IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

ROGER JAMES NENNINGER 1990 JAN 23 PM 3:05

vs. GEORGE L. ROGERS, CLERK NO. 89D-3307 MDN-61.15.61

NANCY LYNN NENNINGER K Langford D.C. 4136 02/20 0101 03CHECK 12.00

FINAL DIVORCE DECREE

This cause came on to be heard on the 10th day of January, 1990, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon Husband's Complaint for Absolute Divorce heretofore filed, the Wife's Anwer and Counter-Complaint heretofore filed, testimony of the Husband and corroborating witnesses, testimony of the Wife and corroborating witnesses, arguments of counsel, and the entire record in this cause, from all of which it appears to the Court that the parties have stipulated to the fact that the Husband has been guilty of such improper marital conduct toward the Wife as renders further cohabitation unsafe and improper, pursuant to T.C.A. 36-4-102 (1).

It is, therefore, **ORDERED, ADJUDGED and DECREED** by the Court that the bonds of matrimony heretofore existing between the Husband and the Wife be, and the same hereby are, forever and perpetually dissolved, and the Wife be, and hereby is, awarded an absolute divorce from the Husband and restored to all the rights and privileges of an unmarried person. The Court further finds that the address of the Husband is 184 Safe Harbour Drive, Goodlettsville, Tennessee, and that the address of the Wife is 1134 McAlpine Ave., Nashville, Tennessee.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the Wife be, and she hereby is, awarded the absolute care, custody and control of the parties' minor children.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the Husband shall pay directly to Wife the sum of $174.00 per week as child support for the minor children. Said payments shall begin on the 12th day of January, 1990.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Wife shall maintain major medical insurance on the minor children and that each party shall be responsible for one-half of any uninsured medical expenses.

It is further ORDERED, ADJUDGED and DECREED by the Court that Husband shall continue to maintain the life insurance policy on his life issued through his place of employment, in the same amount as presently held, with the parties' minor children as the beneficiaries of said policy.

It is further ORDERED, ADJUDGED and DECREED by the Court that Husband be, and he hereby is, awarded reasonable vistation with the minor children.

It is further ORDERED, AJUDGED and DECREED by the Court that unless specifically ordered by the Court said child support shall not be reduced or prorated.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Wife shall be, and hereby is, awarded all right, title, equity and interest in and to the the marital residence, located at 1134 McAlpine, Nashville, Davidson County, Tennessee, more specifically described as:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 10, EXCEPT A SMALL TRIANGLE OUT OF THE NORTHWEST CORNER THEREOF, AND ALSO INCLUDING A SMALL TRIANGLE OUT OF THE SOUTHEAST CORNER OF LOT NO. 8 ON THE MAP OF KENNEDY AND GRAVES PLAN OF MONTE VISTA, OF RECORD IN BOOK 421, PAGE 143, REGISTERR'S OFICE FOR SAID COUNTY AND DESCRIBED MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF McALPINE AVENUE AT THE CORNER OF LOTS 10 AND 12; THENCE WITH THE LINE BETWEEN SAID LOTS SOUTHERLY 388.6 FEET TO A POINT; THENCE WESTERLY 122.1 FEET TO A POINT WHICH IS 9 FEET WEST OF THE CORNER OF LOTS NOS. 8 AND 10; THENCE NORTHERLY CROSSING THE LINE BETWEEN LOTS NOS. 8 AND 10 AT 149.4 FEET AND CONTINUING NORTHERLY 237.4 FEET TO A POINT IN THE CENTER LINE OF McALPINE AVENUE, WHICH IS 14.4 FEET EAST OF THE CORNER OF LOTS NOS. 8 AND 10; THENCE WITH THE CENTER LINE OF SAID AVENUE EASTERLY 98.7 FEET TO THE CORNER OF LOTS NOS. 10 AND 12.

BEING THE SAME PROPERTY CONVEYED TO W.A. BARNHILL AND WIFE, LOIS C. BARNHILL BY DEED FROM RUTH GROSSHOLZ, A WIDOW, OF RECORD IN BOOK 5149, PAGE 402, SAID RESGISTER'S OFFICE. W.A. BARNHILL HAS SINCE DIED ON MARCH 25, 1982.

Husband is hereby ordered to execute a quitclaim deed quitclaiming all his right, title, equity and interest in said property to Wife. Wife is to assume the first mortgage owed to National Mortgage Company and the second mortgage to USA Financial, and to indemnify and hold Husband harmless for the same.

It is further ORDERED, ADJUDGED and DECREED by the Court that the marital property has already been divided between the parties, and that each party shall be, and hereby is, awarded all right, title, equity and interest in and to the marital property now in their possession.

It is further ORDERED, ADJUDGED and DECREED by the Court that Wife is to retain ownership of the 1986 Buick Somerset, and to assume the indebtedness thereon to Liberty National Bank and indemnify and hold Husband harmless for the same. Husband is to retain ownership of the 1986 Nissan Pickup, and to assume the indebtedness thereon to Boatman's Bank and indemnify and hold Wife harmless for the same. Both parties are ordered to execute any documents necessary to effect the transfer of title on said vehicles.

It is further ORDERED, ADJUDGED and DECREED by the Court that Wife is hereby ordered to pay the mortgages to National Mortgage Co. and USA Financial, the car note to Liberty National Bank, and any current or future utility bills. Husband is hereby ordered to pay all marital debts with the exception of the above listed debts, said marital debts including but not limited to Visa, Castner Knott, Dillards, Sears, Discover, Blazer, Circuit City, American Express, MasterCard, and Boatman's Bank. Husband is further ordered to pay all arrearages on all marital debts, including the mortgages to National Mortgage Co. and USA Financial and the utility companies. All marital debts are considered a child support obligation by this Court and are therefore non-dischargeable in bankruptcy.

It is further ORDERED, ADJUDGED and DECREED by the Court that the costs of this cause shall be and hereby are taxed against the Husband, for all of which execution may issue if necessary.

ENTER this the 22 day of Jan, 1990.

JUDGE

APPROVED FOR ENTRY:

LAW OFFICE OF BART DURHAM

Robyn L. Ryan
Attorney for Plaintiff
1712 Parkway Towers
Nashville, Tn., 37219
(615) 242-9000
TN. SUPREME COURT REG. #12782

RUSH

FELIX DAVIDSON COUNTY TN.

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IDENTIFICATION REFERENCE

04932

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and exact copy of the foregoing Final Decree of Divorce to Thomas Steele, attorney for the Defendant, at 604 Stahlman Building, Nashville, Tennessee, 37201, this the 12th day of January, 1990.

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* PROBATE *Circuit Court for Davidson County, Tennessee, on the* ~~23rd~~ *day of* JANUARY, *19* 90, *in Case Number* ~~89D-3307~~ *between* ROGER JAMES MENNINGER *Plaintiff, and* NANCY LYNN MENNINGER *Defendant, as same remains of record in Book* 52B, *Page* 1473 *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* ~~16th~~ *day of* FEBRUARY *in the year one thousand nine hundred and* NINETY *and in the* TWO HUNDRED & FOURTEEN *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By D.C.