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IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

DONNA JEAN MILLER, Plaintiff,	)	K. Statton
v.	)	No. 91D-6
TIMOTHY LEE MILLER, Defendant.	)	BOOK 8476 PAGE 251

FINAL DECREE

This cause came on to be heard on September 10, 1991 before the Honorable James Everett, Judge of the Probate Court of Davidson County, Tennessee, upon original Complaint for absolute divorce filed by Wife, Answer and Counter-Complaint filed by Husband, and the Court was of the opinion that both parties should be granted a divorce pursuant to T.C.A. § 36-4-129 and further that the oral agreement entered into by and between the parties should be approved by the Court. And, said agreement was stated to the Court by counsel. The agreement provides that Wife shall have the full care, custody and control of the minor children of the parties, and Husband shall have visitation with the minor children on Wednesdays from 3:30 p.m. until 6:30 p.m. and on Saturdays from 8:00 a.m. until 12:00 Noon. In addition, the parties will alternate Memorial Day, July 4, Labor Day, Thanksgiving with Wife having Thanksgiving for 1991, and Easter. Further, Christmas will be alternated by each having one week prior to Christmas and one week after Christmas. Wife shall have the children for Christmas for the year 1991, and Husband shall return the children to Wife by 8:00 p.m. on Christmas Eve. This arrangement will alternate from year to year. Further, Husband will have two (2) weeks summer visitation with his minor children and any other times that the parties mutually agree upon. Husband will pick the children up for visitation and return them to Wife's home after each visitation, and this arrangement shall continue unless Wife moves out of Davidson County, at which time she will provide transportation. Further, Wife shall be awarded

all right, title and interest to the parties' homeplace and be responsible for the mortgage payment, the Nashville Electric Service payment, the Nashville Gas payment, and all other household expenses. As it relates to personal property from the marital home, Husband shall receive the piano, his golf clubs and bag, the wood and cloth couch in the front foyer with tapestry covering, the freezer, the vanity, hanging shelf, mirror over the fireplace, and all other personal property and household furnishings and fixtures shall be awarded to Wife. Husband shall pick up the items awarded to him at 2:00 p.m. Sunday, September 15, 1991. Further, Wife shall be awarded the 1991 Pontiac automobile and the 1974 Volkswagon automobile and pay any indebtedness remaining on either vehicle. Husband shall be awarded the 1972 Road Runner and 1978 Ford and pay any and all indebtedness thereon should there be any remaining on either vehicle. Further, each party shall receive their own pension and retirement. Further, the bank accounts will be split so that each party receives One Thousand Five Hundred and No/100 Dollars ($1,500.00). Wife on this date has delivered to Husband a check in the amount of One Thousand Eighty-Five and 50/100 Dollars ($1,085.50) and will by September 17, 1991 pay Husband Ninety-Four and 50/100 Dollars ($94.50) to make up the difference that he will be allowed to refrain from paying child support for September and pick up his child support payments in October. Further, Husband will pay to Wife the amount of Three Hundred Twenty and No/100 Dollars ($320.00) a month as child support, which is within the guidelines, and Husband will purchase and provide a medical and hospitalization insurance policy for the parties' minor children and furnish Wife proof thereof. The parties will divide on a fifty/fifty (50/50) basis any medical expenses not covered by said insurance. Husband shall be awarded all right, title and interest to his studio and the equipment therein and be responsible for any and all indebtedness on his studio equipment and any business-related debts and hold Wife harmless from same. Wife shall be entitled to exempt both of the minor children on her federal tax returns. Further, that as it

relates to debts, Wife will pay her personal debts and household expenses, and Husband will pay all business debts and expenses. Further, that the parties will divide the Court costs on a fifty/fifty (50/50) basis, and each will pay their own attorney's fees.

IT IS, THEREFORE, ORDERED by the Court that the parties are granted an absolute divorce pursuant to T.C.A. § 36-4-129.

IT IS FURTHER ORDERED by the Court that the oral agreement entered into by and between the parties is approved by the Court.

IT IS FURTHER ORDERED by the Court that Wife shall have the full care, custody and control of the minor children of the parties.

IT IS FURTHER ORDERED by the Court that Husband shall have visitation with the minor children on Wednesdays from 3:30 p.m. until 6:30 p.m. and on Saturdays from 8:00 a.m. until 12:00 Noon. In addition, the parties will alternate Memorial Day, July 4, Labor Day, Thanksgiving with Wife having Thanksgiving for 1991, and Easter. Further, Christmas will be alternated by each having one week prior to Christmas and one week after Christmas. Wife shall have the children for Christmas for the year 1991, and Husband shall return the children to Wife by 8:00 p.m. on Christmas Eve. This arrangement will alternate from year to year. Further, Husband will have two (2) weeks summer visitation with his minor children and any other times that the parties mutually agree upon. Husband will pick the children up for visitation and return them to Wife's home after each visitation, and this arrangement shall continue unless Wife moves out of Davidson County, at which time she will provide transportation.

IT IS FURTHER ORDERED by the Court that Wife shall be awarded all right, title and interest to the parties' homeplace and be responsible for the mortgage payment, the Nashville Electric Service, the Nashville Gas payment, and all other household expenses.

IT IS FURTHER ORDERED by the Court that Husband shall receive from the marital home the piano, his golf club and bags the wood and cloth couch in the front foyer with tapestry

covering, the freezer, the vanity, hanging shelf, mirror over the fireplace, and all other personal property and household furnishings and fixtures shall be awarded to Wife. Husband shall pick up the items awarded to him at 2:00 p.m. Sunday, September 15, 1991.

IT IS FURTHER ORDERED by the Court that Wife shall be awarded the 1991 Pontiac automobile and the 1974 Volkswagon automobile and pay any indebtedness remaining on either vehicle

IT IS FURTHER ORDERED by the Court that Husband shall be awarded the 1972 Road Runner and 1978 Ford and pay any and all indebtedness thereon should there be any remaining on either vehicle.

IT IS FURTHER ORDERED by the Court that each party shall receive their own pension and retirement with neither party having a claim to the other's retirement or pension.

IT IS FURTHER ORDERED by the Court that the bank accounts will be split so that each party receives One Thousand Five Hundred and No/100 Dollars ($1,500.00). Wife on this date has delivered to Husband a check in the amount of One Thousand Eighty-Five and 50/100 Dollars ($1,085.50) and will by September 17, 1991 pay Husband Ninety-Four and 50/100 Dollars ($94.50) to make up the difference that he will be allowed to refrain from paying child support for September and pick up his child support payments in October.

IT IS FURTHER ORDERED by the Court that Husband will pay to Wife as child the amount of Three Hundred Twenty and No/100 Dollars ($320.00) a month, which is within the guidelines, and Husband will purchase and provide a medical and hospitalization insurance policy for the parties' minor children and furnish Wife proof thereof. The parties will divide on a fifty/fifty (50/50) basis any medical expenses not covered by said insurance.

IT IS FURTHER ORDERED by the Court that Husband shall be awarded all right, title and interest to his studio and the equipment therein and be responsible for any and all indebtedness on his studio equipment and any business-related debts and hold Wife harmless from same.

IT IS FURTHER ORDERED by the Court that Wife shall be entitled to exempt both of the minor children on her federal tax returns.

IT IS FURTHER ORDERED by the Court that as it relates to debts, Wife will pay her personal debts and household expenses, and Husband will pay all business debts and expenses.

IT IS FURTHER ORDERED by the Court that the parties will divide on a fifty/fifty (50/50) basis any remaining Court costs, and each will pay their own attorney's fees.

IT IS FURTHER ORDERED by the Court that the real property now vested in Wife to be hers absolutely is described in words and figures as follows, to-wit:

> A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows: to-wit:
>
> LAND in Davidson County, Tennessee, being Lot No. 270 on the Plan of Village of Old Hickory, Section A, as of record in Book 1424, page 68, Register's Office for said County, to which plan reference is hereby made for a more complete and detailed description of said lot.
>
> BEING the same property conveyed to Patrick S. Mullins and Lisa Gayle Hunt Mullins by deed from Melanie J. Collins, filed of record in Book 7168, page 194, Register's Office for Davidson County, Tennessee.
>
> This conveyance is subject to any and all existing easement, restrictions and building setback lines of record.
>
> BEING the same property conveyed to Timothy Lee Miller and wife, Donna Jean Miller, as of record in Book 7928, page 415, Register's Office for Davidson County, Tennessee.

The child support entered in this decree shall not be reduced or prorated without further orders of the Court.

Further, the Court finds that the address of Husband is 3200-B Lebanon Road, Hermitage, Tennessee 37076 and the address of Wife is 800 Lawrence Street, Old Hickory, Tennessee 37138.

ENTER THIS 2 DAY OF Oct, 1991.

JUDGE, JAMES R. EVERETT, JR.

APPROVED FOR ENTRY:

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Jack A. Butler, #2838
BUTLER & PHILLIPS
First American Center, Suite 2395
315 Deaderick Street
Nashville, Tennessee 37238-2395
(615) 244-3300

Attorneys for Wife

7827 10/31 2101 03CHECK 18.00

Marlene Eskind Moses, #9234 by agreement

Attorney for Husband

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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* 10th *day of* September, *1991, in Case Number* 91D-6 *between* DONNA JEAN MILLER *Plaintiff, and* TIMOTHY LEE MILLER *Defendant, as same remains of record in Book* 64A, *Page* 266 *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* 31st *day of* October *in the year one thousand nine hundred and* Ninety-One *and in the* 216th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Mary Binkley *D.C.*

Form #GR-117