo A. Agbunag, and wife, Merle P. Agbunag, by deed from Thomas H. Allen and wife, Mary Sue Allen, of record in Book 4490, page 359, Register's Office for Davidson County, Tennessee.

shall be divested from the defendant and the sole and exclusive ownership of said property shall be vested in the complainant, in fee simple, absolute ownership, it being his responsibility to assume the balance of mortgage indebtedness thereon.

It is further ORDERED AND ADJUDGED by the Court that the costs of this cause shall be taxed against the complainant, for all of which execution may issue, if necessary.

JUDGE

APPROVED:

Robert L. Jochum
Sol. for Complainant

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Order was mailed to Mrs. Merle Pangan Agbunag, 221 Kennett Drive, Old Hickory, TN 37138, this 19th day of May, 1983.

Robert L. Jochum

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IDENTIF. REFERENCE

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JUL 19 11 54 AM '83

FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN

mail
Robert L. Jackson
atty
316 2nd Ave N
37201

82D-840 Minute Book: 32C Page: 2574

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 copy~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Arnulfo A. Agbunag *Plaintiff, and* Merle Pangan Agbunag *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* July *in the year one thousand nine hundred and* eighty-three *and in the* 208th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Mc Guire, *D. C.*

Form #GR-117