135D/1348

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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

DOROTHY SHANNON FUDGE)
)
Plaintiff)
)
vs.) No. 83D-3473
)
ARTIE VANBUREN FUDGE, JR.,)
)
Defendant)

Map 60-2
Par-36 Ts

BOOK 6406 PAGE 760

FINAL DECREE

This cause came on to be heard on March 9, 1984 before The Honorable Muriel Robinson, Judge, upon plaintiff's Complaint for absolute divorce, default having been entered against Mr. Fudge on February 10, 1984 for his failure to appear, answer, or otherwise respond to Mrs. Fudge's Complaint, upon the testimony of plaintiff in open Court, upon the testimony of her corroborating witnesses and the exhibits to that testimony, upon the statements of counsel, and upon the entire record, from all of which the Court found that defendant, Artie VanBuren Fudge, Jr., has been guilty of such cruel and inhuman treatment and conduct towards plaintiff, Dorothy Shannon Fudge, as would entitle her to an absolute divorce; that Mrs. Fudge should be awarded all right, title and interest in and to the parties' home at 3122 Richmond Hill Drive, Nashville, Tennessee, 37207; that Mrs. Fudge shall be responsible for making the monthly payments on the first mortgage on said home, and shall indemnify and hold Mr. Fudge harmless from any liability therefor; that as alimony in solido, Mr. Fudge shall pay the outstanding balance on the indebtedness secured by a second mortgage on the home in the approximate amount of $19,500.00 and shall indemnify and hold Mrs. Fudge harmless from any liability therefor; that Mrs. Fudge should be awarded a judgment in the amount of $1,989.00 for payments made by her on the second mortgage for the months of November and December, 1983 and January, February and March, 1984; that Mrs. Fudge should be awarded all household furnishings and personal property situated in the home or otherwise in her possession; that she should be awarded the 1979 Chevrolet Impala automobile; that she should be awarded all funds on deposit in individual bank accounts maintained in her name; that she should be awarded, as additional alimony in solido a judgment against Mr. Fudge in the amount of $ 1350.00 representing reasonable attorney's fees and expenses incurred by her in these proceedings ; that Mr. Fudge should be awarded all right, title and interest in and to that certain business known as Marineland and shall assume individual responsibility for

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payment of all debts associated with that business and shall indemnify and hold Mrs. Fudge harmless from any liability for such debts; that Mr. Fudge should be awarded his GMC pick-up truck; and that the costs of this cause should be taxed against Mr. Fudge.

It is therefore ORDERED, ADJUDGED and DECREED:

1. That plaintiff, Dorothy Shannon Fudge, shall be, and is hereby, awarded an absolute divorce from defendant, Artie VanBuren Fudge, Jr., that she be restored to all the rights and privileges of an unmarried person, and that the bonds of matrimony heretofore existing between the parties are hereby perpetually dissolved.

2. That all right, title and interest of Artie VanBuren Fudge, Jr. in and to the real property situated at 3122 Richmond Hill Drive, Nashville, Tennessee, 37027 , shall be, and is hereby, divested out of him and vested absolutely in Mrs. Fudge. Said real property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 28 on the Plan of Parkwood Estates, Section I, as of record in Book 2900, page 120, Register's Office of Davidson County, Tennessee.
>
> Said Lot No. 28 fronts 77.5 feet on the northerly margin of Richmond Hill Drive, running back between lines measuring 138.6 feet on the easterly side and 137.9 feet on the westerly side to a dead line in the rear on which it measures 77.53 feet.
>
> Being the same property conveyed to Artie VanBuren Fudge and wife, Dorothy Polk Fudge by deed from Billy C. Campbell and wife, Dorothy D. Campbell, of record in Book 3398, page 521, Register's Office for Davidson County, Tennessee.

Mrs. Fudge shall be solely and separately responsible for payment of the outstanding indebtedness secured by a first mortgage on the home, and shall indemnify and hold Mr. Fudge harmless from any liability therefor.

3. That as alimony in solido, Mr. Fudge shall make all monthly payments to Associates Financial Services on the outstanding indebtedness secured by a second mortgage on the home, until said indebtedness is paid in full, and shall indemnify and hold Mrs. Fudge harmless from any liability therefor.

4. That a judgment shall be, and is hereby, awarded against Artie VanBuren Fudge, Jr. and in favor of Dorothy Shannon Fudge in the amount of $1,989.00 to reimburse her for payments made by her on the second mortgage from November, 1983 through March, 1984.

5. That all right, title and interest in and to the household furnishings and personal property situated at 3122 Richmond Hill Drive, Nashville, Tennessee, 37027, or otherwise in Mrs. Fudge's possession, shall be, and is hereby, vested in Mrs. Fudge, free of any claim by Mr. Fudge.

6. That any and all right, title and interest Mr. Fudge may have in an to the 1979 Chevrolet Impala automobile operated by Mrs. Fudge shall be, and is hereby, divested out of him and vested absolutely in her.

7. That all funds on deposit in individual bank accounts maintained in Mrs. Fudge's name shall be, and are hereby, made her sole and separate property, free of any claim by Mr. Fudge.

8. That as alimony in solido, Mrs. Fudge shall be, and is hereby, awarded a judgment against Mr. Fudge in the amount of $ 1350.00 representing reasonable attorneys fees and expenses incurred by her.

9. That any right, title or interest Mrs. Fudge may have in and to that certain business known as Marineland shall be, and is hereby, divested out of her and vested absolutely in Mr. Fudge. Mr. Fudge shall assume sole and separate responsibility for payment of all outstanding debts associated with or related to said business, and shall indemnify and hold Mrs. Fudge harmless from any liability for such debts.

10. That any and all right, title or interest Mrs. Fudge may have in and to the GMC pick-up truck operated by Mr. Fudge shall be, and is hereby, divested out of her and vested absolutely in him.

11. That all funds on deposit in individual bank accounts maintained in Mr. Fudge's name shall be, and are hereby, made his sole and separate property, free of any claim by Mrs. Fudge.

12. That the costs of this cause shall be, and are hereby, taxed against defendant, Artie VanBuren Fudge, Jr.

13. That execution may issue to enforce any of the provisions of this Decree.

Enter this 9th day of March, 1984.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

FARRIS, WARFIELD & KANADAY

By _____
James G. Martin, III
Attorney for Plaintiff,
Dorothy Shannon Fudge

17th Floor, Third National Bank Bldg.
Nashville, TN 37219
615/244-5200

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CLERK & MASTER
DAVIDSON CO. TN

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree was mailed to Mr. Artie VanBuren Fudge, Jr. at 3920 West Valley Drive, Nashville, TN, 37211, by regular mail and by Certified Mail # P341 265 861; and c/o Marineland, LaVergne/Couchville Pike, Antioch, TN, 37013, by regular mail and by Certified Mail #P415 237 819, this 9th day of March, 1984.

James G. Martin, III

STATE OF TENNESSEE

I, **GEORGE L. ROOKER,** *Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the* Fourth *Circuit Court for Davidson County, Tennessee, on the* ninth *day of* March, *19* 84, *in Case Number* 83D-3473 *between* DOROTHY SHANNON FUDGE, *Plaintiff, and* ARTIE VANBUREN FUDGE, JR., *Defendant, as same remains of record in Book* 135B, *Page* 1348 *of the Minutes of said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 18th *day of* October *in the year one thousand nine hundred and* eighty-four *and in the* two hundred ninth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By W. L. Rowland, *D.C.*

Form #GR-117

JGM/lb 3/6/84