FILED

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

JUN 15 PM 2:52

GEORGE L. HOOKER, CLERK

A. Spurlock D.C.

JANICE HARTLEY AMARI	]	
	]	
VS.	]	NO. 85D-3267
	]	
DOMINICK JUDE AMARI, ALFRED MAGNACCA and MARIANNETTE MAGNACCA, CO-TRUSTEES, and CAROL GILLILAND DENNEY, TRUSTEE, and THE DOMINION BANK, DONELSON BRANCH, and CELIA TOWNSEND	]	BOOK 7275 PAGE 45

JUN 22 [illegible] 1987

IDENTIFICATION REFERENCE

38771

SUPPLEMENTAL DECREE

This cause came on to be further heard before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court of Davidson County, Tennessee, on the 5th day of June, 1987, and upon motion of the plaintiff/wife for an award of alimony and for such further orders as may be necessary to enforce the provisions of the final decree heretofore entered in this cause, and subject to the reservations contained in said decree. From the testimony of the wife, statement of counsel and a further review of the entire record by the Court, including the provisions made in the final decree heretofore entered in this cause, the Court is of the opinion as follows:

(1) That as reflected in the final decree, conveyances of real estate located on June Drive in Davidson County, Tennessee, and on Brick Church Pike located in Davidson County, Tennessee, and of record in Books 710, page 12, and 710, page 10, of the Register's Office of Davidson County, Tennessee, were fraudulent conveyances made by the defendant in an effort to commit a fraud upon this Court;

(2) That the plaintiff/wife has an immediate need for alimony to be awarded her in this cause;

(3) That certain additional orders should be made by the Court pertaining to bank accounts and/or resources of the defendant; and

It is therefore ORDERED, ADJUDGED and DECREED as follows:

(1) That as alimony in solido, that the plaintiff/wife should be awarded all of the defendant's right, title and

interest in and to the real property located on June Drive in Davidson County, Tennessee, and more particularly described in the final decree heretofore entered in this cause as follows:

> Being Lot No. 25 on the Map of Donelson Hills Subdivision, of record in Book 2331, Pages 22 and 23, Register's Office, Davidson County, Tennessee.
>
> BEING the same property conveyed to Dominick J. Amari by deed from Gloria S. Allman as of record in Book 6048, Page 566, R.O.D.C.
>
> BEING the same property conveyed to Phyllis Chessor, Trustee, from Dominick Amari, and then conveyed from Phyllis Chessor, Trustee, to Alfred Magnacca and Mariannette Magnacca, Co-Trustees, by deed of record in Book 7110, page 12, Register's Office, Davidson County, Tennessee.

The conveyance of said aforementioned property by the defendant to the co-defendants, Alfred Magnacca and Mariannette Magnacca, of record in Book 710, page 12, of the Register's Office of Davidson County, Tennessee, is declared null and void, and is set aside for reasons set forth in this order and in the final decree previously entered in this cause. This property shall hereinafter become the sole and exclusive property of the plaintiff, Janice Hartley Amari, free and clear from any further claim thereon by the defendant, or by the trustees and co-defendants, Alfred Magnacca and Mariannette Magnacca. All defendants will execute any and all documents necessary to facilitate the conveyance of this property into the name of the plaintiff/wife, Janice Hartley Amari.

It is further ORDERED, ADJUDGED and DECREED that all of defendant's right, title and interest in and to real property located on the Brick Church Pike in Davidson County, Tennessee, be divested out of the defendant and vested solely and absolutely in the plaintiff/wife, Janice Hartley Amari. Said property is more particularly described as follows:

> LAND in the 10th Civil District of Davidson County, Tennessee, being Lot No. 5 on the Plan of Brick Church Valley Subdivision, Section One, as of record in Book 3700, page 189, in the Register's Office for said County.
>
> Said Lot No. 5 fronts 275.8 feet on the easterly side of Brick Church Pike and

extends back 330.1 feet on the northerly line and 448 feet on the southerly line, to a line in the rear, on which it measures 275.4 feet. Included in the above description, but excluded therefrom is that part of land conveyed in Deed Book 4390, page 189, in the Register's Office for said County.

Being the same property conveyed to Phyllis Chessor, Trustee, by Dominick Amari, and then reconveyed by Phyllis Chessor, Trustee, to Carol Gilliland Denney, Trustee, of record in Book 7110, page 10, Register's Office, Davidson County, Tennessee.

The conveyance of the property from the defendant, Dominick Jude Amari, to the co-defendant, Carol Gilliland Denney, Trustee, is declared null and void, and is set aside for the reasons previously set forth in this order, and in the previous decree heretofore entered in this cause. This property shall hereinafter become the sole and exclusive property of the plaintiff/wife, Janice Hartley Amari, free and clear from any further claim thereon by the defendant/husband, Dominick Jude Amari, or by the trustee, Phyllis Chessor, also named as co-defendant in this cause. Both the defendant, Dominick Jude Amari, and the defendant, Phyllis Chessor, shall execute any and all documents necessary for the conveyance of this property into the name of the plaintiff/wife, Janice Hartley Amari.

It further appearing to the Court that the defendant, Celia Townsend, heretofore named by the Court as a defendant in this cause, is or has been, the recipient of certain monetary funds paid to her by or on behalf of, or for the use and benefit of the defendant/husband, and that as the result thereof, said funds are now in the possession of the defendant, Celia Townsend, or are on deposit in bank account No. 1431085165 of the Dominion Bank, Donelson Branch, Nashville, Tennessee.

It is therefore ORDERED, ADJUDGED and DECREED that all funds held by the defendant, Celia Townsend for the use and benefit of the defendant/husband, Dominick Jude Amari, be forthwith deposited into the office of George Rooker, Circuit Court Clerk of Davidson County, Tennessee, for distribution or disposition by this Court. Included in this order, are any and

all monies, whether in the form of checks, cash or other negotiable instruments, that are paid to or for the use and benefit of the defendant/husband, Dominick Jude Amari, or are being held by the defendant Townsend, for the use and benefit of the defendant, Dominick Jude Amari, or as salary paid to or owed to the defendant, Dominick Jude Amari. These funds shall be forthwith deposited in toto by the defendant Townsend into the office of George Rooker, Circuit Court Clerk of Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Dominion Bank, Donelson Branch, Nashville, Tennessee, shall forthwith pay into the office of the Circuit Court Clerk of Davidson County, Tennessee, all monies now on deposit in account No. 1431085165, said monies to be held by said Clerk for further distribution by this Court.

It further appearing to the Court that the plaintiff/wife, Janice Hartley Amari, has in her possession two small checks totaling less than Fifty and 00/100 ($50.00) Dollars, and received by plaintiff from insurance coverage afforded to the defendant for medical purposes, and it is ORDERED, ADJUDGED and DECREED that these are to be endorsed for deposit into plaintiff's bank account, and the proceeds of said checks are awarded to the plaintiff.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the defendant's right, title and interest in and to all of the household goods, furnishings and effects that have been in the possession of the co-defendant, Alfred Magnacca, and including those that are outlined in Page 5 of the final decree heretofore issued in this cause, shall hereinafter become the sole and exclusive property of the plaintiff/wife, free and clear from any further claim thereon by the defendant/husband, or by any of the other named defendants in this cause. The defendant, Alfred Magnacca, shall forthwith deliver to the plaintiff/wife, all of the aforementioned household goods, furnishings and effects as conveyed by the terms and conditions of this decree.

It is further ORDERED, ADJUDGED and DECREED that the conveyances of real property made by this decree, together with the conveyances of household goods, furnishings and effects, are awards to the plaintiff/wife of alimony in solido. The Court specifically reserves all questions pertaining to the award of additional alimony in solido, alimony in futuro, support for the minor child, and attorney's fees, pending a further consideration of this case by the Court. All questions pertaining to the contempt petition heretofore filed against the defendant/husband in this cause, and still pending in this cause, are specifically reserved for further consideration by the Court. All of the costs of this cause are taxed against the defendant, for which execution may issue, if necessary.

Enter this 15th day of June, 1987.

Muriel Robinson

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

Jack Norman, Jr., Attorney for Plaintiff/Wife

I certify that I have mailed a copy of this Supplemental Decree to the defendants, Dominick Jude Amari, Carol Gilliland Denney, and Celia Townsend, % Maccaferri Gabions, 1451 Elm Hill Pike, Suite 305, Nashville, Tennessee 37210; and to the Dominion Bank, Donelson Branch, 2419 Lebanon Road, Nashville, Tennessee 37214; and to Honorable Michael Crawford, attorney for the defendants, Alfred Magnacca and Mariannette Magnacca, Public Square, Springfield, Tennessee 37172, this 16th day of June, 1987.

Jack Norman, Jr., Attorney

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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* 15th *day of* June, *19* 87, *in Case Number* 85D-3267 *between* Janice Hartley Amari *Plaintiff, and* Dominick Jude Amari *Defendant, as same remains of record in Book* 162A, *Page* 165 *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* 22nd *day of* June *in the year one thousand nine hundred and* eighty-seven *and in the* 211th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Pat Lacey *D.C.*

Form #GR-117