Map 41-12
Parcel 118 151D

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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WANDA FAYE LAX FISHER)
)
Plaintiff)
)
vs.) Docket No. 85D-2951
)
HORACE OLIVER FISHER)
)
Defendant) BOOK 6849 PAGE 89

FINAL DECREE

This case came on to be heard on the 11th day of February, 1986, before the Honorable Walter C. Kurtz, Judge, sitting by interchange upon the Complaint for Absolute Divorce, Answer, Counter-Complaint and Answer to the Counter-Complaint; and, from the testimony of the parties and witnesses, statements of counsel for the respective parties and upon the entire record as a whole, the Court is of the opinion and finds:

A. That the Defendant, Horace Oliver Fisher, has been guilty of such cruel and inhuman treatment or conduct towards the Complainant, Wanda Faye Lax Fisher, as renders cohabitation unsafe and improper;

B. That the Counter-Complaint of the Defendant, Horace Oliver Fisher, against the original Complainant, Wanda Faye Lax Fisher, should be dismissed;

C. That the real and personal property and property interest of the parties should equitably be divided as hereinafter set forth;

D. That the Defendant should be required to pay rehabilitative alimony to the Complainant, as hereinafter shown for a period of forty-two (42) months;

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DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE

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E. That the fault of the Defendant should not be considered in the equitable division of the parties' property and property interest and in the award of rehabilitative alimony;

F. That the Defendant should be required to provide hospitalization and medical insurance for the Complainant for a period of six (6) months;

G. That the Complainant should be required to keep in full force and effect a term life insurance policy on his life in the face amount of $15,000.00, naming the Complainant as the primary beneficiary under same for a period of forty-two (42) months from date;

H. That the Defendant should be required to pay a part of the Complainant's attorney's fees for her representation in this cause; and,

I. That the cost of this cause should be assessed against the Defendant.

It is therefore ORDERED, ADJUDGED AND DECREED, as follows:

1. That the Complainant, Wanda Faye Lax Fisher, is hereby awarded an absolute divorce from the Defendant, Horace Oliver Fisher, on the grounds of cruel and inhuman treatment, T.C.A. §36-4-102(1), that the bonds of matrimony heretofore subsisting between the parties be absolutely and perpetually dissolved and that the Complainant be and is hereby restored to all the rights and privileges of an unmarried person.

2. That all right, title or interest which the Defendant, Horace Oliver Fisher, may have in and to certain property located at 1033 Westchester Drive, Madison, Davidson County, Tennessee be and is hereby divested out of the Defendant and vested in the Complainant, Wanda Faye Lax Fisher, to be hers absolutely subject

only to 1986 State and County taxes, which are a lien but not yet due and payable and which shall be paid in full by the Complainant, said property being more specifically and particularly described as follows, to-wit:

> BEING Lot No. 132 on the Plan of Kemper Heights, Section 1, as of record in Book 2331, page 65, Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 132 fronts 90 feet on the Southeasterly side of Westchester Drive and extends back 243.2 feet on the Southwesterly side and 242.1 feet on the Northeasterly side, to a dead line in the rear at which it measures 82.9 feet.
>
> BEING the same property conveyed to Horace O. Fisher by deed from W. E. Adams and wife, Evelyn Adams, of record in Book 2750, page 125, Register's Office for Davidson County, Tennessee.

Together with the appurtenances and improvements located thereon, but subject to all easements, building setback lines and restrictive covenants of record.

3. That title to a 1977 Pontiac automobile be vested solely in the name of the Complainant, Wanda Faye Lax Fisher.

That title to a 1980 Ford Pickup truck be vested solely in the name of the Defendant, Horace Oliver Fisher.

4. That each party shall retain and be vested with title to the individual retirement account in his or her respective name together with all right to the principal and accrued interest in such account or accounts.

5. That each party shall retain and be vested with sole title to all savings accounts and deposits vested in his or her name, but that the Defendant shall pay to the Complainant the sum of $3,250.00 as the Complainants equitable interest in the Savings Accounts and Deposits vested in the name of the Defendant.

6. That the joint checking account of the parties be divided one-half (½) to the Complainant and one-half (½) to the Defendant.

7. That ownership and title to all cattle and farm animals owned by the parties, jointly or severally, be vested and fixed in the Defendant, to be his absolutely.

8. That the Defendant, Horace Oliver Fisher, shall pay direct to the Complainant, Wanda Faye Lax Fisher, as rehabilitative alimony the sum of Seventy-five Dollars ($75.00) per week on Friday of each week beginning February 14, 1986 and a like amount on each and every succeeding Friday for a total of one hundred four (104) consecutive weeks; thereafter, the Defendant shall pay direct to the Complainant the sum of Fifty Dollars ($50.00) per week for seventy-eight (78) consecutive weeks at the end of which time rehabilitative alimony payments shall cease.

9. That the Defendant, Horace Oliver Fisher, shall maintain and pay for a hospitalization and medical insurance policy, for the use and benefit of the Complainant, Wanda Faye Lax Fisher with the same or similar insurance benefits now afforded the Defendant under a hospitalization and medical plan furnished through his employer, for a period from February 11, 1986 to August 11, 1986. The Defendant shall furnish to the Complainant evidence of such insurance on or before March 1, 1986.

10. That the Defendant, Horace Oliver Fisher, shall maintain and pay the full premium for a term life insurance policy on this life in the face amount of Fifteen Thousand Dollars ($15,000.00), naming the Complainant, Wanda Faye Lax Fisher, as primary beneficiary thereunder for a term of forty-two (42) months. The said policy shall be nondecreasing term insurance. Defendant shall furnish evidence of such insurance to the Complainant as soon as practicable but not later than March 1, 1986. The Defendant shall have the option to use all or a part of his present life insurance policies to satisfy this requirement.

11. That the Defendant's pension, retirement and employment benefits, through his employer, Methodist Publishing House, be vested and fixed in the Defendant, to be his absolutely.

12. That the Complainant shall be vested with ownership and title to all crystal, all silver and all china, a tin door pie safe, a mirror, a washer, a breakfast set consisting of a table and four (4) chairs, a stove, a refrigerator, a couch, a green rocking chair, an end table, a television, three lamps, a piano, a double bed, dresser and night stand, a trunk, a bed in the guest bedroom, a sewing machine and a dresser in the guest bedroom; that the Defendant shall be vested with ownership and title to a table, four (4) chairs, a hutch and library table in the dinning room, a deep-freeze, a wooden rocking chair, an end table (round), a wooden trunk and a chiffonier; that each party shall retain and be vested with title to his or her jewelry, clothing and items of property personal to him or her; and, that all remaining household goods, tools, memorabilia and other property be divided equally between the parties.

13. That the Defendant shall remove himself and his property from the premises at 1033 Westchester Drive, Madison, Tennessee, on or before March 1, 1986.

14. That the Defendant shall pay to Homer R. Ayers, Attorney for the Complainant, the sum of Five Hundred Fifty Dollars ($550.00) as partial attorneys fees in connection with these divorce proceedings, for which execution may issue, if necessary.

15. That the Counter-Complainant filed by the Defendant against the Complainant be and is hereby dismissed.

16. That the cost of this cause be assessed against the Defendant, Horace Oliver Fisher, for which execution may issue, if necessary.

ENTERED this the 26 day of Feb, 1986.

WALTER C. KURTZ, Judge
(By interchange)

APPROVED FOR ENTRY:

HOMER R. AYERS, Attorney at Law
100 New Long Hollow Pike
Goodlettsville, TN 37072
(615)859-2500

HOMER R. AYERS, Attorney for
the Complainant

SETH W. NORMAN, Attorney at Law
213 Third Avenue, North
Nashville, TN 37201

SETH W. NORMAN, Attorney for
the Defendant

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* 26th *day of* February, *19* 86, *in Case Number* 85D-2951 *between* Wanda Faye Fox Fisher *Plaintiff, and* Horace Olevia Fisher *Defendant, as same remains of record in Book* 151A, *Page* 717 *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* 6th *day of* May *in the year one thousand nine hundred and* eighty-six *and in the* Two Hundred and Tenth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____ *D.C.*

Form #GR-117