10 OCT 83

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

NANCY BAGLEY DONNELL :

vs. : No. 83D-3101

MARK LINDSAY DONNELL :

Map 42-15
Par. 53 Jd

FINAL DECREE

This cause came on to be heard on July 10, 1984, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon original complaint for absolute divorce filed by wife, answer of husband, and after testimony of the parties and their witnesses, statement of counsel and all of the proof in this cause, the court found as follows: that wife is entitled to an absolute divorce on the grounds of cruel and inhuman treatment. Further that she is awarded all right, title and interest to the household furniture, furnishings and fixtures in the parties' home; that Husband shall have all interest in the parties' 1983 income tax refund and in addition, shall have all right, title and interest to his stock. Further, husband shall have all right, title and interest in his professional corporation as well as his joint ventures and shall be responsible for all debts, mortgages and loans thereon. Further, Husband shall be responsible for the $18,000 loan at the Third National Bank and shall hold wife harmless from any payments or obligations thereon. Further, the Court was of the opinion that wife should be awarded the full care, custody and control of the minor children of the parties and Husband shall have visitation with his minor children and it shall be his obligation to have and visit with his children every other Wednesday from 5:00 P.M. until 9:00 P.M. In addition thereto, he shall have visitation and is obligated to have with him his children every other weekend from Friday at 6:00 P.M. until Sunday at 6:00 P.M. as well as one month in the summer. During these periods of visitation, Husband will be totally responsible for the children. It will further be

his responsibility to pick up and return the children and it will be Wife's responsibility to have the children ready for visitation. In addition, Husband shall have visitation on alternate holidays and one half of the Christmas holidays in that each Christmas one parent shall have the children before Christmas until Christmas Eve at 10:00 P.M. at which time the other parent shall have the children from 10:00 P.M. Christmas Eve until one week after Christmas. This schedule shall be alternated from year to year. Further, that the parties will alternate holidays and the holidays that the parties will alternate for the purpose of visitation are New Years Day, Easter Sunday, Memorial Day, the Fourth of July, Labor Day and Thanksgiving. Further, each parent shall have the children for one-half day on the child's birthday, the children will be with the Father on Father's Day and the mother on Mother's Day each year. Further, the Court was of the opinion that Wife will continue to own and be responsible for the premiums on a $500,000 life insurance policy on the life of husband and she may choose to be the beneficiary or, in the alternative, that she be the beneficiary along with each of the children in which case she will serve as trustee for any benefits that the children may receive. Wife shall receive all right, title and interest to the real property or homeplace owned by the parties and all of Husband's interest is divested out of said real property and vested in Wife and said property will be more fully described hereafter. Wife will be responsible for all indebtedness on said homeplace. Further, the Court was of the opinion that Husband shall pay to wife the amount of $1200.00 a month as alimony based on his present income and said alimony shall continue until the death or remarriage or Wife. Further, that Husband shall pay to Wife the amount of $1,000.00 per month as child support until the youngest child reaches the age of eighteen years. Further, that Wife's attorney of record is awarded $500.00 attorney's fees, which Husband shall pay. Further, Husband shall keep in full force and effect all hospitalization and medical insurance on the children and in addition thereto, will pay all

medical bills not covered by insurance for the children. Further, that Husband will pay the cost of this cause. It is therefore

ORDERED by the Court that wife be and she is hereby granted an absolute divorce on the grounds of cruel and inhuman treatment and restored to all the rights and privileges of an unmarried person. It is further

ORDERED by the Court that wife is awarded all right, title and interest to the household furniture, furnishings and fixtures presently in the parties' home. It is further

ORDERED by the Court that husband shall have all interest in the parties 1983 income tax refund and in addition thereto, shall have all right, title and interest to his stock. It is further

ORDERED by the Court that Husband shall have all right, title and interest in his professional corporation as well as his joint ventures and shall be responsible for all debts, mortgages and loans thereon. It is further

ORDERED by the Court that husband shall be responsible solely for the $18,000 loan at the Third National Bank and shall hold wife harmless from any payments or obligations thereon. It is further

ORDERED by the Court that Wife is awarded the full care, custody and control of the minor children of the parties and husband shall have visitation with his minor children and it shall be his obligation to have and visit with his children every other Wednesday from 5:00 P.M. until 9:00 P.M. In addition thereto, he shall have visitation and is obligated to have with him his children every other weekend from Friday at 6:00 P.M. until Sunday at 6:00 P.M. as well as one month in the summer. During these periods of visitation Husband will be totally responsible for the children. It is further ORDERED that it will be his responsibility to pick up the children and return the children and it will be wife's responsibility to have the children ready for all visitation periods. In addition, Husband shall have visitation on alternate holidays and one-half of the Christmas holidays.

The holidays that the parties will alternate are New Years Day, Easter Sunday, Memorial Day, the Fourth of July, Labor Day and Thanksgiving. Each Christmas one parent shall have the children before Christmas until Christmas Eve at 10:00 P.M. at which time the other party shall have visitation with the children from 10:00 P.M. Christmas Eve until one week after Christmas. This schedule shall be alternated from year to year. It is further

ORDERED by the Court that each parent shall have the children for one-half of the day on the children's birthday and the children will be with their father on Father's Day and their mother on Mother's Day of each year. It is further

ORDERED by the Court that wife will have all right, title and interest to a $500,000 life insurance policy on husband and be responsible for the premiums thereon. She may choose to be the beneficiary, or in the alternative, she may choose to be the beneficiary along with each of the children in which case she will serve as Trustee for any benefits that the children may receive. It is further

ORDERED by the Court that wife shall receive as her sole and separate property all right, title and interest to the real estate or home place owned by the parties and all right, title and interest that the husband has is hereby divested out of him and vested in wife to be hers absolutely. The real property now vested in wife as hers absolutely is described in words and figures as follows:

> LAND in Davidson County, Tennessee, being Lots Nos. 103, 104, 105 and 106, on the Plan of Marathonna Subdivision, not of record, described as follows:
>
> Beginning in the northeast intersection of Marthonna Road and Vantrease Road; thence with the margin of Marthonna Road; North 2° 58' East 20 feet to a point; thence South 86° 02' East 100 feet to a point; thence South 2° 58' West 250 feet to the north margin of Vantreast Road; thence with the margin of said road North 86° 02' West 100 feet to the beginning.
>
> Being the same property conveyed to Mark L. Donnell from Shirley Dunlap and Edna Dunlap as of record in Book 5310, Page 918, Register's Office Davidson County, Tennessee.

It is further, ORDERED, by the Court that Wife shall be responsible for all indebtedness on said homeplace or real property. It is further

ORDERED by the Court that based upon husband's present salary, he shall pay to wife the amount of $1200.00 per month as alimony and said alimony shall continue until the death or remarriage of wife and further, that Husband shall pay to wife the amount of $1,000 per month as child support until the youngest child reaches the age of eighteen years. It is further

ORDERED by the Court that Husband shall pay to wife's attorney of record $500.00 attorney's fee for services rendered to her in this cause. It is further

ORDERED by the Court that Husband shall keep in full force and effect all hospitalization and medical insurance on the children and in addition thereto he will pay all medical expenses for the children not covered by insurance. It is further

ORDERED by the Court that husband will pay the costs of this cause for which let execution issue, if necessary.

ENTER this 24th day of July, 1984.

Marcil Coleman
JUDGE

APPROVED FOR ENTRY:

Jack A. Butler
JACK A. BUTLER
Attorney for Plaintiff

HOMER R. AYERS
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have mailed an exact copy of the foregoing pleading to Homer R. Ayers, Attorney, 100 New Long Hollow Pike, Goodlettsville, Tennessee 37072 this 17 day of July, 1984.

Jack A. Butler
JACK A. BUTLER

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IDENTIFICATION

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DAVIDSON COUNTY, TN

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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* NANCY BAGLEY DONNELL *Plaintiff, and* MARK LINDSAY DONNELL *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* 4 *day of* September *in the year one thousand nine hundred and* eighty-four *and in the* 209 *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By G. Knight, D. C.

Form #GR-117