Box 17

BOOK 8866 PAGE 196

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

1990 AUG 22 PM 12:44
GEORGE ... CLERK
M-105-12
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MARTHA ANN RHEA,)
)
Plaintiff,)
)
vs.) NO. 88D-2041
)
RICHARD GERALD RHEA,)
)
Defendant.)

FINAL DECREE OF DIVORCE

This cause came on to be heard on July 2, 1990, before the Honorable James Everett, on the Plaintiff's Petition for Divorce, and the Court finds as follows:

Mr. and Mrs. Rhea have been married approximately 35 years. Mr. Ray is 58 years of age. Mrs. Ray is 55 years of age. There are children born of this marriage, but there are no minor children of this marriage.

These parties have been engaged in a retail and repair business entitled Liftco, Inc. for approximately 15 years. Both of the parties worked in said business throughout its existence during their marriage. Both of the parties contributed to the establishment of said business and the acquiring of assets of said business. Mrs. Ray basically was the bookkeeper and front office person, and Mr. Ray was the purchaser, repair person, foreman and supervisor of the business.

For a number of years the business, with both parties working in it, was a viable business, and Mr. and Mrs. Ray enjoyed, if not the best life style for this community, at least a comfortable life style, and they are both to be commended for the labors and endeavors they used to establish this business.

For whatever reason, Mr. Ray decided to break off the marital relationship and removed himself from the marital home, and subsequent to that locked Mrs. Ray out of the business. Basically these parties have gone their separate ways for about the last two and a half years as man and wife.

There have been a number of capital assets and marital property acquired during this marriage. It's the duty of this

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IDENTIFICATION REFERENCE
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Court to determine what is ma
that all the property owned
personal property, including
property subject to a division

The Court is makes a di
regard to marital fault and m
and conclusions of law:

Mrs. Rhea will receive th

1. Shoney's stock, Wal
stock, AARP stock for a value

2. The residence at 317
$80,000.00.

3. Fairfield Glade lot fo

4. Woodlawn Cemetery lot

5. Old Hickory Membershi
the value.

6. Furniture in Mrs.
$10,000.00.

7. Mitsubishi Galant fo
value, and a 1956 restored Thu

8. Twenty-five (25%) per
Avenue South to be owned with M

The total value awarded Mr

Mr. Rhea is awarded the fo

1. Personal property in
his exhibit No. 33).

2. Automobiles listed
$15,590.00.

3. Liftco, Inc. valued a

4. Computers owned by M
$3,500.00.

5. Golf cart valued at $

6. 1959 Ford valued at $

7. Seventy-Five (75%) per
Avenue South to be owned with Mr

PG

the lot at 401 Windgrove to be owned separately. The total value of the two pieces of property (1701 Fourth Avenue South and 401 Wingrove) is $93,000.00.

The Court further finds that Mrs. Rhea should be paid rent in the amount of $400.00 per month for her 25% share of the property located at 1701 Fourth Avenue South. Such rent shall be paid by the 15th day of each month, beginning July 15, 1990, or it may be paid on a weekly basis for four weeks every month in the amount of $100.00 per week. The rent will continue until the property is sold.

The Court considered in setting alimony such factors as the standard of living of the parties, capital assets each party has, and the ability to acquire assets in the future, plus the other factors of T.C.A. §36-5-101. Based upon the above, the Court sets periodic alimony in the amount of $1,000.00 per month to be paid by the 10th day of every month, beginning July 10, 1990. It may also be paid in weekly installments. Such alimony is taxable to the Wife and deductible to the Husband, and will terminate in the event of the Wife's death or remarriage, but will survive the death of Mr. Rhea, if he predeceases Mrs. Rhea, and his estate shall be responsible for the alimony, as he has no life insurance.

To secure the alimony awarded above, the Court will place a lien on Mr. Rhea's share of the property at 1701 Fourth Avenue South in favor of Mrs. Rhea, so that Mrs. Rhea's alimony award will be secure and not go to a future wife of Mrs. Rhea or his children as the parties acquired the property together.

The Court finds that Mrs. Rhea is not at fault in this divorce, and therefore, she should not have to further deplete her assets. Therefore, her attorney is awarded attorney's fees in the amount of $6,000 to be paid by Mr. Rhea.

The Court finds that the appraisal fee should be split between the parties.

The Court finds Mrs. Rhea should be awarded the divorce on the grounds of cruel and inhuman treatment.

The Court finds that Mr. Rhea will pay all costs associated

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with the divorce, for which execution ma

IT IS SO ORDERED, ADJUDGED AND DECR

JUDGE

APPROVED FOR ENTRY:

Marietta M. Shipley #4719
DODSON, PARKER, SHIPLEY & BEHM
306 Gay Street 4th Floor
P. O. Box 198066
Nashville, TN 37219-8066
(615) 254-2291

CERTIFICATE OF SERV

This is to certify that a copy of th
been mailed, postage prepaid, to Norris/Je
Nashville, TN, 37211, on this the 21 d

Marietta M.

STATE OF TENNESS

I, **GEORGE L. ROOKER,** *Clerk of the Circuit Court for Davids*

hereby certify that the foregoing is a true and correct copy of

PROBATE *Circuit Court for Davidson County, Tennesse*

day of August *,19* 90 *, in Case Number*

MARTHA ANN RHEA *Plaintiff, and* RIC

Defendant, as same remains of record in Book 56B *, Pag*

said Court.

IN TESTIMONY WHEREO

affix the seal of said Court,

day of February

nine hundred and N

217th

GE

By

Form #GR-117

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