FILED
AUG 21 1990
GEORGE L. ROOKER, Clerk
By [illegible] Deputy

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

STANLEY MARLAR,)
)
Plaintiff,)
)
vs.) No. 88D-647
)
BRENDA MARLAR,)
)
Defendant.)

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FINAL DECREE OF DIVORCE

This cause came on to be heard on the 19th day of July, 1990, and the 2nd day of August, 1990 before the Honorable James R. Everett, Probate Judge, in chambers, upon motion of Brenda Marlar to alter and amend the Memorandum of April 3, 1990, and to clarify the order entered herein on the 11th day of July, 1990, and upon the statement of counsel for both parties, from all of which the Court finds that the Court will modify the Memorandum of April 3, 1990, and its Order of July 11, 1990, in order to award attorneys fees to the wife's attorney and shall delete the reference that the matter of alimony shall be reserved in the court's order of July 11, 1990.

The Court further finds that its Memorandum Opinion of April 3, 1900, became the Order of this Court by the terms of the Memorandum Opinion for no Final Order was submitted by Wife's counsel, and instead, a Motion to Alter or Amend was filed by Wife's counsel. In order to put in one document the Final Order of this Court, the Court has set out below the entire ruling as to all matters pending before the Court and incorporates its Memorandum of April 3, 1990, its Order of July 11, 1990 and the modifications of both as set out below.

IT IS THEREFORE ORDERED AND ADJUDGED the findings of the Memorandum of April 3, 1990 and the Order of July 11, 1990 is incorporated herein except as modified in this Order.

IT IS FURTHER ORDERED AND ADJUDGED that the Brenda Marlar be and is hereby awarded an absolute divorce from Stanley Marlar in that Mrs. Marlar has established by the preponderance of the evidence that the Husband has been guilty of cruel and inhuman

treatment, and the parties are restored to all of the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED AND ADJUDGED that Brenda Marlar is awarded all right, title and interest in the marital residence located at 622 Vanoke Drive, Madison, Tennessee, one-half of which is a division of marital property and the other half of which is rehabilitative alimony in the form of alimony in solido. Said real estate is more specifically described in Book 5960, Page 375, in the Register of Deeds Office of Davidson County, Tennessee as follows:

> Land in Davidson County, Tennessee, being Lot No. 6 on the plan of Section One, Hedgewood Hills, of record in Book 2900, Page 135, Register's Office for said County.
>
> Said Lot No. 6 fronts 120 feet on the easterly margin of Vanoke Drive and extends back 263.6 feet on the northerly line and 251.6 feet on the southerly line to a broken line in the rear, measuring 168.4 feet thereon.
>
> Being the same property conveyed to Stanley E. Marlar and wife, Brenda Ann Marlar, by deed of record in Book 5960, Page 375, said Register's Office.

IT IS FURTHER ORDERED AND ADJUDGED that the wife shall be responsible for the mortgage payments on said home.

IT IS FURTHER ORDERED AND ADJUDGED that the personal property listed in Paragraph 1(c) of Exhibit #3, except for the antiques, shall be awarded to the Husband.

IT IS FURTHER ORDERED AND ADJUDGED that Wife shall receive all other personal property, including the antique furniture, and the Cutlass automobile as her sole and separate property. The Wife will be responsible for paying any note owing on said Cutlass automobile.

IT IS FURTHER ORDERED AND ADJUDGED that real property located in Florida shall be held by the parties as tenants in common and shall be sold and the proceeds divided equally between the parties.

IT IS FURTHER ORDERED AND ADJUDGED that the Husband shall pay for the Wife's health and dental insurance for a period of three (3) years as spousal support, and the Wife will be responsible for any medical bills or dental bills not covered by said insurance.

IT IS FURTHER ORDERED AND ADJUDGED that each party will be responsible for debts in his or her name.

IT IS FURTHER ORDERED AND ADJUDGED that the Husband shall pay and the Wife is entitled to an award and a judgment for attorneys fees in the amount of $ 7,062.50, for which execution may issue, if necessary.

IT IS FURTHER ORDERED AND ADJUDGED that the costs of this cause are adjudged against the Husband, for which execution may issue, if necessary.

This the 21 day of Aug, 1990.

JUDGE

APPROVED FOR ENTRY:

Margaret L. Behm #5123
Dodson, Parker, Shipley & Behm
306 Gay Street Suite 400
P. O. Box 198066
Nashville, TN 37219-8066
(615) 254-2291

Gale Robinson
213 Third Avenue North
Nashville, TN 37201

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document has been hand delivered to Gale Robinson, 213 Third Avenue North, Nashville, TN, 37201, on this the 6th day of August, 1990.

Margaret L. Behm

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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* Probate *Circuit Court for Davidson County, Tennessee, on the* 21st *day of* AUGUST, *1990, in Case Number* 88D-647 *between* STANLEY MARLAR *Plaintiff, and* BRENDA MARLAR *Defendant, as same remains of record in Book* 56A, *Page* 3135A *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* 9th *day of* September *in the year one thousand nine hundred and* Ninety-One *and in the* 216th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Mary V Bradley *D.C.*

Form #GR-117