IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

ROBERT vanWETTERING MORFORD, Plaintiff/Counterdefendant	)	
VS.	)	No. 85D-34
MANTHA LOUISE MORFORD, Defendant/Counterclaimant	)	

K. Langford
Map 131-1
Par 60 ac

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FINAL DECREE

This cause came on for trial on December 2, 1986 before the Honorable James R. Everett, Judge, upon Mr. Morford's Complaint, upon Mrs. Morford's Counterclaim, and upon all of the pleadings. The plaintiff/counterdefendant, Robert vanWettering Morford, failed to appear for trial, either in person or through counsel. Consequently, the matter was then heard on the allegations of Mrs. Morford's Counterclaim, her testimony and exhibits to that testimony, the testimony of corroborating and other witnesses, including the testimony of Richard Ackerman, the testimony of Janice Cunningham and exhibit to that testimony, the Affidavit of Douglas Bennett, the Affidavits of Dr. Michael Magee dated December 19, 1985 and November 6, 1986, argument of counsel, and the entire record, from all of which the Court found that Mr. Morford has committed adultery and that Mrs. Morford should be granted an absolute divorce from Mr. Morford and restored to all the rights and privileges of an unmarried person. Further, the Court found that Mr. Morford's Complaint should be dismissed. Further, the Court found that the real property situated at 2215 Hobbs Road, Davidson County, Tennessee, the 1979 Lincoln automobile, the 1971 Plymouth automobile, Mr. Morford's credit union account, Mrs. Morford's retirement, Mr. Morford's retirement, the cash value in the life insurance policies, and the household furnishings and personal property were accumulated during the course of the parties' marriage and are marital assets subject to equitable division by the Court. Further, the Court found that the funds on deposit in Mrs. Morford's U.S. Courthouse Credit Union account are her

separate property in which Mr. Morford has no interest. Further, the Court found that, as an equitable division of marital property, Mrs. Morford should be awarded all right, title and interest in and to the real property consisting of a house and lot situated at 2215 Hobbs Road, Nashville, Tennessee, the household furnishings and personal property situated in that home or otherwise in her possession and certain articles in the possession of Mr. Morford and/or elsewhere, the 1979 Lincoln Continental automobile, her retirement, the Pruduential life insurance policies on the life of Mr. Morford including any cash surrender value therein, and the life insurance policies on her life including any cash surrender value therein. Further, the Court found that, as an equitable division of marital property, Mr. Morford should be awarded all right, title and interest in and to the 1971 Plymouth automobile, the funds on deposit in the U.S. Courthouse Credit Union account maintained in his name, the household furnishings and personal property in his possession, except certain of said articles to be received by Mrs. Morford as hereinafter provided, and his accrued retirement benefits as a participant in the Tennessee Consolidated Retirement System. Further, the Court found that Mr. Morford provided virtually no support for Mrs. Morford during the period of the parties' separation from January 7, 1985 to date of trial, even though he received substantial income, and that Mrs. Morford was required to borrow from various sources in order to meet her living expenses. As a consequence, the Court found that Mr. Morford should pay the outstanding debts to Visa Compucard, Bankamericard, First American Mastercard, Citibank Mastercard, Cain Sloan, the past due balance of $153.50 to South Central Bell, U.S. Courthouse Credit Union (two loans), E. Ray Jerkins, Counselor, Phillips & Quarles, and Encyclopedia Brittanica and that he should indemnify and hold Mrs. Morford harmless from any liability thereon. Further, the Court found that Mr. Morford has a substantial earning capacity; that

Mrs. Morford needs financial assistance from Mr. Morford because she is in poor health, is permanently disabled and unable to work; that Mr. Morford has not complied with this Court's Order relating to pendente lite support; and that the Court has no confidence that Mr. Morford will comply with the Court's Order in the event it should award Mrs. Morford alimony in futuro. As a consequence, the Court found that Mrs. Morford, as alimony in solido, should be awarded one-half (50%) of Mr. Morford's accrued retirement benefits with the Tennessee Consolidated Retirement System. Further, the Court found that a judgment should be awarded against Mr. Morford and in favor of Mrs. Morford in the amount of Two Thousand Four Hundred ($2400) Dollars, representing pendente lite alimony due Mrs. Morford on October 18, 1986 and November 18, 1986, but unpaid as of the date of trial. Further, the Court found that a judgment should be awarded in favor of Mrs. Morford and against Mr. Morford in the amount of $20,000.00, representing reasonable attorney's fees and expenses incurred by her in these proceedings. Further, the Court found that Mrs. Morford's current address is 2215 Hobbs Road, Nashville, Tennessee, 37215, that Mr. Morford's current whereabouts are unknown to Mrs. Morford but that his last known address is the address of the parties' son, Robert Andrew Morford, 3231 Seneca Avenue, Fort Pierce, Florida 33450.

It is therefore ORDERED, ADJUDGED AND DECREED that:

1. Counterclaimant, Mantha Louise Morford, shall be, and is hereby, awarded an absolute divorce from Counter-defendant, Robert vanWettering Morford, on grounds of adultery, 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. The Complaint filed by Robert vanWettering Morford be, and is hereby, dismissed with prejudice.

3. All funds on deposit in the U.S. Courthouse Credit Union account maintained in Mrs. Morford's name, same being

account no. 128-016, are awarded to her as her separate property, with Mr. Morford having no interest therein.

4. All right, title and interest of Robert vanWettering Morford in and to that certain real property consisting of a house and lot situated at 2215 Hobbs Road, Nashville, Davidson County, Tennessee shall be, and is hereby, divested out of him and vested absolutely in Mantha Louise Morford in fee simple absolute, free of any claim by Mr. Morford. Said real property is more particularly described as follows:

> Land in Davidson County, Tennessee, being lot 22 on the map of B. N. Stammer's subdivision of record in book 1424, page 23, Register's Office for said county.
>
> Said lot no. 22 fronts 100 feet on the south side of Hobbs Road and runs back between lines 239.41 feet on the east line and 239.38 feet on the west line to a dead line in the rear measuring 100 feet thereon.
>
> Being the same property conveyed to Robert v. W. Morford and wife, Mantha L. Morford, by deed from Louis N. Farringer, Trustee, of record in Book 3675, page 401, Register's Office for Davidson County, Tennessee.

Mrs. Morford shall be responsible for payment of the outstanding indebtedness secured by a mortgage against said real property and shall hold Mr. Morford harmless from any liability therefor.

5. All right, title and interest of Mr. Morford in and to all of the articles of household furnishings and personal property situated at the 2215 Hobbs Road residence or otherwise in the possession of Mrs. Morford shall be, and is hereby, divested out of him and vested absolutely in her. Additionally, all right, title and interest of Mr. Morford in and to the following items of household furnishings and personal property presently in his possession shall be, and is hereby, divested out of him and vested absolutely in Mrs. Morford:

(a) bath scales;

(b) trampoline;

(c) Mrs. Morford's record collection; and

(d) two (2) chaise lounges and matching table.

Mr. Morford shall deliver said articles to Mrs. Morford within

30 days from and after entry of this Decree. Finally, all right, title and interest of Mr. Morford in and to that certain maple table matching the hutch in Mrs. Morford's possession, which table was loaned by the parties to their son, Robert Andrew Morford, shall be, and is hereby, divested out of Mr. Morford and vested absolutely in Mrs. Morford.

6. All right, title and interest of Mr. Morford in and to the 1979 Lincoln Continental automobile, which automobile is titled in Mrs. Morford's name, shall be, and is hereby, divested out of Mr. Morford and vested absolutely in Mrs. Morford.

7. Any and all right, title or interest Mr. Morford may have in and to Mrs. Morford's retirement shall be, and is hereby, divested out of him and vested absolutely in her.

8. All right, title and interest of Mr. Morford in and to the following insurance policies insuring his life, including any and all accumulated cash surrender value therein, shall be, and is hereby, divested out of him and vested absolutely in Mrs. Morford:

Company	Face Value	Policy Number
Prudential Life Insurance Co.	$25,000	75277991
Prudential Life Insurance Co.	$25,000	35827159
Prudential Life Insurance Co.	$2,000	27558602
Prudential Life Insurance Co.	$10,000	27240337
Prudential Life Insurance Co.	$14,000	75669887
Prudential Life Insurance Co.	$25,000	39950230

9. Any and all right, title or interest of Mr. Morford in and to all life insurance policies insuring the life of Mrs. Morford, including any accumulated cash surrender value therein, shall be, and is hereby, divested out of him and vested absolutely in her.

10. All right, title and interest of Mrs. Morford in and to the 1971 Plymouth automobile shall be, and is hereby, divested out of her and vested absolutely in Mr. Morford.

11. All right, title and interest of Mrs. Morford in and to funds on deposit in the U.S. Courthouse Credit Union account maintained in Mr. Morford's name, same being account number

10756-011, shall be, and is hereby, divested out of her and vested absolutely in Mr. Morford.

12. All right, title and interest of Mrs. Morford in and to the household furnishings and personal property presently in Mr. Morford's possession, except those articles listed in paragraph 5 above, shall be, and is hereby, divested out of her and vested absolutely in Mr. Morford.

13. Mr. Morford shall pay the outstanding debts due and owing the following creditors and shall indemnify and hold Mrs. Morford harmless from any liability for said debts:

(a) Visa Compucard, account number 4168-598-862-143;

(b) Bankamericard, account number 4024-0807-6095-9771;

(c) First American Mastercard, account number 5247-0030-0138-3211;

(d) Citibank Mastercard, account number 5424-1800-8374-9819;

(e) Cain Sloan, account number 118-9125-6F;

(f) Past due balance to South Central Bell of $153.50 (turned over to Professional Adjusting Service collection agency);

(g) U.S. Courthouse Credit Union loan in his name of approximately $5,400; (secured by funds in Mrs. Morford's share account, number 128-016);

(h) U.S. Courthouse Credit Union loan in Mrs. Morford's name of approximately $2,400;

(i) E. Ray Jerkins, counselor;

(j) Phillips and Quarles; and

(k) Encyclopedia Brittanica.

14. One-Half (50%) of all accrued retirement benefits of Robert VanWettering Morford, Social Security Number 118-22-8847, as a participant in The Tennessee Consolidated Retirement System, shall be, and is hereby, divested out of Robert vanWettering Morford and vested absolutely in Mantha Louise Morford as her sole and separate property, free of any claim by Robert vanWettering Morford. Robert vanWettering

Morford shall retain the other fifty percent (50%) of his accrued retirement benefits in The Tennessee Consolidated Retirement System as his sole and separate property, free of any claim by Mrs. Morford. A copy of this Order shall be sent by counsel for Mrs. Morford to the Tennessee State Consolidated Retirement System.

15. A judgment in the amount of Two Thousand Four Hundred ($2400) Dollars shall be, and is hereby, awarded against Robert vanWettering Morford and in favor of Mantha Louise Morford, representing the unpaid pendente lite alimony payments due October 18 and November 18, 1986.

16. A judgment in the amount of $20,000 shall be, and is hereby, awarded in favor of Mantha Louise Morford against Robert vanWettering Morford for attorney's fees and expenses incurred by Mrs. Morford in these proceedings.

17. It is further ORDERED, ADJUDGED AND DECREED that Robert van Wettering Morford shall execute any and all documents reasonably necessary or required to effectuate the terms of this Decree. Said documents shall be mailed to him at his last known address, c/o Robert Andrew Morford, 3231 Seneca Avenue, Fort Pierce, Florida 33450. Mr. Morford shall return said document(s) to Mrs. Morford fully executed by him within 20 days of the date said document(s) were mailed to him.

18. It is further ORDERED, ADJUDGED AND DECREED that the costs of this cause shall be, and are hereby, taxed against Robert vanWettering Morford, for which execution may issue if necessary.

It is finally, ORDERED, ADJUDGED AND DECREED that execution may issue to enforce any of the provisions of this Decree.

This 9 day of Dec, 1986.

JAMES R. EVERETT, JUDGE

APPROVED FOR ENTRY:

FARRIS, WARFIELD & KANADAY

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By: James G. Martin, III

James G. Martin, III

Attorneys for Mantha Louise Morford
Suite 1900
Third National Financial Center
Nashville, Tennessee 37219
(615) 244-5200

cc: Robert vanWettering Morford
c/o Robert Andrew Morford
3231 Seneca Avenue
Fort Pierce, Florida 33450
Certified No. P253-227-334
Return Receipt Requested
Date Mailed: 12/8/86

Ms. Pamela Bingham
Attorney for Tennessee State Consolidated Retirement System
13th Floor, Andrew Jackson State Office Bldg.
Nashville, Tennessee 37219

Date mailed: 12/8/86

JAN 20 4 15 PM '87
DAVIDSON COUNTY, TN
FILED & RECORDED

IDENTIFICATION REFERENCE

85525

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* Probate ~~Circuit~~ *Court for Davidson County, Tennessee, on the* tenth *day of* December, 1986, *in Case Number* 85D-34 *between* ROBERT vanWETTERING MORFORD, *Plaintiff, and* MANTHA LOUISE MORFORD, *Defendant, as same remains of record in Book* 35A, *Page* 622 *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* 20th *day of* January *in the year one thousand nine hundred and* eighty-seven *and in the* two hundred eleventh *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By N. L. Rowland *D.C.*

Form #GR-117

1219M/12-8-86