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JOHNIE L. BAKER, CLERK
D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

DIANNE GRIFFITH MARTZ)
)
VS.)
)
GERALD LEROY MARTZ)

BOOK 6166 PAGE 90

NO. 81D-3810

Map 41-4
Par 19.1

FINAL DIVORCE DECREE

This cause came to be heard on the 17th day of January, 1983, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon the original Complaint for Divorce, Answer, testimony of the Plaintiff, her witnesses, Anne Kannady, Judy Dean, Robert Yeargin, testimony of the Defendant, statements of counsel and the entire record, from all of which the Court finds that the Plaintiff should be awarded a divorce on the grounds of cruel and inhuman treatment, custody of the parties' minor son, child support, an award of personalty and alimony in solido, that the Defendant should be required to maintain adequate health insurance for the benefit of the parties' son and to pay certain obligations including an award of attorney's fees.

IT IS, HEREBY, ORDERED, ADJUDGED AND DECREED THAT Dianne Griffith Martz shall be and is hereby awarded an absolute divorce from Gerald Leroy Martz on the grounds of cruel and inhuman treatment.

IT IS FURTHER ORDERED THAT Dianne Griffith Martz shall be and is hereby awarded sole custody of the parties' minor child, Kyle.

IT IS FURTHER ORDERED THAT Gerald Leroy Martz shall pay directly to Dianne Griffith Martz the sum of Three Hundred ($300.00) Dollars per month as child support until the minor child reaches age 18.

IT IS FURTHER ORDERED THAT Dianne Griffith Martz shall be and is hereby awarded sole title to the homeplace located at 1194 Cherbron Drive, Nashville, Tennessee, more fully described as follows:

Land in Davidson County, Tennessee, being Lot No. 9, Dalemere Subdivision, Section I, of record in Book 2900, Page 35, Register's Office for said County.

Said Lot No. 9 fronts 175 feet on the northerly side of Cherbron Drive and runs back between lines 267 feet on the easterly line and 175 feet on the

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westerly line, to a line in the rear measuring 197.45 feet thereon.

Being the same property conveyed to Jerry L. Martz and wife, Dianne G. Martz, from Louis H. Fenters and wife, Vallean M. Fenters, by warranty deed, Book 4781, page 529, Register's Office for Davidson County.

This award of real property shall be subject to the outstanding mortgage held by Lomas and Nettleton Company and further subject to a second lien of $10,000 awarded to Gerald Leroy Martz. This award constitutes a one-half division of the equity in the home plus an award of alimony in solido. The amount in excess of one-half of the equity, less the value of the lien awarded to Jerry L. Martz shall constitute the award of alimony in solido. Dianne Griffith Martz shall have exclusive possession until the minor child reaches age 18, at which time she will have the option of selling the property or making arrangements to pay off the $10,000 lien held by Gerald Leroy Martz. Further, the $10,000 second lien awarded to Gerald Leroy Martz shall be reduced by the amount of the unpaid pendente lite child support, said amount to be determined by the Court upon the Defendant filing the accounting previously ordered in this cause which requires a description of all funds coming into his hands since December 11, 1981, from any sources whatsoever, said accounting to be filed within thirty days of the date of this Decree.

IT IS FURTHER ORDERED THAT Dianne Griffith Martz shall be and is hereby awarded sole ownership of the built-in water bed, the rust couch, oriental rug, rider mower, patio furniture, the file cabinet, the appliances acquired during the marriage, the washer, the stove, refrigerator, the flowered couch, the three desks, the copper washer, the console stereo, the dishwasher, the yellow kitchen table and chairs, the dryer and her automobile and Gerald Martz shall be and is hereby awarded sole ownership of the old feminine bedroom head and footboard, the couch, chair and two ottomans, the refrectory table, coffee pot, the jade buddha, the ceiling fan, the freezer, the gun cabinet and guns, the brass object d'art, the glass and wrought iron dining set, the copper washer, the copper memorabilia, the sun lamp, the ice crusher, the green desk, the china and crystal, the dining room server, the stereo with speakers, the wool spread,

the two couches, the one dining room suite, one bedroom suite, his Mercedes and his sailboat. Ownership of the Console color TV shall be and is hereby awarded to the minor son, Kyle.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT Gerald Leroy Martz shall be and is hereby required to maintain adequate health insurance for the benefit of the parties' minor child until he reaches age 18. Each party shall be responsible for one-half of any medical expenses outstanding for the minor son, including the present outstanding obligation owed to the Vanderbilt Hospital for Kyle in the amount of $3,000 and the Vanderbilt Professional Group for Kyle in the approximate amount of $800, and further each shall be responsible for one-half of future medical expenses for Kyle not covered by insurance. Dianne Griffith Martz shall be responsible for the remaining note due on the real estate located at 1194 Cherbron Drive, Nashville, Tennessee, her physicians' bills, Goodyear bill, Gulf Oil bill, Cardiology Group bill, Father Ryan tuition for Kyle, the debt owed to Irene Boyd, and the dentist bill owed to Dr. Zimmerman.

IT IS FURTHER ORDERED THAT Gerald Leroy Martz shall be and is hereby awarded sole title to the real property located at 211 North 16th Street, Nashville, Tennessee, and the real estate located in Rolla, North Dakota, inherited from his parents.

IT IS FURTHER ORDERED THAT Carol L. McCoy shall have judgment in the amount of Six Hundred Fifty ($650.00) Dollars against Gerald Leroy Martz as reasonable attorney's fees incurred on behalf of the Plaintiff, Dianne G. Martz, for which execution may issue, if necessary.

IT IS FURTHER ORDERED THAT Gerald Leroy Martz shall pay all court costs incurred in this cause for which execution may issue if necessary.

ENTERED THIS 28th DAY OF June, 1983.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

CAROL L. McCOY
Attorney for Plaintiff
P. O. Box 2726
Nashville, TN 37219

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CERTIFICATE OF SERVICE BOOK 6166 PAGE 93

I hereby certify that a copy of the foregoing Decree has been served by U. S. Mail upon Mr. William A. Parsons, Attorney for Defendant, 2002 Richard Jones Road, Nashville, Tennessee, 37215, on this 25 day of January, 1983.

Carol L. McCoy

CAROL L. McCOY

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IDENTIF. REFERENCE

Oct 28 3 29 PM '83

FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN

Docket No. 81D-3810 Minute Book 128B Page 1742

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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Dianne Griffith Martz *Plaintiff, and* Gerald Leroy Martz *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* 28th *day of* October *in the year one thousand nine hundred and* eighty-three *and in the* 208th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, *D. C.*

Form #GR-117