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GEORGE L. ROOKER, CLERK

K. Lankford D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

MARGIE REE FRIZZELL

VS.

NO. ~~85D-2084~~

BILLY MURPHY FRIZZELL

MAP- 41-11
Par - 100 ML

BOOK 7253 PAGE 554

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 5th day of May, 1987, before the Honorable Muriel Robinson, Judge, upon the original Complaint for Absolute Divorce and the Amended and Supplemental Complaint and Second Amended and Supplemental Complaint for Absolute Divorce filed by Mrs. Frizzell, the original Complaint for Absolute Divorce filed by Billy Murphy Frizzell under Docket No. 85D-2110, Answer to the original Complaint and Amended Complaints, from all of which it appears that the parties have reached a settlement in this matter, and desire to dismiss the Complaint filed by Mr. Frizzell, and to withdraw the Answers heretofore filed in this cause and allow this matter to be tried as a noncontested case, upon testimony of Mrs. Frizzell and the corroborative witnesses, statement of counsel in open Court, and from the entire record in this cause. From all of which the Court finds that the Defendant, Mr. Frizzell, has been guilty of such cruel and inhuman treatment or conduct towards Mrs. Frizzell as renders further cohabitation unsafe and improper.

It is, therefore, ORDERED AND ADJUDGED that the Complaint for Absolute Divorce filed by Mr. Frizzell under Docket No. 85D-2110 is hereby dismissed and the costs taxed to Mr. Frizzell.

It is further ORDERED AND ADJUDGED by the Court that the bonds of matrimony heretofore subsisting between the parties be, and the same are, hereby forever and perpetually dissolved and the Complainant, Margie Ree Frizzell, is granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further ORDERED AND ADJUDGED by the Court that all right, title and interest which the Defendant, Mr. Frizzell, has in and to

the home of the parties located at 4020 Devonshire Drive, Nashville, Davidson County, Tennessee, and described as follows:

> Land in Davidson County, Tennessee, being Lot No. 39, Bellshire Estates, Section I, of record in Book 2133, page 124, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 39 fronts 115.0 feet on the westerly side of Devonshire Drive and runs back 286.1 feet on the northerly line and 275.3 feet on the southerly line, to a line in the rear which is a broken line measuring 182.8 feet thereon.
>
> Being the same property conveyed to Henry M. Parker and wife, Erlene C. Parker, by deed from George P. Wilson and wife, Mary J. Wilson, of record in Book 2958, page 223, Register's Office for Davidson County, Tennessee.

shall be divested from him, and the sole and exclusive ownership in said property shall be vested in Mrs. Frizzell, in fee simple absolute ownership. Mrs. Frizzell shall be responsible for the taxes and insurance on said property. Both parties acknowledge that there is no mortgage indebtedness against said property, and neither party has placed any liens against the property since the separation of the parties.

It is further **ORDERED AND ADJUDGED** by the Court that all the household furniture, furnishings and accessories located in the residence of the parties at 4020 Devonshire Drive, Nashville, Davidson County, Tennessee, shall be awarded as the sole and exclusive property of Mrs. Frizzell, free and clear from any claim by Mr. Frizzell. Husband shall be awarded the exclusive ownership of any and all personal property in his personal possession or any personal property he has acquired since the separation, and in addition thereto, from the home of the parties he shall be awarded his two Masonic rings, electric saw, quarter inch drill, company tools and canvas bag, and gray metal box with company tools.

It is further **ORDERED AND ADJUDGED** by the Court that Mrs. Frizzell shall be awarded the sole and exclusive ownership of the 1979 Lincoln Mark IV automobile and Mr. Frizzell shall be awarded the sole and exclusive ownership of the 1982 Honda Accord automobile. Mr. Frizzell shall assume responsibility for the indebtedness on his vehicle and hold Mrs. Frizzell harmless from any responsibility thereon.

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DAVIDSON COUNTY, TN

It is further ORDERED AND ADJUDGED by the Court that each party shall retain the sole and exclusive ownership of their respective bank accounts, both checking and savings, and any IRA accounts which they may have. In addition, Husband shall be awarded the sole and exclusive ownership of his credit union account and all savings accounts with South Central Bell. Mr. Frizzell shall also be awarded the sole and exclusive ownership of his Bell South Corporation savings and security plan, and pension and retirement plan, and Mrs. Frizzell shall waive any claims, both past, present or future against these accounts.

It is further ORDERED AND ADJUDGED by the Court that Mr. Frizzell shall be responsible and hold Mrs. Frizzell harmless from any and all indebtedness incurred prior to the separation of the parties, including but not limited to, the credit union indebtedness, the debt owing to Associates Finance, debt owing to General Electric Credit Corporation, indebtedness owing to Castner Knott, Sears, and MasterCard. Any debts incurred by either of the parties since the separation shall become the sole obligation and responsibility of that party.

It is further ORDERED AND ADJUDGED by the Court that Mr. Frizzell shall pay directly to Mrs. Frizzell as rehabilitative alimony the sum of $350.00 per month for eighteen (18) consecutive months, commencing on the first day of June, 1987, and continuing on the first day of each month thereafter until December 1, ~~1989~~ WAC 1988 RKJ, at which time Mr. Frizzell shall commence paying the sum of $200.00 per month and shall continue to make these payments on the first day of each month thereafter until the death or remarriage of Mrs. Frizzell, or until she attains the age of sixty-two (62) years, whichever is the first event to occur. It is the intention of the parties that under no circumstances should Mr. Frizzell pay rehabilitative alimony after September 30, 1996. The parties acknowledge that these payments shall be taxable to Mrs. Frizzell and tax deductible to Mr. Frizzell insofar as Federal Income Taxes are concerned. Mr. Frizzell shall continue to abide by the terms of the pendente lite order through May 31, 1987.

It is further ORDERED AND ADJUDGED by the Court that Mrs. Frizzell shall be awarded the ownership of the $9,000.00 life insurance policy on Mr. Frizzell's life with the Commonwealth Insurance Company and she will also receive the Commonwealth Insurance Company policies on the lives of the four sons, and she shall assume responsibility for payment of all premiums thereon.

It is further ORDERED AND ADJUDGED by the Court that so long as Mr. Frizzell is required to make the alimony payments herein that he shall maintain Mrs. Frizzell and the four children as equal beneficiaries of his present life insurance policy through his employment with South Central Bell. He shall be required to maintain only the basic policy, and not the supplemental policy.

It is further ORDERED AND ADJUDGED by the Court that Mr. Frizzell shall continue to carry Mrs. Frizzell on his group health insurance policy through his present employer, for three years, pursuant to the statutes of Tennessee enforcing Cobra, and he shall assist Mrs. Frizzell in maintaining this coverage at the present premium level, however, Wife shall be required to pay the costs of the premium or reimburse Husband for same, whichever is required through the terms of the policy.

It is further ORDERED AND ADJUDGED by the Court that the cemetary lots shall be awarded as the sole and exclusive property of Mrs. Frizzell.

It is further ORDERED AND ADJUDGED by the Court that Mr. Frizzell shall cooperate and sign any and all necessary deeds and documents to allow Mrs. Frizzell to withdraw and receive social security funds when she is legally entitled, be that age 62, earlier, or later.

It is further ORDERED AND ADJUDGED by the Court that Husband shall be awarded the sole and exclusive ownership of his stockhold interest in South Central Bell or any other publicly held stock company. Mrs. Frizzell shall be awarded the sole and exclusive ownership of the United States Savings Bonds, and Mr. Frizzell shall sign any and all documents necessary to divest his interest therein.

It is further ORDERED AND ADJUDGED by the Court that Mr. Frizzell shall continue to provide Mrs. Frizzell with his discount through the telephone company with all available privileges authorized by the telephone company, to the extent that he is able to assist in this regard.

It is further ORDERED AND ADJUDGED by the Court that the costs shall be taxed against Mr. Frizzell, for all of which execution may issue if necessary.

Enter this 20th day of May, 1987.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

JACKSON, TANNER & REYNOLDS

BY: ROBERT L. JACKSON
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615/256-2694

ORTALE, KELLEY, HERBERT & CRAWFORD

BY: WILLIAM A. CRAGG
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Life & Casualty Tower
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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* 20th *day of* May, *1987, in Case Number* 85D-2084 *between* Margie Lee Frizzell *Plaintiff, and* Billy Murphy Frizzell *Defendant, as same remains of record in Book* 161B, *Page* 1214 *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* 1st *day of* June *in the year one thousand nine hundred and* 87 *and in the* 211th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By L Ayers, *D.C.*