2C2C/2181

BOX 36

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1-22-92

MICHELLE W. FROST,

Plaintiff,

v.

MARK B. FROST,

Defendant.

No. 90D-4075

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ORDER

This cause came to be heard on the 7th and 8th of January, 1992, before the Honorable Muriel Robinson Rice, Judge of the Fourth Circuit Court for Davidson County, Tennessee. After hearing the proof consisting of the testimony of the two parties and Kim Kirby, all exhibits and argument of counsel, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. Mr. Frost is granted a divorce on the grounds of inappropriate marital conduct. The wife's complaint for divorce shall be dismissed.

2. Mr. Frost is awarded the marital residence located at 526 West Hillwood Drive, Nashville, Tennessee, 37205. He shall be responsible for paying the first and second mortgages owing on the residence and agrees to hold the wife harmless thereon. Mrs. Frost is awarded the amount of $15,000 from the equity in the marital residence. Mr. Frost shall pay the wife the sum of $15,000 within six months from the date of the hearing, January 8, 1992. This $15,000 payment shall be made by the husband directly to the law firm of Ortale, Kelley, Herbert & Crawford. Thirty days after the entry of this decree the legal rate of interest shall apply to the amount owing. In the event the husband fails to pay the wife the sum of $15,000 within the six month period, then the marital residence shall be sold. After the first and second mortgages and expenses of the sale have been paid from the proceeds of the sale, Mrs. Frost will be paid her $15,000 and any remaining balance shall be paid to Mr. Frost.

3. The wife is awarded the crystal and other gifts coming to her through her friends and relatives during the course of the marriage. The wife shall also retain the mattress and box springs that she took with her other separate property upon separation of the parties.

4. The husband is awarded the 1987 Jeep Cherokee automobile. Mr. Frost shall be responsible for paying off any indebtedness owed on the vehicle and agrees to hold the wife harmless thereon.

5. Each party shall be responsible for paying his or her own credit card charges incurred after the separation of the parties. Each party agrees to hold the other harmless for the foregoing debt.

6. All remaining securities, stocks and other investments and the proceeds from all securities that have been liquidated during the course of these proceedings shall be the sole property of Mr. Frost. Mr. Frost shall also be responsible for paying off all indebtedness incurred by the parties to purchase the parties securities and investments and agrees to hold the wife harmless thereon. All proceeds from the sale of these investments shall be paid to reduce the liabilities of the parties incurred to purchase the foregoing securities including the loan with the Bank of Nashville. In addition, the husband shall be responsible for paying the taxes as a result of liquidating the foregoing securities and agrees to hold the wife harmless thereon. The payment of the joint debts used to purchase the stock investments of the parties shall be considered necessary for the support maintenance of the wife and are considered nondischargable in bankruptcy.

7. The wife shall retain her IRA account and any other bank accounts she has at the present time. Mr. Frost shall retain his IRA account.

8. The husband is awarded the 1988 Stratos boat and agrees to pay off all indebtedness owed on the boat and hold the wife harmless thereto.

9. Each party shall be responsible for paying one half of the court costs and each party shall be responsible for paying his or her respective attorneys' fees.

It is ORDERED this 22nd day of January, 1992.

JUDGE MURIEL ROBINSON RICE

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APPROVED FOR ENTRY:

3720 05/05 0101 03CHECK 9.00

By: Jon J. Hollins

JOHN J. HOLLINS, JR. (#12665)
Attorney for Defendant
HOLLINS, WAGSTER & YARBROUGH, P.C.
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424 Church Street, 22nd Floor
Nashville, Tennessee 37219
(615) 256-6666

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been forwarded via the United States Mail to Mr. David B. Scott, Ortale, Kelley, Herbert & Crawford, 200 Fourth Avenue North, 3rd Floor, P.O. Box 3375, Nashville, Tennessee, 37219-0375, on this the 16 day of January, 1992.

Jon J Hollins

JOHN J. HOLLINS, JR.

07612

IDENTIFICATION REFERENCE

MAY 5 12 45 PM '92

DAVIDSON COUNTY, TN

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* Twenty-second *day of* January, *19* 92, *in Case Number* 90D-4075 *between* Michelle W. Frost *Plaintiff, and* Mark B. Frost *Defendant, as same remains of record in Book* 202C, *Page* 2181 *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* 4th *day of* May *in the year one thousand nine hundred and* Ninety-two *and in the* 216th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Jon J Clerk, *D.C.*

Form #GR-117