IN THE FOURTH CIRCUIT COURT

FOR THE TWENTIETH JUDICIAL DISTRICT OF TENNESSEE

AT NASHVILLE

FRED BAXTER,

Plaintiff,

VS.

ALTHEA LOUISE BAXTER,

Defendant.

CIVIL ACTION NUMBER

92D-2556

BOOK 8930 PAGE 6

FINAL DECREE

This cause came on to be heard on this the 20th day of November, 1992, before The Honorable Muriel Robinson Rice, Judge, upon the original complaint, testimony of the plaintiff, statement of counsel, the marital dissolution agreement heretofore entered into by the parties, and the entire record in this cause, from all of which the Court finds that irreconcilable differences exist between the parties; that the plaintiff should have an absolute divorce from the defendant and be restored to all the rights and privileges of an unmarried person; that the written property settlement agreement heretofore entered into between the parties provides adequate and sufficient provision for the equitable settlement of any property rights between them and it should be approved and made a part of this judgment.

IT IS, THEREFORE, ORDERED and ADJUDGED by the Court that the bonds of matrimony heretofore subsisting between the plaintiff, Fred Baxter, and the defendant, Althea Baxter, be and the same are hereby, forever and perpetually dissolved and for nothing held; and that the plaintiff, Fred Baxter, be and is hereby granted an absolute divorce from the defendant, Althea Baxter, and restored to all the rights and privileges of an unmarried person.

IT IS, FURTHER, ORDERED and ADJUDGED by the Court that the property settlement agreement entered into between the parties be and the same is hereby, approved, which agreement is attached hereto as Exhibit A and is incorporated herein by reference, and which is a follows:

IN THE FOURTH CIRCUIT COURT

FOR THE TWENTIETH JUDICIAL DISTRICT OF TENNESSEE

AT NASHVILLE

FRED BAXTER,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NUMBER
VS.	)	
	)	92D-2556
ALTHEA LOUISE BAXTER,	)	
	)	
Defendant.	)	

MARITAL DISSOLUTION AGREEMENT

THIS AGREEMENT, made and entered into by and between Althea Louise Baxter, hereinafter referred to as "Wife," and Fred Baxter, hereinafter referred to as "Husband," both residents of Davidson County, Tennessee.

WITNESSETH:

WHEREAS the parties hereto were married on February 13, 1978, in Madison, Tennessee; and

WHEREAS the husband has instituted divorce proceedings against the wife seeking an absolute divorce in the Fourth Circuit Court of Davidson County, Tennessee, being Civil Action Number 92D-2556; and

WHEREAS the parties have acquired certain personal property and they desire to enter into an agreement respecting their rights, title and interest in such property; and

WHEREAS the parties now desire to clarify, amplify and make more specific their respective rights and obligations.

NOW THEREFORE, in consideration of the premises and other good and valuable considerations, it is mutually understood and agreed by and between the wife and the husband as follows:

1. That certain irreconcilable differences have arisen between the parties since their marriage, and they now live separate and apart from each other and neither shall harass or interfere with the other in any manner or in any way.

2. The wife shall receive, free from any claim of the husband, the brass bed, sewing machine, rocking chair, couch and

matching chair, lift chair, color T.V., coffee table, end tables, old table, three lamps, clock on the mantle, the china cabinet, pie safe, small record player, her bedroom suit, in the kitchen she will receive the refrigerator, stove, 4 bar stools, small black and white television, the washer, dryer, deep freeze, snapper riding mower, house and the 1983 Oldsmobile, subject to any and all indebtedness thereon and she shall hold the husband harmless on any and all such debts.

3. The husband shall receive, free from any claim of the wife, the 1989 business truck, his business equipment, farm equipment and machinery, the bedroom suit in the front back bedroom including bed, chest of drawers, night stand, dresser, rocking chair, table lamp and wash stand, the chair, floor lamp, color television and VCR, floor clock, the couch in the den, four section desk, dining table and six chairs, the refrigerator and upright deep freezer in the utility room, and the wood burning stove, subject to any and all indebtedness thereon and he shall hold the wife harmless on any and all such debts.

4. All right, title, and interest of the wife in and to the following three tracts of real property owned by the parties will be divested out of her and vested in the husband:

TRACT 1: Land in Davidson County, Tennessee, beginning at a concrete monument in the northerly right-of-way of the Riley Adcox Road at Edward Baxter's southeast corner and running with Edward Baxter's line, North 38° 45' West 336.00 fret to an iron pin, at Garrett's line; thence with Garrett's line, North 2° 30' East 1046.00 feet to a point; thence South 87° 30' East 150.00 feet to a point; thence South 2° 30' West 775.62 feet to a point; thence South 42° 54' 45" East 393.54 feet to a concrete monument in the northerly right-of-way of Riley Adcox Road; thence with a curve to the right having a radius of 315.49 feet, a distance of 100.54 feet to a concrete monument; thence with the right-of-way South 70° 00' West 132.33 feet to the point of beginning and containing 5.01 acres.

Being the same property conveyed to Fred Baxter and wife, Althea D. Baxter, by deed from Fred Baxter, for the purposes of creating a tenancy by the entirety, of record in Book 5259, page 415, Register's Office of Davidson County, Tennessee.

Included in the above description, but expressly excluded therefrom is the following tract or parcel of land:

Land in Davidson County, Tennessee, beginning at a concrete monument in the northerly right-of-way of the Riley Adcox Road at Edward Baxter's southeast corner and running with Edward Baxter's line, North 38° 45' West 336.00 fret to an iron pin, at Garrett's line; thence with Garrett's line, North 2° 30' East 270.38 feet to an iron pin; thence South 42° 54' 45" East 604.16 feet to a concrete monument in the northerly margin of said Riley Adcox Road; thence with the northerly margin of said road 232.87 feet to the point of beginning and containing 2.21 acres, more or less.

TRACT 2: A tract of land in the 14th Civil District of Davidson County, Tennessee, containing 19.59 acres, more or less, according to a description by The Reasons Company developed from deeds and property surveyors by others, as follows:

Being part of the same property conveyed to Fred and Althea Baxter as described in Book 6847, page 267 at the Register's Office of Davidson County, TN and more particularly described as follows:

Beginning at an iron pin in the Northerly margin of Adcock Road at the Southwest corner of Joyce Butler; thence with said margin the Following calls:
South 72 degrees 20 minutes 16 seconds West 28.96 feet,
South 61 degrees 16 minutes 01 second West 42.18 feet to a concrete nonument at the Northeast corner of Lot #6 of the Fred Baxter Subdivision; thence leaving margin North 65 degrees 59 minutes 02 seconds West 1088.34 feet with the North line of Lot #6 to an iron rod at the Northwest corner of Lot #6 and in the East line of Sherman Garrett; thence North 10 degrees 34 minutes 24 seconds East 828.32 feet with the East lines of Garrett and then William N. Edgin to a fence post being the Northwest corner of this tract and being a corner to James A. Hamilton; thence South 79 degrees 15 minutes 20 seconds East 473.82 feet to an iron pin at the Northwest corner of a 5.02 Acre Tract; thence on lines with said tract the following calls:
South 05 degrees 47 minutes 19 seconds West 337.58 feet to an iron pin,
South 84 degrees 24 minutes 23 seconds East 618.45 feet to a point,
North 69 degrees 18 minutes 46 seconds East 27.39 feet to an iron pin in the West line of Fred Baxter; thence with Baxter an then Joyce Butler the following calls:
South 03 degrees 24 minutes 33 seconds West 226.22 feet to an iron pin,
South 06 degrees 42 minutes 17 second West 129.94 feet to iron pin,
South 05 degrees 08 minutes 21 seconds West 222.04 feet to an iron pin,
South 11 degrees 09 minutes 20 seconds West 103.79 feet to the point of beginning and containing 19.59 Acres.

This description is not based on an actual survey but was developed using deeds and property surveys by others.

Included in the above description is a 25 feet wide ingress and egress easement for use of the 5.02 Acre tract referred to above and lying South of said 5.02 Acre tract and West of and parallel to the East boundary line of the above described 19.59 Acre tract and extends from

the South boundary line of 5.02 Acre tract to the Northerly margin of Adcock Road and is more particularly described in a Warranty Deed From Fred and Althea D. Baxter to J. L. and Evelyn Skyles.

BEING part of the same property conveyed to Fred Baxter and wife, Althea Baxter of record in Book 6847, page 267, Register's Office for said county.

TRACT 3: BEING Lot No. 6 on the Plan of Fred Baxter Subdivision of record in Book 6050, page 361, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.

BEING the same property conveyed to Fred Baxter and wife, Althea D. Baxter by Quitclaim Deed from Linda D. Fultz of record in Book 8450, page 655, Register's Office for Davidson County, Tennessee.

5. All right, title, and interest of the husband in and to the following tract of real property owned by the parties will be divested out of him and vested in the wife:

Land in Davidson County, Tennessee, beginning at a concrete monument in the northerly right-of-way of the Riley Adcox Road at Edward Baxter's southeast corner and running with Edward Baxter's line, North 38° 45' West 336.00 fret to an iron pin, at Garrett's line; thence with Garrett's line, North 2° 30' East 270.38 feet to an iron pin; thence South 42° 54' 45" East 604.16 feet to a concrete monument in the northerly margin of said Riley Adcox Road; thence with the northerly margin of said road 232.87 feet to the point of beginning and containing 2.21 acres, more or less.

Being part of the property conveyed to Fred Baxter and wife, Althea D. Baxter, by deed from Fred Baxter, for the purposes of creating a tenancy by the entirety, of record in Book 5259, page 415, Register's Office of Davidson County, Tennessee.

6. The husband shall pay to the wife, as and for her support and maintenance, at her present place of residence, or at such other addresses as she may hereafter, in writing, designate to the husband, the sum of $600.00 per month commencing the first day of the month after a divorce is granted to the parties and continuing on the same day of each succeeding month until the earliest happening of one of the following events:

(1) The death of either of the parties hereto;

(2) The remarriage of the wife, regardless of whether such a remarriage shall thereafter be terminated by divorce, annulment, or otherwise;

(3) The sale by the wife of the real property described in paragraph 5 of this agreement; or

(4) The establishment by the wife of a relationship tantamount to that contemplated by § 36-5-101,(a),(3), Tennessee Code Annotated.

7. Each party shall be responsible for his or her debts incurred since the parties' separation on July 15, 1992.

8. Each party shall be responsible for his or her attorney's fees.

9. The deed of trust note in the original amount of $28,000.00, payable to the order of the parties made by J. L. Skyles and wife, Evelyn K. Skyles, and the deed of trust securing said note, shall become the sole and separate property of the husband.

10. The husband shall pay the costs of this cause.

11. It is understood and agreed between the parties, as part of the consideration for the execution of this agreement, that each party shall willingly execute and deliver any and all instruments necessary or required in order to implement the terms of this agreement.

IN WITNESS WHEREOF, the parties have executed this agreement on the dates beneath their respective signature lines and at the places shown in the acknowledgements hereto.

Fred Baxter

Fred Baxter

Date Oct 30 92

Althea Louise Baxter

Althea Louise Baxter

Date Oct 30, 92

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Fred Baxter, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within agreement for the purposes therein contained. Witness my hand and official seal at Madison, Tennessee, this 2 day of ~~October~~ November, 1992.

NOTARY PUBLIC

My commission expires:
My Commission Expires May 22, 1993

STATE OF TENNESSEE)
)
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Althea Louise Baxter, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within agreement for the purposes therein contained. Witness my hand and official seal at Joelton, Tennessee, this 30th day of October, 1992.

Clifton E. Willis
NOTARY PUBLIC

My commission expires:
3-23-96

0486 04/29 0101 CKCHECK 32.00

IT IS, FURTHER, ORDERED and ADJUDGED by the Court that the husband shall pay the costs of this cause.

For all of which execution may issue, if necessary.

Russell Robinson Rees
JUDGE

TO BE ENTERED:

Dennis Clifton Wright 4138
Attorney for plaintiff
632 West Old Hickory Boulevard
Madison, Tennessee 37116-0181

APR 29 10 00 AM '93
DAVIDSON COUNTY, TN

IDENTIFI REFERENCE

1407

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been delivered to Althea Baxter, 8354 Riley Adcock road, Joelton, Tennessee, 37080, by depositing the same in the United States mail, postage prepaid, this 20TH day of November, 1992.

Dennis Clifton Wright

STATE OF TENNESSEE

RICHARD R. ROOKER

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* 20th *day of* NOVEMBER, *19* 92, *in Case Number* 92D-2556 *between* FRED BAXTER *Plaintiff, and* ALTHEA LOUISE BAXTER *Defendant, as same remains of record in Book* 211C, *Page* 1871 *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* 26th *day of* APRIL *in the year one thousand nine hundred and* Ninety-Three *and in the* 217th *year of American Independence.*

RICHARD R. ROOKER
~~GEORGE L. ROOKER~~, *Clerk,*

By Mary W. Brinkley *D.C.*

Form #GR-117