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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

CHOE (HONG AE) CUNNINGHAM)
)
Plaintiff,)
)
VS.) NO. 85D-3100
)
ROBERT R. CUNNINGHAM)
703 AIRWAYS CIRCLE)
Nashville, TN 37214)
)
Defendant,)

MAP - PARCEL
84-11-214

O R D E R

This cause came to be heard in the Fourth Circuit Court for Davidson County, Tennessee, on the 6th day of March, 1987, before the Honorable Muriel Robinson, Circuit Judge, pursuant to a notice of hearing, set by the Court, to determine the matters reserved in the Final Decree entered in this cause after the hearing on the 1st day of July, 1986; the same being the disposition of the real property of the parties pending an apprasial of the fair market value, child support, the amount defendant would have to reimburse plaintiff for the taxes plaintiff had to pay on a joint return, attorney's fees and costs; and upon reviewing the appraisal which was filed by the Court, statement of counsel for both parties and the whole record in this cause, the Court finds that:

1. The wife should receive the homeplace of the parties to be hers absolutely, subject to the mortgage thereon and any right, title or interest of the husband in and to said property should be awarded to the wife as alimony in solido; and,

2. The amount of $1,812.03 being one-half of the taxes paid by Mrs. Cunningham and awarded by the decree of divorce to Mrs. Cunningham against Mr. Cunningham,should be deemed satisfied as a result of his interest in the home being conveyed to Mrs. Cunningham; and,

3. The defendant should pay to the complainant the sum of One Hundred Fifty Dollars ($150.00) per month as child support for Gregory Cunningham and each party should pay one-half of all ordinary medical expenses of both children not paid by the insurance carrier; and the child support payments shall begin on March 15, 1987, and continue each month thereafter; and,

4. That the defendant should be required to pay plaintiff's

attorney of record a reasonable fee in the amount of $1,000.00; and that any balance of her fee still due and owing should be the responsibility of the wife; and,

5. That the defendant should be required to pay the costs of this cause;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that:

1. The interest of the defendant, Robert T. Cunningham, in the real property of the paries has hereinafter described, is hereby divested out of him and vested in the plaintiff, Choe Cunningham, absolutely and for her sole and separate estate, subject to the mortgage thereon, the same being an award of alimony in solido to the plaintiff; said real property is described as follows:

> BEING Lot No. 162 and the south 10 feet of Lot 163 on the Plan of Maplecrest, of record in Book 1835, Pages 27 and 28, Register's Office for Davidson County, Tennessee.
>
> BEGINNING at a point in the east margin of Smithwood Drive at the corner of Lots 161 and 162; thence with the line between said Lots, easterly 193.7 feet to the line of Lot 164; thence with the line between Lots 162 and 164, northwesterly 100 feet to a corner of Lot 163; thence with the line between Lots 163 and 164, northeasterly 10 feet to a point; thence westerly, parallel to the line between Lots 162 and 163 and the 10 feet north of the same, 135 feet more or less, to the east margin of Smithwood Drive; thence with the margin of Smithwood Drive, southerly 115 feet to the point of beginning.
>
> BEING the same property conveyed to Robert T. Cunningham and wife, Choe Cunningham by deed from Donald R. Petty and wife, Annette D. Petty of record in Book 4678 Page 876, Register's Office for Davidson County, Tennessee.

2. It is further ORDERED, ADJUDGED AND DECREED that the obligation of the defendant to pay the plaintiff $1,812.03 (one-half of the taxes she previously had paid for a joint return) is hereby declared satisfied as a result of Mr. Cunningham's interest in the home being conveyed to Mrs. Cunningham.

3. It is further ORDERED, ADJUDGED AND DECREED that the defendant shall directly pay to the plaintiff, One Hundred Fifty Dollars ($150.00) per month as child support for Gregory Cunningham with the first such payment being due on or before March 15, 1987, and like sum on or before the 15th of each succeeding month thereafter; and it is ORDERED that each of the parties shall pay one-half of all ordinary

medical expenses of both children not paid by the insurance carrier;

4. It is further ORDERED that the defendant shall pay to plaintiff's attorney of record, John G. Doak, as alimony in solido, a reasonable attorney's fee in the amount of $1,000.00 and it is further ORDERED that any balance of plaintiff's fee left due and owing after such payment shall be the responsibility of the wife;

5. And it is further ORDERED, ADJUDGED AND DECREED that the defendant shall pay the costs of this cause.

For all of which let execution issue if necessary.

ENTER THIS 2nd DAY OF April, 1987.

MURIEL ROBINSON, CIRCUIT JUDGE

APPROVED FOR ENTRY BY:
DOAK & HOLLAND

BY: JOHN G. DOAK, ATTORNEY FOR MRS. CUNNINGHAM
2740-A OLD LEBANON ROAD
NASHVILLE TN 37214 (615)889-1112

CERTIFICATE

I hereby certify that I have mailed a copy of the foregoing to the Honorable Thomas C. Nance, attorney for defendant, One Church Street, Suite 400, Nashville, TN 37201 on this 11th day of March, 1987.

JOHN G. DOAK, ATTORNEY

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IDENTIFICATION REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

RUSH

3613 01/17 0101 01CASH 12.00

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* SECOND *day of* APRIL, *19* 87, *in Case Number* 85D-3100 *between* CHOE (HONG AE) CUNNINGHAM *Plaintiff, and* ROBERT R. CUNNINGHAM *Defendant, as same remains of record in Book* 160A, *Page* 749 *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* JANUARY *in the year one thousand nine hundred and* NINETY *and in the* 214th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Walter S. Adams, *D.C.*

Form #GR-117