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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

TERRI A. PLUDE,
Wife

VS.

MICHAEL T. PLUDE,
Husband

NO. 89D-854

FILED
1989 OCT 20 PM 3:43
REGISTER,
K Langford

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FINAL DECREE OF DIVORCE

This cause came on to be heard on October 3, 1989 and October 4, 1989, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Complaint for Absolute Divorce filed by the Wife, the Husband's Answer filed thereto, and the Counter Complaint for Absolute Divorce filed by the Husband and the Wife's Answer filed thereto, the testimony of the parties and their witnesses, the statements of counsel, and the entire record in this cause. From all of which, it appears to the Court that the Wife shall be awarded an absolute divorce from the Husband on the grounds of cruel and inhuman treatment based on the Husband's own admissions, and the bonds of matrimony heretofore existing between the parties shall be and hereby are perpetually dissolved.

It further appears to the Court that the Husband's Counter Complaint for Absolute Divorce shall be and hereby is dismissed.

It further appears to the Court that the Wife shall be awarded the absolute care, custody and control of the parties' two minor children, with the Husband being awarded the following visitation:

a) Friday at 9:00 p.m. through Sunday at 7:00 p.m. on the second full weekend of each and every month;

b) From 9:00 p.m. on December 26 of each year through 7:00 p.m. on January 1 of each year;

c) Second and third full weeks of June of each year from Saturday at 12:00 p.m. through Sunday at 7:00 p.m.; and

d) Second and third full weeks of July of each year from Saturday at 12:00 p.m. through Sunday at 7:00 p.m.

It further appears to the Court that the Husband shall pay to the Wife child support for the support and maintenance

of the parties' two minor children in the amount of $650.00 per month, with the first payment to be due and payable on November 5, 1989, the Husband having represented to the Wife that he has paid the housenote, the car note, and other household expenses due on October 1, 1989 pursuant to the pendente lite Order previously entered in this cause, and all subsequent child support payments being due on the fifth day of each and every month thereafter.

It further appears to the Court that the Husband shall maintain health and hospitalization insurance coverage for the benefit of the minor children of the parties, and the Husband shall pay the deductible on said insurance for the children. In addition thereto, the Husband shall pay any and all medical expenses for the children which are not covered by insurance. Each party shall pay one-half of all dental, orthodontic (including braces), and eye care (including glasses and contact lenses) expenses for the children not covered by insurance. The Wife shall pay all prescription drug expenses for the minor children.

It further appears to the Court that each party shall retain all right, title and interest in and to those items of personal property which he or she currently has in his or her respective possession, with the exception that each shall be awarded their premarital property which is still in existence and on the disputed list of items, the Wife shall receive the following items: intercoms, camera and accessories, fireplace logs and other fireplace equipment, water color print, water purifier, desert scene clock, and painting of yellow roses; and the Husband shall receive the following disputed items: gas grill, camcorder, weedeater, battery recharger and batteries.

It further appears to the Court that the Wife shall be awarded all right, title and interest in and to the Ford Taurus automobile, and the Wife shall be responsible for the outstanding indebtedness owed thereon and hold the Husband harmless from repayment thereof.

It further appears to the Court that the Wife shall be awarded all right, title and interest in and to the marital residence located at 724 Knightsbridge Way, Antioch, Davidson County, Tennessee 37013, with the Husband being divested of

his interest therein and the same being reinvested in the Wife. The Wife shall assume the outstanding indebtedness owed on said residence and hold the Husband harmless from repayment thereof. The Wife shall pay to the Husband for his equity in said residence the sum of $2,500.00, with said amount being due and payable within thirty days from the date of entry of the Final Decree of Divorce. Said residence is more accurately described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 141 on the Plan of Piccadilly Square, Phase II, as of record in Book 6250, Page 92, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.
>
> BEING the same property conveyed to Michael T. Plude and wife, Terri A. Plude, by deed from Centex Homes Enterprises, Inc., as of record in Book 6678, Page 625, Register's Office for Davidson County, Tennessee.

It further appears to the Court that the Husband shall pay any and all outstanding debts of the parties and hold the Wife harmless from repayment thereof. This obligation shall be considered as support obligation and thus shall be non-dischargeable in bankruptcy as to the Wife.

It further appears to the Court that the Husband shall maintain that amount of life insurance which he currently has in force which is in the approximate amount of Two Hundred Thousand ($200,000.00) Dollars with the Wife designated as the sole and irrevocable beneficiary thereon until the parties' youngest child reaches eighteen years of age at which time the Husband shall be free to change the beneficiary should he so desire.

It further appears to the Court that the Husband shall be allowed to retain the approximate $5,400.00 which the Husband took from the parties' joint bank account at the time of the parties' separation, but that he should immediately restore those funds of approximately $1,200.00 which he took from the savings account of the parties' children and that he shall remain trustee of the childrens' accounts but that he shall be permanently enjoined from removing any other money from said accounts, although he may make deposits thereto for the benefit of the children.

It further appears to the Court that the Husband shall pay to the Wife's attorney, Rose Palermo, the sum of $3,000.00 towards the fees incurred in representing the Wife in this action for divorce, for which execution may issue if necessary.

It further appears to the Court that the Husband shall pay the Court costs incurred in this cause.

It further appears to the Court that the current residence address of the Wife is 724 Knightsbridge Way, Antioch, Tennessee 37013; and that the current address of the Husband is Post Office Box 655, Antioch, Tennessee 37011.

ACCORDINGLY, IT IS SO ORDERED, ADJUDGED AND DECREED.

Entered this 20th day of October, 1989.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

Rose Palermo

Rose Palermo (#3330)
Attorney for Wife
43 Music Square West
Nashville, TN 37203

Mail

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed to Allen Barrett, Attorney for Husband, 214 Second Avenue, North, Suite 103, Nashville, Tennessee 37201, on this 13 day of October, 1989.

Rose Palermo

Rose Palermo

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IDENTIF. TREFERENCE

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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* October, *19* 89, *in Case Number* 89D-854 *between* Terri A. Plude *Plaintiff, and* Michael T. Plude *Defendant, as same remains of record in Book* 182A, *Page* 166 *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* 7th *day of* November *in the year one thousand nine hundred and* eighty-nine *and in the* 214th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By K Langford *D.C.*

Form #GR-117