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

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1989 APR 10 PM 3:53

BOBBIE HOWARD DEMPSEY

VS.

NO. 87D-3987
(see 88D-24)

JEANETTE MARIE DEMPSEY

Map 148-12
Par 230.10

FINAL DECREE

This cause came on to be heard on the 4th and 5rd days of April, 1989, before the Honorable Muriel Robinson, Judge, upon the original Complaint for Absolute Divorce heretofore filed by Mr. Dempsey, original Complaint filed by Mrs. Dempsey, answers filed by both parties, consolidation of cases under Docket No. 87D-3987, testimony of the parties, submission to the Court of Exhibits, testimony of 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 Complaint heretofore filed in this cause by Mrs. Dempsey should be and the same is hereby dismissed. The Court further finds that the Defendant, Mrs. Dempsey, has been guilty of such cruel and inhuman treatment or conduct towards Mr. Dempsey as renders further cohabitation unsafe and improper.

It is therefore **ORDERED AND ADJUDGED** by the Court that the Complaint for Absolute Divorce heretofore filed in this cause by Mrs. Dempsey is hereby dismissed.

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 your Complainant, Bobbie Howard Dempsey, is hereby 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 the absolute care, custody and control of the minor daughter, Tracy Marie Dempsey, is awarded to the Complainant, Bobbie Howard Dempsey, with visitation privileges reserved to the Defendant, Jeanette Marie Dempsey, every other Sunday from 9:00 A.M. until 5:00 P.M.

It if further ORDERED AND ADJUDGED by the Court that the matter of child support to be paid by Mrs. Dempsey is hereby reserved by the Court until the further orders of this Court based upon a change in the financial circumstances of the parties.

It is further ORDERED AND ADJUDGED by the Court that Mr. Dempsey shall be awarded all of his separate property which he inherited from his father, including his savings account and certificate of deposit, his tools, the oak dinette suite and coffee table. Additionally, Mr. Dempsey will be awarded his personal clothes, school memorabilia, old tax records and both the daughter's personal clothes and artifacts. All other items of household furniture, furnishings and accessories located at the residence of the parties shall be awarded to Mrs. Dempsey.

It is further ORDERED AND ADJUDGED by the Court that the home of the parties, located at 4615 Fanning Drive, Antioch, Davidson County, Tennessee, shall be placed on the market for immediate sale, and the Court does hereby designate Janice Lovvorn, Fridrich & Hooper, 2909 Poston Avenue, Nashville, Tennessee 37203 to act as real estate agent for the sale of the property and the Court further directs both parties to sign the listing contract and to cooperate with the real estate company in the showing and selling of the home. Upon the sale of the home, and after payment of the first mortgage and the reasonable closing costs, the net proceeds shall be divided equally between the parties, subject to any liens hereinafter awarded by this Court. Prior to the sale of the home, Mrs. Dempsey shall have the exclusive right to occupy the home and Mr. Dempsey shall be responsible for paying the mortgage payment and the electric bill. Mrs. Dempsey shall be responsible for all other utility bills. Mrs. Dempsey is directed by the Court to make every reasonable effort to conserve the use of electricity while she lives there. Mr. Dempsey shall be allowed to claim all of the interest payments for tax purposes while the home is on the market for sale.

It is further ORDERED AND ADJUDGED by the Court that Mr. Dempsey shall pay directly to Mrs. Dempsey the sum of TWO HUNDRED AND FIFTY ($250.00) DOLLARS, per month, as alimony in futuro, until her death or remarriage or the death of Mr. Dempsey. Said payments to commence on the first day of the first full calendar month after the

sale and closing of the home.

It is further ORDERED AND ADJUDGED by the Court that Mr. Dempsey will pay the outstanding balance owing to Ray Batts Furniture and hold Mrs. Dempsey harmless therefrom. Mrs. Dempsey shall pay the outstanding balance owing to the Discover Card and hold Mr. Dempsey harmless therefrom. Neither party shall make any extention of credit in the name of the other party from this date forward.

It is further ORDERED AND ADJUDGED by the Court that the three (3) cemetery lots shall be awarded as follows: One to Mrs. Dempsey, one to Teena Dempsey Horn (daughter) and one to Mr. Dempsey in trust, acting as trustee for the minor daughter (Tracy Marie Dempsey).

It is further ORDERED AND ADJUDGED by the Court that Mrs. Dempsey will make the pictures or negatives of the children available for copying by Mr. Dempsey. If the parties cannot agree upon this, then the Court will require the pictures to be brought in and the Court will divide them in an equitable manner.

It is further ORDERED AND ADJUDGED by the Court that Mrs. Dempsey shall be responsible for payment of any and all fees owing to her witnesses, Sgt. Hawkins and Archie Cardin. Mrs. Dempsey is further ordered to pay her own income taxes.

It is further ORDERED AND ADJUDGED by the Court that Mr. Dempsey shall be awarded his pension with Northwest Airlines, free from any claim by Mrs. Dempsey.

It is further ORDERED AND ADJUDGED by the Court that Pat Nichol, attorney for Mrs. Dempsey, will be awarded attorney fees of THREE THOUSAND ($3,000.00) DOLLARS, which fee shall constitute a judgment lien against Mrs. Dempsey's interest in the home on Fanning Drive. Mr. Jackson shall be awarded a lien for his fees against Mr. Dempsey's interest in the home on Fanning Drive.

It it further ORDERED AND ADJUDGED by the Court that Mrs. Dempsey will be awarded the 1984 Toyota. Mr. Dempsey will be awarded the 1987 Honda Accord and he will assume the balance of indebtedness thereon.

It is further ORDERED AND ADJUDGED by the addresses of the parties are as follows:

Mr. Bobbie Howard Dempsey
110 Pebblecreek
Antioch, Tennessee 37013

Mrs. Jeanette Marie Dempsey
4615 Fanning Drive
Antioch, Tennessee 37013

It is further ORDERED AND ADJUDGED that the costs of this cause are to be taxed against the parties equally, for all of which execution may issue if necessary.

Enter this 10th day of April, 1989.

JUDGE

APPROVED FOR ENTRY:

ROBERT L. JACKSON & ASSOCIATES

BY: ROBERT L. JACKSON
P.R. #2486
SOLICITOR FOR MR. DEMPSEY
214 Second Avenue, North
Suite 103
1 Washington Square
Nashville, Tennessee 37201
615/256-2602

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Decree has been furnished to Pat Nichol, Arrotney for Mrs. Dempsey, Antioch Shopping Center, 941 Richards Road, Antioch, Tennessee 37013, this 7th day of April, 1989.

ROBERT L. JACKSON

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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* 10th *day of* April, *19*89, *in Case Number* 87D-3987 *between* Bobbie Howard Dempsey *Plaintiff, and* Jeanette Marie Dempsey *Defendant, as same remains of record in Book* 177B, *Page* 1011 *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* June *in the year one thousand nine hundred and* eighty-nine *and in the* 213th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By L Perley *D.C.*

Form #GR-117