R C 213A/604

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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1993 JAN -8 PM 4:15

JAMES EARL PETTY,)

Husband,)

-vs-) NO. 90D-2065

MARY AUDEW PETTY,)

Wife,)

071-12
258

FINAL DECREE

This cause came on to be heard on this the 14th day of December, 1992 before the Honorable Muriel Robinson Rice, Judge for the Fourth Circuit Court for Davidson County, Tennessee, upon the original complaint for divorce filed by the husband, answer and cross-complaint filed by wife, answer to cross-complaint and the entire record. In open Court upon stipulations, exhibits filed, deposition, testimony of the husband, testimony of the wife, statement of counsel for each party and the entire record the Court finds the following:

1. By stipulation that the parties are divorced under Tennessee Code Annotated 36-4-129.

2. The husband is to receive the marital home located at 1512 Montgomery Avenue, Nashville, Tennessee. Husband will be responsible for paying the first and second mortgages thereon and hold the wife harmless on said encumberances. All rights, title and interest to said property shall divested out of the wife and reinvested in the husband, for which husband will pay to the wife the sum of Sixteen Thousand Forty and 30/00 ($16,040.30) Dollars for wife's equity in home.

3. The real property located on Highway 31, Millersville, Sumner County Tennessee shall be sold and the net proceeds divided equally between the parties. The Court will list an agent to sell the property.

4. The pension, through Metro, will be awarded to the husband as well as the checking account, credit union account and the savings bond. The wife shall remain as beneficiary of the husband's pension in case of his untimely death.

5. All of the cars and trucks, except the 1985 Ford automobile in wife's possession, backhoe and tools are awarded to the husband, for which the husband shall pay to the wife the sum of Three Thousand Three Hundred Fifty and 00/00 ($3,350.00) Dollars for her equity in same.

6. The life insurance policy on the wife's life, if cashed out to-day would have a net value of Four Thousand Three Hundred Forty Three and 00/00 ($4,343.00) Dollars and is to be split equally between the parties with each to receive the sum

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of Two Thousand One Hundred Seventy One and 50/00 ($2,171.50) Dollars.

7. The wife shall keep all of the personal property in her possession as her sole and separate property.

8. The husband shall keep all of the personal property in his possession as his sole and separate property.

9. The husband shall pay to the wife, as alimony, until her death or remarriage, the sum of Five Hundred Seventy Five and 00/00 ($575.00) Dollars per month. In addition, husband will provide wife with COBRA insurance for a period of thirty six (36) months at a cost of Two Hundred Eight and 43/00 ($208.43) Dollars per month. All of that is termed alimony, deductible by husband on his income tax return and wife will report it as income. After thirty six (36) months, if wife is not eligible for medicare, the husband will pay one-half of the premium for the conversion policy, until such time as the wife shall become eligible for medicare, all of which is considered alimony.

10. The husband has four (4) months in which to arrange financing to pay out all the wife's equity and it will be declared a lien on the real estate. Interest will run and accrue after this decree is thirty (30) days old, at the legal rate for judgements, until paid in full.

11. The husband shall pay to the wife's attorney of record, Glenn E. Sager, the sum of $_____, as a resonable fee for services rendered in this cause on behalf of the wife.

12. The husband shall pay all the costs of this cause, for all of which execution is awarded.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that:

1. The parties are divorced pursuant to Tennessee Code Annotated 36-4-129.

2. The husband is to receive the marital home located at 1512 Montogomery Avenue, Nashville, Tennessee. Husband will be responsible for paying the first and second mortgages thereon and hold the wife harmless on said encumberances. All rights, title and interest to the following described real property shall be divested out of the wife and reinvested in the husband:

> LAND in Davidson County, Tennessee and more particularly described as follows:
>
> BEING Lot No. 1 on the Resubdividion of Lot No. 9 and the northerly 111 feet of Lot No. 10 on the plan of William and Hayes Co's Belle View Subdivision, of record in Book 3842, page 195, Register's Office for said County.
>
> SAID Lot No. 1 fronts 57.0 feet on the westerly side of Montgomery Avenue and extends back 188.3 feet on the northerly line and 189.9 feet on the southerly line to a dead line in the rear measuring

57.0 feet thereon.

BEING the same property conveyed to James Earl Petty and wife, Mary A. Petty, by deed from Mayfair Homes, Inc., of record in Book 7477, page 461, Register's Office for Davidson County, Tennessee.

for all of which the husband shall pay to the wife the sum of Sixteen Thousand Forty and 30/00 ($16,040.30) Dollars for wife's equity in said property.

3. The real property located on Highway 31, Millersville, Sumner County, Tennessee shall be sold and the net proceeds divided equally between the parties. The Court will list an agent to sell the property.

4. The pension, through Metro, will be awarded to the husband as well as the checking account, credit union account and the savings bond. The wife shall remain as beneficiary of the husband's pension in case of his untimely death.

5. All of the cars and trucks, except the 1985 Ford automobile in wife's possession, backhoe and tools are awarded to the husband, ~~fee~~ for which the husband shall pay to the wife the sum of Three Thousand Three Hundred Fifty and 00/00 ($3,350.00) Dollars for her equity in same.

6. The life insurance policy on the wife's life, if cashed out today would have a net value of Four Thousand Three Hundred Forty Three and 00/00 ($4,343.00) Dollars and is to be split equally between the parties with each to receive the sum of Two Thousand One Hundred Seventy One and 50/00 ($2,171.50) Dollars.

7. The wife shall keep all of the ~~persona~~ personal property in her possession as her sole and separate property.

8. The husband shall keep all of the ~~persona~~ personal property in his possession as his sole and separate property.

9. The husband shall pay to the wife, as alimony, until her death or remarriage, the sum of Five Hundred Seventy Five and 00/00 ($575.00) Dollars per month. In addition, husband will provide wife with COBRA insurance for a period of thirty six (36) months at a cost of Two Hundred Eight and 43/00 ($208.43) Dollars per month. All of that is termed alimony, deductible by husband on his income tax return and wife will report it as income. After thirty six (36) months, if wife is not eligible for medicare, the husband will pay one-half of the premium for the conversion policy, until such time as the wife shall become eligible for medicare, all of which is considered alimony.

10. The husband has four (4) months in which to arrange financing to pay out all the wife's equity and it will be declared a lien on the real estate. Interest will run and accrue after this decree is thirty (30) days old, at the legal rate for judgements, until paid in full.

11. The husband shall pay to the wife's attorney of record, Glenn E. Sager, the sum of $ 250.00, as a reasonable fee for services rendered in this cause on behalf of the wife. bal to be paid by wife, MRR,

12. The husband shall pay all costs of this cause, for all of which execution is awarded.

The names and address of the parties before the Court are:

Wife: Mary A. Petty
Route #1, Snow Hill
Dowelltown, Tenn. 37059

Husband: James E. Petty
1512 Montgomery Ave.
Nashville, Tenn. 37207

JUDGE

APPROVED FOR ENTRY:

_____, Attorney for Wife
Glenn E. Sager
923 Main STreet
Nashville, Tennessee 37206
Phone 228 5442
Reg. No. 4131

CERTIFICATION

I hereby certify that a true and correct copy of this Final Decree has been maild to Phillip Robinson, Attorney for the husband, at his business address 213 Third Avenue North, Nashville, Tennessee 37201 on this the 21st day of December, 1992.

GLENN E. SAGER

9931 06/21 0101 01CASH 20.00

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STATE OF TENNESSEE

I, RICHARD R. 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 _08 day of _JANUARY , 19 _93 , in the Case Number _90D2065 between _PETTY, JAMES EARL Plaintiff, and _PETTY, MARY AUDEW ADAMSON Defendant, as same remains of record in Book 213A , Page _604 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 _21 day of _JUNE in the year one thousand nine hundred and _ninety-three and in the _217th_ year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL



PICK-UP

93 JUN 21 PM 12:31
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

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