199A/B05

BOOK 8485 PAGE 775

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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GEORGE L. ...

DOROTHY ANNETTE BURTON,	)	
PLAINTIFF,	)	
v.	)	NO. 90D-469
JOHN E. BURTON, JR.,	)	
DEFENDANT.	)	

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FINAL DECREE

This cause came on to be heard on July 23 and 24, 1991 before the Honorable Muriel Robinson-Rice, Judge, upon the Plaintiff's Complaint for Divorce and after hearing statements of counsel, testimony of the parties and their witnesses, the Exhibits and evidence presented at trial along with the entire record in this case, the Court was of the opinion that the Wife was entitled to a Divorce from the Husband on the grounds of marital misconduct. The Court was further of the opinion that the Wife should be awarded all the personal property in the parties marital residence with the exception of the following items: (1) Plow, (2) Brass fire, (3) Oval picture, (4) White cabinet flour bin, which was given to Husband by his parents, (5) Pictures, (6) Blue dishes that Red and Frankie gave Husband, (7) Electronic drummer, (8) High school annual, and (9) Antique pinball machine. Further the Husband would be awarded free and clear of any and all claims of the Wife his hand tools, the video camera and equipment now in his possession, his pickup truck, his boat, motor and trailer and other boating accessories. The parties would each be awarded their own savings account that they took at the time of the separation, with Husband to receive the amounts that are in or were in the First American Savings Account, and the Wife to receive all amounts in the Sovran account. The Husband would be responsible for the following debts: Leader Federal (boat), Visa Card No. 4316180484285, Castner Knott account, Sears account No. 6-90525-707020, Discover Card account No. 6011-0066-9350-5126, J. C. Penney account No. 168-520-832-2 and the Visa account No. 4013-7610-8386-6750. The Wife would be responsible for the following debts: First American (personal line of credit), her Master card,

her Visa card and her medical account. Further the Husband was in arrears in alimony payments in the amount of $750.00. This amount should be paid within thirty (30) days. The parties marital residence, more particularly described below is to be awarded to the Wife subject to all mortgages and encumbrances and that the Wife will hold the Husband harmless on all these debts. Further the Husband would be awarded $10,000.00 as his share of the equity in the marital residence and would be awarded a lien on the property to secure the payment of said $10,000.00. This amount to be payable upon the Wife selling the house, remarrying, no longer occupying the house as a residence or moving a third party into the marital residence. This $10,000.00 award to the Husband would not bear interest until one of the events mentioned above occurs. Further the Court was of the opinion that the Wife was entitled to rehabilitative alimony in the amount of $1,000.00 per month for a period of two years, twenty-four (24) months, and that the first alimony payment was due and payable during the month of August, 1991. Further, the Husband shall pay to the Wife attorneys' fees in the amount of $ 1500.00. The attorney for the Wife shall file with the Court, with a copy to the attorney for the Husband, a properly itemized affidavit concerning her time and services rendered in this matter, and further that the costs of this case shall be taxed against the Husband, it is therefore

ORDERED, that the Wife shall be granted a divorce from the Husband on the grounds of Inappropriate Marital Conduct, T.C.A. 36-4-102(1) it is further,

ORDERED, that the Wife shall be awarded all the personal property in the parties marital residence with the exception of the following items: (1) Plow, (2) Brass fire, (3) Oval pictures, (4) White cabinet flour bin, which was given to Husband by his parents, (5) pictures, (6) Blue dishes that Red and Frankie gave Husband, (7) Electronic drummer, (8) High school annual, and (9) Antique pinball machine which will be awarded to the Husband, it is further

ORDERED, that the Husband shall be awarded free and clear of any and all claims of the Wife, his hand tools, the video camera and equipment now in his possession, his pickup truck, his boat motor/trailer and other boating accessories, it is further

ORDERED, that the parties would each be awarded their own savings account that they took at the time of the separation, with Husband to receive the amounts that are in or were in the First American savings account and the Wife to receive all amounts in the Sovran account, it is further

ORDERED, that the Husband will be responsible for the following debts, Leader Federal (boat), Visa Card Number 4316180484285, Castner Knott Account, Sears Account Number 6-90525-707020, Discover Card Account Number 6011-0066-9350-5126, J. C. Penney Account Number 168-520-832-2, and Visa Account Number 4013-7610-8386-6750, it is further

ORDERED, that the Wife shall be responsible for the following debts, First American (personal line of credit), her Master Card, her Visa card and her medical account, it is further

ORDERED, that the Husband was found to be in arrears in alimony payments in the amount of $700.00, this amount shall be paid within thirty (30) days, it is further

ORDERED, that the parties marital residence be awarded to the Wife. This property is more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 37 on the Plan of Blair Manor, of record in Book 3300, page 32, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.
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> BEING the same property conveyed to James Calvin Ellis and wife, Brenda Lavonne Ellis, by deed from James Wade Wright and wife, Carolyn Patricia Wright, of record in Book 4171, page 930, Register's Office for Davidson County, Tennessee.
>
> BEING the same property conveyed to John E. Burton and wife, Dorothy Annette Burton, by deed from James Calvin Ellis and wife, Brenda Lavonne Ellis, of record in Book 5204, page 805, Register's Office for Davidson County, Tennessee.

This same improved property is known as 207 Appletree Road, Goodlettsville, Tennessee.

it is further,

ORDERED, that the above described property is awarded to Wife subject to all mortgages and encumbrances and the Wife shall hold Husband harmless in all these debts, it is further

ORDERED, that the Husband shall be awarded $10,000.00 as his share of the equity in the marital residence and that the Husband shall have a lien on the above described property to secure the payment of said $10,000.00. This amount to be payable upon the Wife's selling the house, remarrying, no longer occupying the house as a residence or moving a third party into the marital residence. This $10,000.00 award to the Husband will not bear interest until one of the events mentioned above occurs, it is further

ORDERED, that the Wife is entitled to rehabilitative alimony in the amount of $1,000.00 per month for a period of two years, 24 months, and that the first alimony payment was due and payable during the month of August, 1991, it is further

ORDERED, that the Husband shall pay to the Wife attorneys fees in the amount of $1500.00. The attorney for the Wife shall file with the Court, with a copy to the attorney for the Husband, a properly itemized Affidavit concerning her time and services rendered in this matter, and it is further

ORDERED, that the costs of this case shall be taxed to the Husband for which execution may be issue if necessary.

JUDGE

APPROVED FOR ENTRY:
FLYNN & NEENAN, ATTYS., P.C.

FRED C. DANCE
BPR NO. 7004
Suite 800
200 Fourth Avenue, N
Nashville, TN. 37219
(615) 244-8490

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to Ellen Taylor Turley, 2623 Lebanon Road, Nashville, TN. 37214 on this 6th day of August, 1991.

FRED D. DANCE

LMP/BURTON.FD

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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* 7TH *day of* AUGUST, 19 91, *in Case Number* 90D-469 *between* DOROTHY ANNETTE BURTON *Plaintiff, and* JOHN E. BURTON, JR. *Defendant, as same remains of record in Book* 199A, *Page* 305 *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* NOVEMBER *in the year one thousand nine hundred and* NINETY-ONE *and in the* 216TH *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Clay Hardin *D.C.*

Form #GR-117