211A/795

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

LURA M. FRANK,
Wife,

v.

JOSEPH FRANK, JR.,
Husband,

BOOK 8815 PAGE 299

NO.: 90D-568

FINAL DECREE

This cause came on to be heard on the 26th day of October, 1992 before the Honorable Muriel Robinson Rice, Judge of the Fourth Circuit Court for Davidson County, Tennessee upon the complaint for divorce, personal service on the Husband, the amended complaint, the answer to the complaint and amended complaint and the counter complaint, sworn testimony of the parties and witnesses, statements of counsel, and the record as a whole, from all of which it appears that both parties are guilty of marital misconduct and the parties are declared to be divorced, pursuant to Tenn. Code Ann. section 36-4-129.

It is therefore so ORDERED, ADJUDGED and DECREED as follows:

1. That both parties are guilty of marital misconduct and are declared to be divorced pursuant to Tenn. Code Ann section 36-4-129.

2. That there are no minor children born of this marriage.

3. That the parties own real estate located at 120 Lake Terrace Circle, Nashville, Tennessee 37217. The Wife is awarded all right, title and interest in the real property subject to the second mortgage held by Nashville Bank of Commerce and a $6,000.00 lien held by the Husband. The Wife shall assume all responsibility for the real estate, included but not limited to the mortgage, taxes and repair of the property and hold the Husband harmless thereof. All right, title and interest in the property shall be divested out of the Husband and vested in the Wife, subject to the $6,000.00 lien against the real property held by the Husband.

The parties shall execute all documents necessary to give full implementation to this provision of this decree.

4. That the Wife shall assume all responsibility for Nashville Bank of Commerce loan number 0012007980 secured by a

second mortgage on the marital residence located at 120 Lake Terrace Circle, Nashville, Tennessee 37217.

The parties shall execute all documents necessary to give full implementation to this provision of this decree.

5. That the Wife shall pay the Husband the sum of Six Thousand and No/100 ($6,000.00) Dollars 30 days after the timely repayment of the second mortgage. The Wife shall pay the Husband the sum of Six Thousand and No/100 ($6,000.00) Dollars plus the legal rate of interest should the Wife not satisfy this debt to the Husband 30 days after satisfaction of the second mortgage. The Husband shall secure this debt with a lien against the aforementioned real estate.

6. That all items of personal property have been divided to the satisfaction of the parties with the exception of the Sony VCR. The Wife shall be awarded the use of the VCR for alternating six month periods each year beginning from November 1, 1992 until April 30, 1993. The Husband shall be awarded use of the Sony VCR for alternating six month periods each year beginning May 1, 1993 through October 31, 1993.

6. That the parties shall be responsible for their respective attorney fees.

7. That costs associated with this action shall be divided equally between the parties, for which let execution issue, if necessary.

ENTERED this the 5th day of November, 1992.

MURIEL ROBINSON RICE
Judge

APPROVED FOR ENTRY:

MARY ASHLEY NICHOLS
Attorney for Husband
207 Third Avenue North
Third Floor
Nashville, Tennessee 37201
(615) 244-2445
Reg. No. 13362

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been hand-delivered to Jay Norman, attorney for Wife, 213 Third Avenue North, Nashville, Tennessee 37201 on this the 3rd day of November, 1992.

MARY ASHLEY NICHOLS

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PICK-UP

DAVIDSON COUNTY, TN

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IDENTIFICATION REFERENCE

7.4 2.1 2.

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* Fifth *day of* November, *19* 92, *in Case Number* 90D-568 *between* Lura M. Frank *Plaintiff, and* JOseph Frank, Jr. *Defendant, as same remains of record in Book* 211B, *Page* 745 *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* 16th *day of* December *in the year one thousand nine hundred and* Ninety-Two *and in the* 217 *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Barbara Elkins *D.C.*

Form #GR-117