✓ 2-15-80
M/P 116-16-133 115C/1701

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

BOOK 7142 PAGE 338

JOHN R. JONES)
)
vs.) NO. 73591
)
LORRAINE JONES)

O R D E R

This cause came on to be heard before the Honorable Benson Trimble, Judge, on the 13th day of August, 1979, the cause having been remanded by the Supreme Court to this Court for a hearing to determine the legal and equitable interests of the parties in various properties that they owned during coverture in joint and separate names. Following the said hearing the Court took the cause under advisement, required an appraisal to be made of the home jointly owned by the parties located on Wallace Lane in Nashville, Tennessee, received and considered briefs filed on behalf of the parties and did issue its memorandum opinion dated December 26, 1979, a copy of which is incorporated herein by reference. Thereafter counsel for John R. Jones filed a motion for clarification of the Court's memorandum opinion and counsel for Lorraine Jones filed a motion for a reconsideration of the Court's memorandum opinion. Thereafter, counsel did argue their respective motions before this honorable Court on the 24th day of January, 1980 and the Court taking the matter under consideration again did issue its second memorandum opinion following the remand of this cause, the same being dated the 30th day of January, 1980, which is incorporated herein by reference.

This Court does award to Lorraine Jones, from all of the properties jointly and separately owned by the parties, all right, title and interest in and to the home and realty owned by the parties jointly on Wallace Lane in Nashville, Tennessee, divesting all right, title and interest in the same from Dr. Jones

and vesting the same in Lorraine Jones. Further, there is awarded to Lorraine Jones all right, title and interest to the furniture and fixtures owned by the parties and presently in the possession of Lorraine Jones and located in the Wallace Lane home, and the dining room suite located at the home of her counsel. Further, there is awarded to Lorraine Jones one-third of the total amount of the escrow monies held by the Nashville City Bank and Trust Company, the same representing the net proceeds from the sale of the parties' jointly owned home on Robin Hill Drive in Nashville, Tennessee. The remaining two-thirds of said escrow account is awarded to John R. Jones.

Further, John R. Jones is awarded all incidence of ownership in two separate insurance policies, insuring the life of John R. Jones and presently owned by Lorraine Jones, which policies were issued by the Northwestern Mutual Life Insurance Company and bear policy numbers 5461855 and 5461856. Lorraine Jones is divested of any and all interests in said policies and such interests are vested in John R. Jones; and further, Lorraine Jones shall execute any and all legal documents necessary for the transferral of her interests in said policies required by Northwestern Mutual Life Insurance Company. Further, John R. Jones is awarded all right, title and interest in those several items of personal property that he has requested of Lorraine Jones through his attorney as per written document and which have not to this date been delivered to him. All other properties owned by John R. Jones in his own and separate name during coverture or now shall remain his sole properties.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that there is divested of John R. Jones and vested in Lorraine Jones all right, title and interest to the real property and improvements thereon of the home and lot located on Wallace Lane and more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 59, on the unrecorded Map of Part One of Wallace Subdivision, and described as follows:

Beginning at a point in the westerly margin of Vail Avenue, now Wallace Lane, at a common corner of Lots Nos. 60 and 59; thence with the line between said lots, westerly 183.8 feet to the corner of Lots Nos. 26 and 27; thence with the line between Lots 59 and 27, southerly 125.1 feet to the corner of Lots Nos. 28 and 58; thence with the line between Lots Nos. 58 and 59, easterly 192.3 feet to the westerly margin of Vail Avenue, now Wallace Lane; thence with the margin of the same, northerly 125.3 feet to the beginning.

Being the same property conveyed to Dr. John R. Jones and wife, Lorraine Jones, by deed from Roy W. Luckett and wife, Barbara H. Luckett, dated April 28, 1961, of record in Book 3221, page 367, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lorraine Jones is awarded all right, title and interest in the personal property in her possession in the Wallace Lane home and the dining room suite located at the home of her counsel, and John R. Jones is divested of any and all right in such personalty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lorraine Jones is awarded as her property one-third of the monies held in escrow at the Nashville City Bank and Trust Company, Nashville, Tennessee, which monies represent the net equity from the sale of their home on Robin Hill Drive in Nashville, and the remainder, or two-thirds, of said monies is awarded to John R. Jones.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lorraine Jones is divested of all right, title and interest in two Northwestern Mutual life insurance policies bearing policy numbers 5461855 and 5461856, insuring the life of John R. Jones, and all such interest is vested in John R. Jones, the insured, and Lorraine Jones shall execute such documents as necessary for the transfer of such policies on the books of the insurer.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Lorraine Jones shall deliver to John R. Jones and be divested of any interest therein in certain personal items owned by John R. Jones and not previously delivered to him, if still in the

possession of Lorraine Jones. All other properties, both real, personal or mixed, owned by John R. Jones are his separate properties free and clear of any interest of Lorraine Jones.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this cause are assessed to John R. Jones, for which execution may issue if necessary.

ENTER _____

JUDGE

APPROVED FOR ENTRY:

NEAL & HARWELL

By _____
Jon D. Ross
Attorneys for Plaintiff

BOULT, CUMMINGS, CONNERS & BERRY

By _____
John T. Conners, Jr.
Attorneys for Defendant

2-15-

FEB 20 12 09 PM '80

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

IDENTIFI REFERENCE

9.5.6 0 5

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* Fifteenth *day of* February, 19 80, *in Case Number* 73591 *between* John R. Jones *Plaintiff, and* Lorraine Jones *Defendant, as same remains of record in Book* 115C, *Page* 1701 *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* February *in the year one thousand nine hundred and* Eighty-Seven *and in the* 211th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____, *D.C.*