58B/864

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

1990 DEC -6 AM 10:03

DONNA RAE ORR,

Plaintiff Wife,

v.

ARTHUR LESLIE ORR,

Defendant Husband.

NO. 89D-1125

BOOK 8841 PAGE 586

**FINAL DECREE OF DIVORCE**

This cause came on to be heard on the 31st day of October, 1990, before the Honorable James R. Everett, Jr., Judge of the Probate Court of Davidson County, Tennessee, upon the Complaint filed by Plaintiff Wife with personal service of process on Defendant Husband; the Answer and Counter-Complaint of Defendant Husband and Plaintiff Wife's answer thereto; oral motion that Ross Alderman be substituted for Steve Strain as attorney of record for Husband; the testimony of the parties in open Court; statements of counsel for the parties; the stipulation of parties that Defendant Husband has been guilty of inappropriate marital conduct entitling Plaintiff Wife to an absolute divorce; the agreement of the parties as to the disposition of all of their joint assets and debts and marital property, and the entire record in this cause, from all of which it appears to the Court and the Court so finds that Defendant Husband is guilty of inappropriate marital conduct; that Plaintiff Wife should be granted an absolute divorce from Defendant Husband; that Plaintiff Wife should be awarded full ownership, title and possession of the property at 1804 Ashwood Avenue, Nashville, Davidson County, Tennessee, and pay the mortgage indebtedness thereon; that Plaintiff Wife should be awarded full ownership, title and possession of the rental house at 1017 Second Avenue South, Nashville, Davidson County, Tennessee; that Plaintiff Wife should be awarded full ownership, title and possession of the half lot at 1029 Second Avenue South, Nashville, Davidson County, Tennessee; that Defendant Husband should be awarded full ownership, title and possession of the studio at 1031 Second

Avenue South, Nashville, Davidson County, Tennessee, and pay the mortgage indebtedness thereon, including monthly interest beginning November, 1990, provided that he is able to secure permanent financing in his name alone or to otherwise pay the balloon note (due February 27, 1991), and that he so notify Plaintiff Wife of that on or before January 27, 1991, but if he is unable to secure said financing or otherwise satisfy the mortgage in Plaintiff Wife's name, Plaintiff Wife to then have the option of securing permanent financing or otherwise paying the balloon note and being awarded full ownership, title and possession of said real property free from any claim of Defendant Husband; that Plaintiff Wife should assume and pay the credit card indebtedness; that Plaintiff Wife should be awarded full ownership, title and possession of the truck, and pay the indebtedness thereon; that Plaintiff Wife should be awarded full ownership, title, and possession of all the household goods, furnishings and personal possessions in the Ashwood house free from the claim of Defendant Husband with the exception of the following items which shall be awarded to Defendant Husband: cigar box and contents on dresser, L.L. Bean brimmed hat, contents of cabinets in old studio, tools related to art production, books (art and personal), and chain saw; that Defendant Husband should be awarded full ownership, title, and possession of all the household goods, furnishings, and personal possessions in the Second Avenue studio free from the claim of Plaintiff Wife; that the parties should each be awarded one-half (1/2) of all of Defendant Husband's art created during the marriage as marital property; that the parties should each be awarded one-half (1/2) of all of the art and collectibles of other artists as marital property; that the procedure for dividing said marital property is for each party to select pieces of art alternately, with Defendant Husband having the option to group certain of his paintings as a lot, the monetary value of each party's share to be as close to equal as practicable with the value of the art to be decided between the parties unless they are unable to agree at which time the art will be appraised

with each party paying one-half of the cost of said appraisal; that each party should be responsible for his or her own attorney fees and for one-half (1/2) of the court costs.

It is therefore ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be and she hereby is awarded an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be, and she hereby is, awarded full ownership, title, and possession of the real property at 1804 Ashwood Avenue, Nashville, Davidson County, Tennessee, and that all interest in and to said property now held by Defendant Husband be hereby divested out of him and vested solely in Plaintiff Wife; said property being more particularly described as follows:

> Being the East 25 feet of Lot No. 139 and the west 25 feet of Lot No. 140 on the Revised Plan of George W. Blair's Subdivision of Belmont Heights, as of record in Book 332, page 117, Register's Office for said County.
>
> Said parts of said lots adjoin and front together 50 feet on the northerly side of Ashwood Avenue and run back between parallel lines, 175 feet to an alley.
>
> Being the same property conveyed to John D. Freeman and wife, Landis B. Freeman, by deed from Thomas E. Paysinger and wife, as of record in Book 4197, page 824, said Register's Office and being the same property conveyed to the Grantors herein, by deed from John D. Freeman and wife, being filed simultaneously herewith.

Plaintiff Wife shall pay all the indebtedness due and owing on said property and shall hold Defendant Husband harmless for same.

It is further ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be, and she hereby is, awarded full ownership, title, and possession of the rental house at 1017 Second Avenue South, Nashville, Davidson County, Tennessee, and that all interest in and to said property now held by Defendant Husband be hereby divested out of him and vested solely in Plaintiff Wife.

It is further ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be, and she hereby is, awarded full ownership, title, and possession of the half lot at 1029 Second Avenue South, Nashville, Davidson County, Tennessee, and that all interest in and to said property now held by Defendant Husband be hereby divested out of him and vested solely in Plaintiff Wife.

It is further ORDERED, ADJUDGED and DECREED by this Court that Defendant Husband be, and he hereby is, awarded full ownership, title, and possession of the studio at 1031 Second Avenue South, Nashville, Davidson County, Tennessee, provided that he shall assume and pay the mortgage indebtedness thereon, holding Plaintiff Wife harmless for same, including monthly interest beginning November, 1990, and shall so notify Plaintiff Wife on or before January 27, 1991; however, in the event he is unable to secure permanent financing in his name alone or to otherwise pay the balloon note (due February 27, 1991), Plaintiff Wife be and she hereby is allowed the option of securing permanent financing or otherwise satisfying the balloon note and being awarded full ownership, title, and possession of said real property, free from the claim of Defendant Husband.

It is further ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be and she hereby is ordered to pay the credit card indebtedness.

It is further ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be, and she hereby is, awarded full ownership, title and possession of the truck, and ordered to pay all the indebtedness due and owing on said truck.

It is further ORDERED, ADJUDGED and DECREED by this Court that Plaintiff Wife be, and she hereby is, awarded full ownership, title, and possession of all the household goods, furnishings and personal possessions in the Ashwood house, free from any claim of Defendant Husband, with the exception of the following items which shall be awarded to Defendant Husband: cigar box and contents on dresser, L.L. Bean brimmed hat, contents of cabinets in old studio, tools related to art production, books (art and personal), and chain saw.

It is further ORDERED, ADJUDGED and DECREED by this Court that Defendant Husband be, and he hereby is, awarded full ownership, title, and possession of all the household goods, furnishings and personal possessions in the studio.

It is further ORDERED, ADJUDGED and DECREED by this Court that each party be, and hereby is, awarded one-half (1/2) of all of Defendant Husband's art created during the marriage as marital property, to be divided as set forth hereinbefore.

It is further ORDERED, ADJUDGED and DECREED by this Court that each party be, and hereby is, awarded one-half (1/2) of all of the art and collectibles of other artists as marital property, to be divided as set forth hereinbefore.

It is further ORDERED, ADJUDGED and DECREED by this Court that each party be, and hereby is, ordered to pay his or her own attorney fees and one-half (1/2) of the Court costs of this cause.

For all of which execution may issue, if necessary.

JUDGE

APPROVED FOR ENTRY:

NANCY K. CORLEY, TSCRN 2942
Attorney for Plaintiff Wife
P. O. Box 2829
Nashville, TN 37219
(615) 256-5003

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Final Decree has been sent to the attorney for Defendant Husband, Ross E. Alderman, 176 Second Avenue North, Suite 600, Nashville, Tennessee 37201, on this 30th day of November, 1990.

NANCY K. CORLEY

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IDENTIFICATION REFERENCE

JAN 15 10 13 AM '93

FELIX Z. WILSON II REGISTER
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* PROBATE *Circuit Court for Davidson County, Tennessee, on the* 6th *day of* DECEMBER, *19* 90, *in Case Number* 89D-1125 *between* DONNA RAE ORR *Plaintiff, and* ARTHUR LESLIE ORR *Defendant, as same remains of record in Book* 58B, *Page* 864 *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* 11th *day of* January *in the year one thousand nine hundred and* Ninety-Two *and in the* 217th *year of American Independence.*

**GEORGE L. ROOKER,** *Clerk,*

*By* Mary W. Burke *D.C.*

**Form #GR-117**