1629 1317

IN THE FOURTH CIRCUIT COURT, DAVIDSON COUNTY, TENNESSEE

FILED
1987 JUN 30 PM 4:14
GEORGE L. ACKER, CLERK
D.C.

Map 119-10-165
GDA-33919

BEVERLY SIEGWALD BARGATZE

vs. No. 87D-803

MICHAEL LEE BARGATZE

FINAL DECREE BOOK 7404 PAGE 617

This cause came to be heard on the 8th day of June, 1987, before the Honorable Muriel Robinson, Judge, upon the Complaint for Absolute Divorce filed by Mrs. Bargatze, personal service of process upon the Defendant, and his appearance at the trial of this cause, testimony of Mrs. Bargatze and her 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 has been guilty of such cruel and inhuman treatement, or conduct, towards Mrs. Bargatze, as renders further cohabitation unsafe and improper. It is therefore,

ORDERED AND ADJDUGED 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, Beverly Siegwald Bargatze, is granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further **ORDERED AND ADJDUGED** by the Court that the absolute care, custody and control of the parties two (2) minor children, Christopher Michael Bargatze and Bethany Amber Bargatze, shall be awarded to Mrs. Bargatze, with reasonable visitation privileges reserved to Mr. Bargatze.

It is further **ORDERED AND ADJUDGED** by the Court that the Temporary Restraining Order, previously entered by the Court, shall hereby become a permanent **ORDER** of this Court, whereby the Defendant, Michael Lee Bargatze, is hereby enjoined and restrained from coming your Complainant for the purpose of harming, harassing, threatening, cursing or abusing her in any form or fashion.

It is further **ORDERED AND ADJUDGED** by the Court that Mr. Bargatze shall pay child support directly to Mrs. Bargatze in the sum of **FIVE HUNDRED ($500.00) DOLLARS**, per month, beginning June 10, 1987,

and continuing on the 10th day of each and every month thereafter, until the parties minor children have attained the age of eighteen (18), or otherwise graduated with their senior class from high school, whichever is the latter event to occur. Said child support payments shall not be reduced or pro-rated, unless specifically ordered by this Court.

It is further **ORDERED AND ADJUDGED** by the Court that all right, title and interest which the Defendant, Michael Lee Bargatze, has in and to the parties marital property located at 2809 Live Oak Drive in Nashville, Davidson County, Tennessee, also known as:

> LAND in Davidson County, Tennessee, being Lot No. 10 on the Map of Mashburn Heights, as of record in Book 11835, Page 1, Register's Office for said County and State, to which said reference is hereby made for a more complete description of said lot.
>
> BEING the same property conveyed to Michael L. Bargatze and wife, Beverly J. Bargatze, of record in Book 5246, Page 521, Register's Office of Davidson County, Tennessee.

Said property shall be divested from husband and the sole and exclusive ownership of this property is vested in Beverly Siegwald Bargatze in fee simple, absolute ownership. Mrs. Bargatze agrees to assume the outstanding mortgage indebtedness and further agrees to hold Mr. Bargatze harmless thereon.

It is further **ORDERED AND ADJUDGED** by the Court that the Defendant, Michael Lee Bargatze, shall pay as alimony <u>in solido,</u> the following marital debts: joint Mastercard, approximate balance $1,200.00; MediCount, approximate balance $300.00; Visa, approximate balance $900.00; Castner-Knott, approximate balance $800.00; Personal Line of Credit, approximate balance $1,500.00; Sears, approximate balance $600.00 and J. C. Penney Co., approximate balance $200.00. Husband's obligation to pay the foregoing debts is considered alimony and is a nondischargeable debt in Bankruptcy Court. Husband agrees to hold Wife harmless from the foregoing debts, and further agrees to indemnify her from any responsibility thereon.

It is further **ORDERED AND ADJUDGED** by the Court that each party shall retain ownership of any and all personal property, including furniture and furnishings, in his or her possession, from the date of

entry of this Decree.

It is further **ORDERED AND ADJUDGED** by the Court that Mrs. Bargatze shall be awarded the Ford Escort automobile presently in her possession and she agrees to pay the outstanding mortgage indebtedness owing on said vehicle, and to hold Husband harmless thereon. Mr. Bargatze shall be awarded the 1986 Camaro automobile and further, he agrees to pay the outstanding mortgage indebtedness owing thereon and to hold Wife harmless thereon.

It is further **ORDERED AND ADJUDGED** by the Court that the Defendant, Michael Lee Bargatze, shall be responsible for one-half (½) of any and all medical expenses not covered by Wife's major medical and hospital insurance for the benefit of the parties' two (2) minor children.

It is further **ORDERED AND ADJUDGED** by the Court that Mrs. Bargatze shall waive any and all claims to husband's pension and retirement plan with Pipe Fitters Local Union.

It is further **ORDERED AND ADJUDGED** by the Court that Mr. Bargatze shall maintain a life insurance policy in the sum of **TWENTY FIVE THOUSAND DOLLARS ($25,000.00)**, and name Mrs. Bargatze as irrevocable beneficiary until the parties' youngest child has attained the age of eighteen (18) years. Further, husband agrees to provide Mrs. Bargatze with proof of said designation.

It is further **ORDERED AND ADJUDGED** by the Court that Mr. Bargatze shall pay Laura Y. Goodall the sum of **FIVE HUNDRED DOLLARS ($500.00)** for her reasonable attorney fees rendered in this cause, for all of which execution may issue if necessary.

It is finally **ORDERED AND ADJUDGED** by the Court that the costs of this cause may be taxed against Mr. Bargatze, for all of which execution may issue if necessary.

The current addresses of the parties are as follows:

Beverly Siegwald Bargatze
2809 Live Oak Drive
Nashville, Tennessee 37210

Michael Lee Bargatze
Stewarts Ferry Apartments, #159
Nashville, Tennessee 37217

Enter this 30th day of June, 1987.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

JACKSON, TANNER & REYNOLDS

BOOK 7404 PAGE 620

BY: LAURA Y. GOODALL
SOLICITOR FOR MRS. BARGATZE

BY: ROBERT L. JACKSON
SOLICITOR FOR MRS. BARGATZE
216 Third Avenue North
Nashville, TN 37201
(615) 256-2694

RECEIVED
Nov 17 9 46 AM '87
REGISTER'S OFFICE
DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE

8 2 9 7 6

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Decree has been furnished to the Defendant, Michael Lee Bargatze, at his last known address of Stewarts Ferry Apartments, # 159, Stewarts Ferry Pike, Nashville, TN 37214, this 9th day of June, 1987.

LAURA Y. GOODALL

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* 30th *day of* June, *19*87, *in Case Number* 870-803 *between* Beverly Dregwald Bargatze *Plaintiff, and* Michael Lee Bargatze *Defendant, as same remains of record in Book* 162 B, *Page* 137 *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* 17th *day of* November *in the year one thousand nine hundred and* 87 *and in the* 212th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By [signature] *D.C.*

Form #GR-117