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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

SHIRLEY ANN FARRELL,
Wife

VS.

FRANK O. FARRELL,
Husband

NO. 88D-1312

104-5
350

FINAL DECREE OF DIVORCE

This cause came on to be heard on August 18, 1989, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Amended Complaint for Absolute Divorce filed by the Wife, personal service upon the Husband, a default judgment entered against the Husband for his failure to answer within the time prescribed by law, the failure of the Husband to appear at the hearing in this cause for which he was given appropriate and adequate notice, testimony of the Wife and her corroborating witnesses, and the entire record in this cause.

From all of which, it appears to the Court that the Wife shall be and she hereby is awarded an absolute divorce from the Husband on the grounds of cruel and inhuman treatment and adultery; the Wife shall be restored to all the rights and privileges of an unmarried person; and the bonds of matrimony heretofore existing between the parties shall be perpetually dissolved.

It further appears to the Court that the Wife shall be and she hereby is awarded the absolute care, custody and control of the parties' two minor children, Tammara and Denise, with the Husband being awarded all reasonable rights of visitation.

It further appears to the Court that the Wife shall be and she hereby is awarded all right, title and interest in and to the marital residence located at 1277 Springfield Highway, Goodlettsville, Davidson County, Tennessee 37072, with the Husband being divested of any interest therein, with the same being reinvested in the Wife. Said marital residence is more specifically described as follows:

RECORDER'S NOTICE

Being Lot No. 8 of Grizzard Manor, Section 1, 10th Civil District of Davidson County, Tennessee, as of record in Plat Book 4300, page 189, Register's Office for Davidson County, Tennessee, and more particularly described as follows:

Said Lot No. 8 fronts 180 feet on the northerly side of Dickerson Pike and runs back between lines 285 feet on the easterly line and 219.6 feet on the westerly line to a dead line in the rear on which it measures 191.5 feet thereon.

Being the same property conveyed to Frank O. Farrell and wife, Shirley A. Farrell, by deed from Charles Richard Parker and wife, Lethie M. Parker, as of record in Book 5471, page 555, in Register's Office for Davidson County, Tennessee.

The Wife shall assume the outstanding indebtedness owed on said marital residence, and she shall hold the Husband harmless from repayment thereof.

It further appears that the Wife shall receive all right, title and interest in and to all items of personal property located in or about said marital residence, with the Husband being divested of any interest he may have therein, with the same being reinvested in the Wife.

It further appears to the Court that each party shall receive all right, title and interest in and to all other items of personal property, bank accounts, and other liquid assets titled in their respective names, free of any claims from the other.

It further appears to the Court that the Wife shall be and she hereby is awarded one-half of the pension and profit sharing benefits of the Husband under the Railroad Retirement Act which have accrued to date through the Husband's employer, CNX Railroad, as part of a final disposition of property between the parties, with the Husband being required to take whatever steps are necessary to notify his company of Wife's interest in Husband's pension and profit sharing plan and execute any documents necessary to convey said interest therein to the Wife. The specific interest Wife is being awarded is one-half of the value of the Husband's pension and profit sharing plan as of August 18, 1989, and said payments are to be made by the Railroad Retirement Board directly to the Wife at the same time that the Husband's portion is paid to him.

It appears to the Court that the current address of the Wife is 1277 Springfield Highway, Goodlettsville, Tennessee 37072; and that the current address of the Husband is 1601 Benjamin, Nashville, Tennessee 37206; that the parties were married on April 2, 1971; and that they are being divorced by this Final Decree of Divorce.

It appears to the Court that the Husband shall continue to maintain health insurance coverage which he has for the benefit of the minor children, and in addition thereto, he shall be responsible for the payment of all medical, dental, orthodontic (including braces), eye care (including glasses and contact lenses), prescription, drugs, psychiatric and psychological expenses for the minor children not covered by insurance.

It further appears to the Court that the Husband shall pay directly to the Wife, commencing with the month of September, 1989, child support in the amount of $500.00 per month. It further appears to the Court that there shall be no proration or reduction of support without Court Order.

It further appears to the Court that the Husband shall maintain that amount of life insurance which he currently has on his life with the Wife and the minor children of the parties designated as the sole and irrevocable beneficiaries thereon.

It further appears to the Court that, as alimony, the Husband shall pay to the Wife's attorneys, Cheatham & Palermo, for the services rendered to the Wife in this matter, the amount of $1,500.00, the payment for which execution may issue if necessary.

It further appears to the Court that the Court costs of this cause shall be taxed to the Husband.

ACCORDINGLY, IT IS SO ORDERED, ADJUDGED AND DECREED.

Entered this 13th day of Sept., 1989.

JUDGE

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 David Vincent, Attorney At Law, 906 Stahlman Building, 211 Union Street, Nashville, Tennessee 37201; and Frank O. Farrell, 1601 Benjamin, Nashville, Tennessee 37206, on this 12 day of September, 1989.

Rose Palermo

Rose Palermo

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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* 13th *day of* September, *19* 89, *in Case Number* 88D-1312 *between* Shirley Ann Farrell *Plaintiff, and* Frank O. Farrell *Defendant, as same remains of record in Book* 181A, *Page* 569 *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