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K. Lanford

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED FOR RECORD AND REGISTERED
DAVIDSON COUNTY, TN
1986 MAR 21 9 34 AM

IDENTIFICATION REFERENCE

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BIEJAN OSTOVAR)

PLAINTIFF AND CROSS-DEFENDANT)
4810 Jeffrey Drive,
Nashville, TN 37211

VS. NO. 85D3094

TERESA PRUETT OSTOVAR)

DEFENDANT AND CROSS-PLAINTIFF)
453 Eastley Court #5
Kingsport, TN 37660

DECREE OF ABSOLUTE DIVORCE

THIS CAUSE came on to be heard upon this the 18th day of February, 1986, before the Honorable Muriel Robinson, Judge, holding the Fourth Circuit Court for Davidson County, Tennessee, at Nashville, upon the Complaint of the Plaintiff, the Answer and Cross-Complaint of the Defendant, testimony of witnesses heard and examined in open Court for each of the parties and statement of counsel for the respective parties, from all of which it duly appears to the Court that the Plaintiff and Cross-Defendant, BIEJAN OSTOVAR, is guilty of such cruel and inhuman treatment as to render cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony subsisting between the Plaintiff and Cross-Defendant, BIEJAN OSTOVAR, and the Defendant and Cross-Plaintiff, TERESA PRUITT OSTOVAR, be and the same are absolutely and forever dissolved and that the Defendant and Cross-Plaintiff be vested with all of the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED that TERESA PRUETT OSTOVAR be awarded the absolute custody of the minor daughter of the parties, SARA KATRINA OSTOVAR, with the Plaintiff and Cross-Defendant, BIEJAN OSTOVAR, being required to pay the sum of $275.00 per month child support, and said payments shall commence on the month following the last payment BIEJAN OSTOVAR made under the current pendente lite order in effect. IT IS ORDERED that said child support payments shall increase on January 1, 1987, to the sum of $320.00 per month, and said payments are to be paid direct to TERESA PRUETT OSTOVAR at the following address unless she designates a different place to BIEJAN OSTOVAR:

Teresa Ostovar
453 Eastley Court #5
Kingsport, Tennessee 37660

IT IS ORDERED that BIEJAN OSTOVAR be awarded reasonable visitation rights and privileges with the minor daughter of the parties which include:

A. The second (2nd) and fourth (4th) weekends of every month. TERESA PRUETT OSTOVAR is ORDERED to be responsible for the transportation for the visitation on the second (2nd) weekend. At the time of each of his fourth (4th) weekend visitations, BIEJAN OSTOVAR is to be responsible for picking up the child at 6:00 P.M. on Friday and returning the child at 6:00 P.M. the following Sunday of that weekend. Should he desire, he may exercise said fourth (4th) weekend visitation at the residence of TERESA PRUETT OSTOVAR, but is not required to do so. In the event he chooses not to exercise any such fourth (4th) weekend visitation, he shall give TERESA PRUETT OSTOVAR 48 hours advance notice of such intention.

B. The following three (3) holidays celebrated by the Muslim faith:

1. NOROSE (March 21)
2. RAMAZAN
3. MOHARAM. During the month of September of each year to celebrate this Muslim holiday of Moharam, BIEJAN OSTOVAR is awarded one or two days of visitation.

The Muslim holiday visitation periods shall be available to BIEJAN OSTOVAR, and should he desire to exercise said visitation, he shall give TERESA PRUETT OSTOVAR, 48 hours advance notice of his intention, and in such event, he shall be responsible for picking up the minor daughter at 6:00 P.M. the evening before these holiday visitation times and returning her at the end of his holiday visitation by 6:00 P.M.

C. Two (2) days before Christmas or two (2) days after Christmas, whichever the parties agree upon, until the daughter attains the age of 5 years, and the parties are ORDERED to alternate the responsibility for the transportation, with the Wife being responsible one year, the husband the next, and so forth.

D. Two (2) weeks during the Summer, with TERESA PRUETT OSTOVAR to have visitation with the minor daughter the "middle" weekend during this two-week period.

E. After the daughter's 5th birthday, BIEJAN OSTOVAR, gets visitation for one (1) month during the Summer, and TERESA PRUETT OSTOVAR is to have visitation with the child every other weekend during this one-month period.

F. All weekend visitation pick-up times shall be 6:00 P.M. on Friday, and return times shall be 6:00 P.M. the following Sunday of that weekend.

BIEJAN OSTOVAR is ORDERED to be responsible for the transportation during his visitation set out in D. and E. hereinabove, and TERESA PRUETT OSTOVAR, is to be responsible for the transportation in order to exercise her visitation as set out in D. and E. hereinabove.

IT IS ORDERED that both parties are permanently ENJOINED AND RESTRAINED from removing the minor daughter out of the jurisdiction of the State of Tennessee, and neither party is to take the child outside the jurisdiction of the State of Tennessee temporarily without the express permission of the other party with the EXCEPTION that TERESA PRUETT OSTOVAR may take the child on periodic visits to visit her family and relatives in Virginia and West Virginia for brief temporary visits without notice or permission of BIEJAN OSTOVAR.

IT IS ORDERED that visitation on the child's birthday be "split" between the parties or spent together as they may agree upon.

IT IS ORDERED that BIEJAN OSTOVAR's passport be returned to him.

The Court finds that the fair market value of the real estate of the parties is Sixty Thousand ($60,000.00) Dollars, and that there is Seventeen Thousand Five Hundred ($17,500.00) Dollars net equity in said real estate. IT IS HEREBY ORDERED, ADJUDGED AND DECREED by this Honorable Court that all of TERESA PRUETT OSTOVAR's right, title, interest and claim in and to said real estate is divested out of her and vested in and to BIEJAN OSTOVAR, his heirs and assigns, in fee simple. IT IS ORDERED that TERESA PRUETT OSTOVAR be paid the sum of EIGHT THOUSAND SEVEN HUNDRED FIFTY ($8,750.00) DOLLARS by BIEJAN OSTOVAR within sixty (60) days for her portion of the equity in said real estate, and she is hereby awarded a JUDGMENT LIEN against said real estate in the amount of EIGHT THOUSAND SEVEN HUNDRED FIFTY ($8,750.00) DOLLARS, to secure the payment of her equity in said real estate. BIEJAN OSTOVAR is ORDERED to pay and be responsible for the current outstanding indebtedness owing on said real estate to Security Federal Savings and Loan Association, and he is ORDERED to hold TERESA PRUETT OSTOVAR harmless with regard to such indebtedness. AS TO debts to relatives, IT IS FOUND that it is the moral obligation of the respective parties to pay their respective relatives. The real estate hereinabove referred to in this paragraph

[illegible]bed

LAND in Davidson County, Tennessee, being Lot No. 182, on the Plat of Kenilworth Estates, Section Four, of record in Plat Book 3300, pages 34-36, Register's Office for said County.

Said Lot No. 182 fronts a total of 93.1 feet on the easterly margin of Jeffrey Drive and extends back 172.2 feet on the northerly line, and 167.0 feet on the southerly line, to a dead line on the rear on which it measures 66.5 feet.

Being the same property conveyed to Biejan Ostovar and wife, Teresa P. Ostovar, by deed from Terry M. Luttrell, of record in Book 5894, page 621, in the Register's Office of Davidson Co., Tennessee.

BIEJAN OSTOVAR is ORDERED to provide full major medical insurance coverage on the parties' minor daughter as of July 1, 1986, at his expense.

The Court finds that at the time of the separation of the parties, the balance on the VELA school loan was $2,363.29, that the current balance is $2,301.13, and that TERESA PRUETT OSTOVAR has paid $190.00 on said loan since the time of separation for which she should be reimbursed one-half or $95.00. The Court further finds that the parties owe the sum of $237.60 on the FNEB Roanoke student loan, and that TERESA PRUETT OSTOVAR has paid $79.20 on said loan since the time of separation for which she should be reimbursed one-half or $39.60. IT IS, THEREFORE, ORDERED that BIEJAN OSTOVAR reimburse TERESA PRUETT OSTOVAR $95.00 plus $39.60 for a total of $134.60 with said amount to be paid direct to TERESA PRUETT OSTOVAR as follows: $67.30 at the time BIEJAN OSTOVAR pays his next regular child support payment, and the remaining $67.30 at the time his second next child support payment is due.

IT IS ORDERED that the current balance of $2,301.13 owing on the VELA student loan and the current balance of $237.60 owing on the FNEB Roanoke Student Loan be borne equally by the parties with each being responsible for paying one-half of said balance.

IT IS ORDERED that BIEJAN OSTOVAR be awarded the following items of personal property:

1. Livingroom group including three-year-old sofa and loveseat
2. Glass top cocktail table and end table
3. Pool table
4. Dining table and chairs
5. Refrigerator
6. Stereo
7. Patio furniture
8. Tools
9. Lawnmower
10. Curio cabinet
11. Gas grill
12. Grandfather clock
13. 2-pc. sectional sofa
14. Bedroom suite including cannonball bed, armoire and nightstand
15. China cabinet and all china
16. 24" remote control television
17. One-half of small appliances, kitchenware, linens and decorations
18. His shotgun

IT IS ORDERED that TERESA PRUETT OSTOVAR be awarded the following items of personal property:

1. Den group including 6-year-old couch and chair and beige recliner
2. Bassett cocktail table and end table and Queen Anne cocktail table and end table
3. Nursery furniture and rocker
4. Washer and dryer
5. One-half of small appliances, kitchenware, linens and decorations
6. Remainder of her clothes, Sara's clothes, and personal belongings (books, letters, etc.)
7. Bedroom suite including double bed, triple dresser, and nightstand (commode type)

IT IS ORDERED that all items of personal property not hereinabove mentioned shall be awarded to the party now in possession of same.

IT IS ORDERED that TERESA PRUETT OSTOVAR be awarded the 1981 Volvo automobile, and that all of BIEJAN OSTOVAR's right, title, interest and claim in and to said vehicle is hereby divested out of him and vested in and to TERESA PRUETT OSTOVAR.

IT IS ORDERED that BIEJAN OSTOVAR be awarded the 1977 Volkswagon automobile, and that all of TERESA PRUETT OSTOVAR's right, title, interest and claim in and to said vehicle is hereby divested out of her and vested in and to BIEJAN OSTOVAR.

IT IS ORDERED that each party pay his or her own respective attorney's fees, and that the costs of this cause are assessed equally to both parties.

IT IS ORDERED that TERESA PRUETT OSTOVAR receive NO ALIMONY.

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ENTERED this the 18th day of March, 1986.

MURIEL ROBINSON, JUDGE

HARSH & KELLY

BY: Nathan Harsh
ATTORNEYS FOR TERESA OSTOVAR
123 PUBLIC SQUARE
GALLATIN, TN 37066
615/452-4385

DAVID C. KIPP, JR.
ATTORNEY FOR BIEJAN OSTOVAR
1520 One Commerce Place
Nashville, Tennessee 37239

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* 19th *day of* March, *19*86, *in Case Number* 85D-3094 *between* Biejan Ostovar *Plaintiff, and* Teresa Ostovar *Defendant, as same remains of record in Book* 151C/, *Page* 1678 *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* 21st *day of* March *in the year one thousand nine hundred and* eighty-six *and in the* two-hundred tenth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By K. Hartman *D.C.*