IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

Map 117-9-B Pcl 13

MARY LOU GRISHAM,

Plaintiff,

vs.

DOUGLAS MAC GRISHAM,

Defendant.

9036 08/19 0101 03CHECK 21.00

NO. 86D-2155

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FINAL DECREE

This cause came on for trial on June 21, 22 and 23, 1988 on Complaint for Divorce filed by Mary Lou Grisham, as amended and supplemented, the Answer and Counter-claim of Douglas Mac Grisham, the testimony of the parties, exhibits to their testimony, other evidence introduced during the course of the trial, argument of counsel, and the entire record, from all of which the Court took the matter under advisement and found as set forth in its Memorandum of July 18, 1988, which Memorandum is in words and figures as follows:

MEMORANDUM

This cause came on for hearing on the 21st day of July, 1988 upon the original complaint for divorce filed by the wife, Mary Lou Grisham, personal service had upon the defendant husband, Douglas Mac Grisham, amended and supplement filed by the husband and served upon the wife, answer and counterclaim filed by the husband and served upon the wife with reply to counterclaim timely filed. The Court heard the parties hereto, witnesses heard in open court, and argument of counsel with briefs submitted to the Court. From all of which the Court is of the opinion and finds as follows:

The Court finds having reviewed all the evidence in this cause, finds that the allegations of the wife have been fully sustained by the proof; that is the defendant husband has been guilty of such cruel and inhuman treatment as renders further cohabitation unsafe and improper for her to remain under his dominion and control and further the allegation of adultery has been sustained by the proof. Thus, an absolute divorce shall be awarded to the complinant, Mary Lou Grisham. The defendant husband s counter-complaint as it pertaining to granting him a decree of divorce is hereby dismissed.

Insofar as a division of the assets of this marital estate is concerned, the Court makes the following division, after considering all the proof and applying the considerations of T.C.A. 36-4-121:

The wife, Mary Lou Grisham, shall receive the following:

1. The homeplace located at 124 Longwood Place, Nashville, Davidson County, Tennessee subject to a lien in favor of the husband in the amount of $35,000.00. His other interest in said real property is awarded to her as alimony in solido. Said lien is to be paid to the husband at the time of sale of the property or within three years of the date of this decree plus the legal rate of interest. The wife shall pay the capital gains tax on the home if sold with the exception of said taxes which would be calculated on the husband's interest therein which he shall bear.

2. The household furniture and furnishings located in the above homeplace to be hers absolute and in fee simple.

3. The 1977 Mercedes automobile titled to her.

4. The wife shall be responsible for payment of her Medicount debt, her First American National Bank loan and the debt owing to Sidney B. Hutto.

5. The husband shall pay to the wife the sum of $850.00 per month as rehabilitative alimony for a period of two years from the date of this decree.

6. The wife shall retain her personal property such as jewelry, etc. and items of furniture brought into the marriage.

The husband, Douglas Mac Grisham, shall receive the following properties and business interests:

1. The 274 Hillsboro Station Condominium.

2. The Trial Creek Condominium #D-17.

3. The Trail Creek Condominium #C-11.

4. Proceeds of sale of 3268 Priest Woods - $8,634.00.

5. Freeman Diversified Real Estate I limited partnership.

6. Freeman Diversified Real Estate II limited partnership.

7. The Richland Country Club Membership.

8. The furniture and furnishings located in the Hillsboro Station Condominium.

9. The Shearson Lehman Hutton Account #446-07888-15-105.

10. The Shearson Lehman Hutton Account #446-60260-12-105 (920 shares Fidelity Stock and $591000.)

11. Fidelity Federal Profit Sharing Plan (181 shares Fidelity Federal Stock plus $6,049.50 cash plus interest).

12. His Fidelity Federal Employees Retirement Plan.

13. Proceeds of sale of 240 shares of Metropolitan Federal Stock, if any remaining.

14. Mr. Grisham's personal checking and savings account.

15. The balance of the 1985 Tax Refund held in escrow by A. Harrison Johnson, Jr., Attorney.

16. The Aetna Life Insurance Policy.

17. The John Hancock Life Insurance Policy.

18. The husband shall retain his personal property such as jewelry and any items of furniture brought into the marriage.

The Court further finds the attorney for the wife should be awarded an attorneys fee in the amount of $13,000.00 to be paid by the husband to be applied to the wife's legal expenses.

The costs of this cause are assessed against the defendant husband.

The solicitor representing the wife shall prepare an order accordingly.

This the 18th day of July, 1988.

/s/ Muriel Robinson
MURIEL ROBINSON, JUDGE

It is therefore ORDERED, ADJUDGED AND DECREED that the plaintiff, Mary Lou Grisham, shall be, and is hereby, awarded an absolute divorce from Douglas Mac Grisham, that the bonds of matrimony between said parties shall be, and are hereby, forever dissolved, and that she shall be, and is hereby, restored to all rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest of Douglas Mac Grisham in and to that certain property situated at 124 Longwood Place, Nashville, Davidson County, Tennessee, subject to a lien in his favor in the amount of $35,000, shall be, and is hereby, divested out of Douglas Mac Grisham and vested absolutely in Mary Lou Grisham, which property is more fully described as follows:

Land in the First Civil District of Davidson County, Tennessee, being Lot No. 13 on the Plan of Longwood Subdivision, as of record in Book 5200, page 86, said Register's Office to which plan reference is hereby made for a more complete description of said lot.

Being the same property conveyed to Douglas Mac Grisham and wife, Mary Lou F. Grisham from Creason Clayton Construction Company, Inc., by deed of record in Book 5398, Page 654, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that the other interest of Douglas Mac Grisham in and to said property situated at 124 Longwood Place, Nashville, Davidson County, Tennessee shall be, and is hereby, awarded Mary Lou Grisham as alimony in solido.

It is further ORDERED, ADJUDGED AND DECREED that Mary Lou Grisham shall pay Douglas Mac Grisham the sum of $35,000, plus interest at the legal rate, at the time of sale of the property at 124 Longwood Place, or within three years from and after entry of this Decree.

It is further ORDERED, ADJUDGED AND DECREED that Mary Lou Grisham shall pay the capital gains tax resulting from the sale of the property at 124 Longwood Place, if and when said property is sold, with the exception of said taxes which would be calculated on Mr. Grisham's interest therein which he shall bear.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest of Douglas Mac Grisham in and to the furniture and furnishings situated at 124 Longwood Place, shall be, and is hereby, divested out of him and vested absolutely in Mrs. Grisham in fee simple.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest of Douglas Mac Grisham in and to that certain 1977 Mercedes automobile shall be, and is hereby, divested out of him and vested absolutely in Mrs. Grisham.

It is further ORDERED, ADJUDGED AND DECREED that Mrs. Grisham shall be responsible for the payment of her Medicount debt, her First American National Bank loan, and the debt owing Sidney B. Hutto.

It is further ORDERED, ADJUDGED AND DECREED that Douglas Mac Grisham shall pay Mary Lou Grisham the sum of $850 per month as rehabilitative alimony for a period of two years from the date of this Decree.

It is further ORDERED, ADJUDGED AND DECREED that Mary Lou Grisham shall retain her personal property, such as jewelry, etc. and items of furniture brought by her to the marriage as her sole and separate property.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest of Mary Lou Grisham in and to the following properties and business interests shall be, and is hereby, divested out of her and vested absolutely in Douglas Mac Grisham:

1. The 274 Hillsboro Station Condominium;

2. The Quail Creek Condominium #D-17;

3. The Quail Creek Condominium #C-11;

4. The proceeds of sale of 3268 Priest Woods in the amount of $8,634;

5. The Freeman Diversified Real Estate I limited partnership interest;

6. The Freeman Diversified Real Estate II limited partnership interest;

7. The Richland Country Club Membership;

8. The furniture and furnishings located in the Hillsboro Station Condoninium;

9. The Shearson Lehman Hutton Account No. 446-07888-15-105;

10. The Shearson Lehman Hutton Account No. 446-60260-12-105 (920 shares of Fidelity Federal Stock and $591);

11. The Fidelity Federal Profit Sharing Plan (181 shares of Fidelity Federal Stock plus $6,049.50 cash, plus interest);

12. The interest of Mr. Grisham in the Fidelity Federal Employees Retirement Plan;

13. The proceeds of sale of 240 shares of Metropolitan Federal stock, if any remaining;

14. The funds on deposit in Mr. Grisham's personal checking and savings accounts;

15. The balance of the 1985 tax refund held in escrow by A. Harrison Johnson, Jr., Attorney;

16. The Aetna Life Insurance Policy;

17. The John Hancock Life Insurance Policy.

It is further ORDERED, ADJUDGED AND DECREED that Douglas Mac Grisham shall retain his personal property, such as jewelry and any items of furniture which he brought into the marriage.

It is further ORDERED, ADJUDGED AND DECREED that a judgment shall be, and is hereby, awarded in favor of Mary Lou Grisham against Douglas Mac Grisham for attorney fees in the amount of $13,000 to be applied to Mrs. Grisham's legal expenses.

It is further ORDERED, ADJUDGED AND DECREED that the costs of this cause shall be, and are hereby, taxed against Douglas Mac Grisham.

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

This the 5th day of August, 1988.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

FARRIS, WARFIELD & KANADAY

BY: _____

JAMES G. MARTIN, III
Sup. Ct. No. 3083
Attorney for Plaintiff,
Mary Lou Grisham
17th Floor
Third National Bank Building
Nashville, Tennessee 37215
(615)244-5200

CERTIFICATE OF SERVICE

I hereby certify that an exact copy of the foregoing Final Decree of Divorce has been mailed to Maclin P. Davis, Jr., Esq., Waller, Lansden, Dortch & Davis, 2100 One Commerce Place, Nashville, Tennessee 37239, this 25th day of July, 1988.

James G. Martin, III

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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* FIFTH *day of* AUGUST, *19* 88, *in Case Number* 86D-2155 *between* MARY LOU GRISHAM *Plaintiff, and* DOUGLAS MAC GRISHAM *Defendant, as same remains of record in Book* 171C, *Page* 1826 *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* nineteenth *day of* August *in the year one thousand nine hundred and* eighty-eight *and in the* two hundred and thirteenth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Kathleen A Garrett *D.C.*

Form #GR-117