BOOK 8991 PAGE 395

ARREARAGE
Payee:
As of _____ Amt. $ _____
State:
As of _____ Amt. $ _____
TOTAL AMT. $ _____
Judgment Fee $ _____

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF MUSKEGON

MARY KATHERINE HAILEY,

Plaintiff,

v

GENE THOMAS HAILEY,

Defendant.
_____/

Honorable James M. Graves, Jr.
[P-24233]

File No. 83-19582-DO

CALENDARED
10. Pol.

Gary T. Britton [P-26132]
Attorney for Plaintiff

Denis V. Potuznik [P-19045]
Attorney for Defendant

FILED
COUNTY CLERK
'85 JUN 20 P 3:45

JUDGMENT OF DIVORCE

At a session of said Court held in the Court House in the City of Muskegon, County and State aforesaid on the 19 day of JUNE, 1985.

PRESENT: Honorable James M. Graves, Jr.
Circuit Judge

A Complaint having been filed herein and the Defendant having filed an Answer and this cause having come on to be heard and it appearing that there has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved, and proofs having been taken in open Court, argument having been made by counsel for both parties and the court being fully advised in the premises and having issued its opinion herein, and it appearing to this court that said breakdown of the marriage relationship has occurred and that Plaintiff has sustained her proofs and is entitled to a judgment;

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IDENTIF. ↑ REFERENCE
93 JUN 23 PM 1:58
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.
PICK-UP

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MUSKEGON COUNTY CLERK

On motion of Gary T. Britton, attorney for Plaintiff;

I

DIVORCE

IT IS HEREBY ORDERED AND ADJUDGED that this Court by virtue of the authority herein vested and in pursuance of the statute of such case made and provided DOTH ORDER AND ADJUDGE that the marriage between the said MARY KATHERINE HAILEY, and the said GENE THOMAS HAILEY, be dissolved and the same hereby is dissolved accordingly, and a divorce from the bonds of matrimony between the said parties is hereby ADJUDGED AND ORDERED.

II

ALIMONY

IT IS FURTHER ORDERED AND ADJUDGED that Defendant, GENE THOMAS HAILEY, shall be and is not entitled to alimony and there shall be no reservation thereof.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant, GENE THOMAS HAILEY, shall pay to the Plaintiff, MARY KATHERINE HAILEY, as alimony for her care, support and maintenance until death of either of the parties hereto or March 2, 1990, whichever shall first occur, the sum of Thirty-three Thousand Dollars ($33,000.00) and no cents, in the following manner:

The sum of Five Hundred Fifty Dollars ($550.00) each and every month beginning April 1, 1985, with the last monthly payment to be March 1, 1990, said sum representing rehabilative alimony.

IT IS FURTHER ORDERED AND ADJUDGED and this Court does determine that each and every payment by payor Defendant, GENE THOMAS HAILEY, set forth above in discharge of his legal obligation arising from the marital relationship shall be deductible to the payor pursuant to Section 215 of the Internal Revenue Code and taxable to the Plaintiff, MARY

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KATHERINE HAILEY, payee pursuant to Section 71(a)(1) of the Internal Revenue Code.

III

LIFE INSURANCE

IT IS FURTHER ORDERED AND ADJUDGED that any interest which either of the parties hereto may now have or may heretofore have had in any of the insurance contracts or policies of the other party shall be and the same hereby is extinguished and that the parties hereto shall in the future hold all such insurance free and clear from any right or interest which the other party now has or may heretofore have had therein or thereto, by virtue of being the beneficiary, the contingent beneficiary, or otherwise.

IV

ATTORNEY FEES

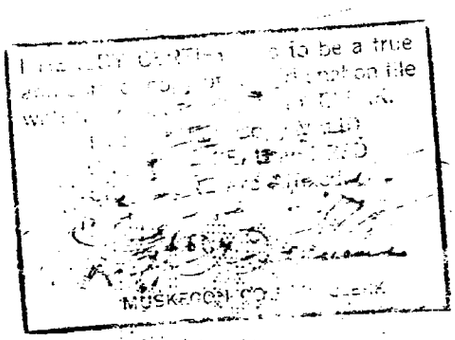
IT IS FURTHER ORDERED AND ADJUDGED that the Defendant, GENE THOMAS HAILEY, shall pay to Gary T. Britton, Plaintiff's attorney, the amount of Two Hundred Fifty Dollars ($250.00) upon receipt of the 1984 tax refund due and owing to Defendant. Should no refund be due Defendant, Defendant shall pay said Two Hundred Fifty Dollars ($250.00) to Plaintiff's attorney, Gary T. Britton, no later then June 1, 1985.

V

PROPERTY SETTLEMENT AND PROVISION IN LIEU OF DOWER

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant shall convey to Plaintiff by Quit Claim Deed all his right, title and interest in the former residence home of the parties located at 904 Apple Valley Road, Madison, Tennessee, and further described as:

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Land in Davidson County, Tennessee, being Lot No. 129 on the Map of Primrose Acres Subdivision, Section 2, of record in Book 2900, page 44, Register's Office for said County.

Said Lot No. 129 fronts 178.68 feet on the southerly side of Apple Valley Road and runs back 173 feet on the westerly line and 320 feet on the easterly line to a dead line on the rear on which it measures 231.4 feet.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff shall convey to the Defendant, by Quit Claim Deed all her right, title and interest in the residence home located at 1610 Leif Street, Muskegon, Michigan and further described as:

Lot 35 Gomery's Subdivision of the South 1/2 of the Southeast 1/4 of the Southeast 1/4, Sec 2, Town 9 North, Range 17 West, as recorded in Liber 10 of Plats, Page 53, Muskegon County Records.

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff shall convey to the Defendant by Quit Claim Deed all her right, title and interest in the vacant lot consisting of approximately 2 1/2 acres located on Route 1, McEven, Tennessee and further described as:

CTL Map 074, parcel #01100 1.2 acres, Blue Creek Road, Humphreys County, Tennessee.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff shall be awarded the 1978 Ford Pickup Truck, Serial No. _____, and Defendant shall be awarded the 1982 Lincoln Town Car, Serial No. _____, the Defendant to assume all remaining indebtedness on said Lincoln Town Car as his sole and separate obligation, holding the Plaintiff harmless for any liability thereon.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff shall be awarded the International Lawn Tractor of the parties.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendant is awarded the boat, motor and trailer, his musical instruments, the 1962 and 1963 Ford Falcon automobiles, and that Defendant shall further be responsible for removing one of the Ford

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Falcon automobiles from Plaintiff's premises in Tennessee.

IT IS FURTHER ORDERED AND ADJUDGED that each of the parties hereto shall be entitled to the personal property in their individual respective possession together with their individual pension, retirement, annuity plans, profit sharing plans, if any, as their sole and separate property, free and clear of any right, title or interest on the part of the other party.

IT IS FURTHER ORDERED AND ADJUDGED that each of the parties hereto shall be solely responsible for all indebtedness owning on the property awarded them respectively by this Judgment of Divorce and each party shall hold the other harmless from any liability thereon.

IT IS FURTHER ORDERED AND ADJUDGED that each of the parties hereto shall execute such bills of sale, certificates of title, quit claim deeds, assignments, discharges, transfers, mortgages, security agreements, stock certificates, or any other documents necessary to effectuate the purposes of this Judgment of Divorce.

IT IS FURTHER ORDERED AND ADJUDGED that a certified copy of this Judgment of Divorce, when recorded with the Register of Deeds for the County in which said real estate to be conveyed by this Judgment of Divorce is located, or as served upon the Secretary of State for the State of Michigan, or the State of Tennessee, or the stock transfer agents or any transfer agent, state agency, county or municipal authority, shall operate and serve with the same force and effect as if the parties hereto had executed such certificates of title, deeds, land contract assignments, mortgages, stock transfers, bills of sale, certificates of title, security agreements and such other documents of conveyance as shall be required to effectuate the intent and purpose of this Judgment of Divorce.

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IT IS FURTHER ORDERED AND ADJUDGED, in consideration of the foregoing provisions, each of the parties hereto shall be forever barred from any dower interest in any property which the other party owns or shall hereafter own or in which the other party may have any interest and shall be in full satisfaction of all claims that either of the parties may have in any property presently owned or which may hereafter be acquired by the other party.

VI

INCOME TAX

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff and Defendant shall file a joint return for the tax year 1984, and the Defendant shall be entitled to any refund attributable to said tax return; and further, should any liability result, Defendant shall assume said liability as his sole and separate obligation, holding the Plaintiff harmless from any liability thereon.

VII

RETENTION OF JURISDICTION

IT IS FURTHER ORDERED AND ADJUDGED that this Court specifically reserves and retains jurisdiction over this cause and the parties thereto for the purpose of assuring compliance with the executory provisions of this Judgment and reserves the right to make such other and further Orders as shall be necessary to implement the same.

VIII

EFFECTIVE DATE

IT IS FURTHER ORDERED AND ADJUDGED that the effective date of this Judgment of Divorce shall be the date of entry thereof.

James M. Graves, Jr.

James M. Graves, Jr.
CIRCUIT JUDGE

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FREMONT,
MICHIGAN

POTUZNIK, SPANIOLA, WILSON & ANDERSON, P.C.

By: Denis V. Potuznik

Denis V. Potuznik
Attorneys for Defendant
1042 Terrace
P.O. Box 687
Muskegon, Michigan 49443
(616) 722-7675

Countersigned:

Deputy Clerk

1240 06/23 0101 03CHECK 28.00

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