185A/701

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1990 MAR 19 PM 2:12

GEORGE L. ROGERS, CLERK

D.C.

Map 071-15
Par 488 ah

MARILYN JOYCE LEWIS,

Plaintiff,

vs.

JOHN WARNER LEWIS,

Defendant.

NO. 89D-4778

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ORDER

The above-styled cause came on to be heard on the 9th day of March, 1990, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Motion of the Plaintiff Marilyn Joyce Lewis, hereinafter referred to as Wife, for support and injunctive relief.

Upon the testimony of the parties, the Court finds that the husband is responsible for the property of the parties at 1315 Dickerson Road, Nashville, Tennessee going into foreclosure, and that the property should be auctioned immediately and net funds obtained therefrom should be deposited with the Clerk of this Court. The Court further finds that the Dickerson Road property should be titled to the wife so that she may try to make arrangements in order to try to set off the foreclosure proceedings. The Court further finds that the Defendant John Warner Lewis, hereinafter referred to as Husband, should pay to Wife one-half of any rents and mortgage note income and that Husband should be responsible for assuring that no further marital properties of the parties go into foreclosure. The Court finds that the husband should within the next 30 days furnish to the Court an accounting of the rents and mortgage note income that he has collected.

It is, therefore, ORDERED, ADJUDGED, and DECREED that the real property of the parties located at 1315 Dickerson Road, Nashville, Davidson County, Tennessee be divested out of John W. Lewis and vest solely in wife, Marilyn Joyce Lewis, said property being further described as follows:

Being Lot number 3 on the Plan of resubdivision of H. W. Chenoweth's Wildwood Addition, as of record in Plat Book 4350, page 187, Register's Office for said County.

Being the same property conveyed to John W. Lewis and wife, Joyce M. Lewis by deed of record in Book 7790, page 211, RODC, Tennessee.

It is ORDERED, ADJUDGED, and DECREED that Wife attempt to set off the foreclosure proceedings and that she list the property for sale at auction and that if any funds are derived from the sale in excess of the mortgage and other liens which may be against the property that these funds be paid over to the Clerk of the Circuit Court of Davidson County, Tennessee.

It is further ORDERED, ADJUDGED, and DECREED that Husband file within 30 days an accounting of the rents and mortgage note income which he has received on the parties' real property and that one-half of the rents and mortgage note income be paid over to Wife.

It is ORDERED, ADJUDGED, and DECREED that Husband shall be responsible for any losses incurred as a result of any foreclosure on said real estate mentioned herein or owned by the parties which is part of the marital estate.

ENTER this 9th day of March, 1990.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

MARY ANN REESE, #7190
Attorney for Wife
3805 Gallatin Road
Nashville, TN 37216
Phone: (615) 228-2502

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order has been mailed postage prepaid, to Mr. John Warner Lewis, 5535 Pettus Road, Antioch, Tennessee 37013, this 9th day of March, 1990.

MARY ANN REESE

34065

IDENTIFICATION REFERENCE

JUN 14 1 05 PM '90

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

RUSH

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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* 19th. *day of* March, *19* 90, *in Case Number* 89D-4778 *between* Marilyn Jsyce Lewis *Plaintiff, and* John Warner Lewis *Defendant, as same remains of record in Book* 185A, *Page* 701 *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* 14th. *day of* June *in the year one thousand nine hundred and* Ninety *and in the* 214th. *year of American Independence.*

**GEORGE L. ROOKER,** *Clerk,*

*By* D. Tucker *D.C.*

**Form #GR-117**