Please record & return to: Gail Victory
258 Cedarview Dr.
Antioch, TN 37013

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE

17-033.100.00

GAIL CAMPBELL VICTORY,)
)
Plaintiff)
)
v.) NO. 21746
)
KENNETH SPICER VICTORY,)
)
Defendant)

FILED _____
ENTERED 1-3-94
BOOK 108 PAGE 516-521
JANICE W. JORDAN, Clerk & Master

BK 1172 PG 163
BOOK 9274 PAGE 150

FINAL DECREE OF DIVORCE

This cause came on to be heard on December 17, 1993, and December 22, 1993, before the Honorable Donald P. Harris, Chancellor of the Chancery Court for Williamson County, Tennessee, upon the complaint for divorce of plaintiff, Gail Campbell Victory; answer and counterclaim of the defendant, Kenneth Spicer Victory; answer to the counterclaim; testimony of witnesses heard in open court; statements of counsel; and the entire record in this cause.

The Court finds from the proof presented that both parties are entitled to a divorce upon the grounds of inappropriate marital conduct.

It is therefore, **ORDERED, ADJUDGED and DECREED** by the Court that plaintiff, Gail Campbell Victory, and defendant, Kenneth Spicer Victory, are divorced, and each is restored to all the rights and privileges of an unmarried person.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the plaintiff, Gail Campbell Victory, is awarded the exclusive care, custody, and control of the parties' minor daughter, Jennifer Leigh Victory, and that the defendant, Kenneth Spicer Victory, is awarded the exclusive care, custody, and control of the parties' minor son, Kenneth Nicholas Victory.

The defendant, Kenneth Spicer Victory, shall have visitation with Jennifer Leigh Victory every other weekend from 5:00 p.m. on Friday to 5:00 p.m. on Sunday, and two weeks in the summer months. He will notify Ms. Victory by April 1st of each year when he intends to exercise the two week visitation period. If any Monday following his regular visitation is a State holiday, the visitation shall be extended to include that Monday holiday.

During odd numbered years Mr. Victory will have visitation with Jennifer Leigh Victory during the Christmas holidays from 10:00 a.m. on Christmas Day for one week. During even numbered years Mr. Victory will have visitation with Jennifer Leigh Victory from one week before Christmas until 8:00 p.m. on Christmas Eve. During even numbered years, Mr. Victory

shall also have visitation with Jennifer Leigh Victory over the Thanksgiving holidays from Wednesday at 5:00 p.m. until Sunday at 5:00 p.m. The plaintiff, Gail Campbell Victory, shall have visitation with Kenneth Nicholas Victory every other weekend from 5:00 p.m. on Friday to 5:00 p.m. on Sunday, and two weeks in the summer months. After Mr. Victory has notified Ms. Victory when he intends to exercise his two weeks visitation period, she will notify Mr. Victory when she intends to exercise her two week visitation period. If any Monday following her regular visitation is a State holiday, the visitation shall be extended to include that Monday holiday.

During even numbered years Ms. Victory will have visitation during the Christmas holidays from 10:00 a.m. on Christmas Day for one week. During the odd numbered years Ms. Victory will have visitation with Kenneth Nicholas Victory from one week before Christmas until 8:00 p.m. on Christmas Eve. During odd numbered years Ms. Victory shall also have visitation with Kenneth Nicholas Victory over the Thanksgiving holidays from Wednesday at 5:00 p.m. until Sunday at 5:00 p.m. When Mr. Victory has visitation, Kenneth Nicholas Victory, will be at his house and when Ms. Victory has visitation, Jennifer Leigh Victory will be at her house.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that Mr. Victory will pay to Ms. Victory the sum of $848.00 per month as child support and Ms. Victory will pay to Mr. Victory the sum of $400.00 per month as child support. Until Kenneth Nicholas Victory reaches age 18, or graduates from high school Mr. Victory will pay the difference of $448.00 per month to Ms. Victory. Said child support payments shall begin January 1, 1994. When Kenneth Nicholas Victory reaches age 18 or graduates from high school, Mr. Victory will pay to Ms. Victory the sum of $848.00 per month until Jennifer Leigh Victory reaches age 18, or graduates from high school.

It is further **ORDERED, ADJUDGED and DECREED** that plaintiff, Gail Campbell Victory is awarded her separate property as set forth in Exhibit 7 with the exception of the microwave oven and T.V. at her husband's office, and the bedroom furniture in Mr. Victory's possession at the marital residence.

It is further **ORDERED, ADJUDGED and DECREED** that the plaintiff, Gail Campbell Victory is awarded her jewelry, and the defendant, Kenneth Spicer Victory, is ordered to return the jewelry to her immediately.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the plaintiff, Gail Campbell Victory, is awarded the following marital assets:

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	Value	Mortgage	Equity
Remaining furniture and personal property in Wife's possession	$12,500.00	-0-	$12,500.00
1/4 interest in 40 acres Murfreesboro, Tennessee	10,000.00	$2,275.00	7,725.00
1327 Quail Valley Nashville, Tennessee	46,000.00	38,000.00	8,000.00
195 Hollandale LaVergne, Tennessee	20,000.00	-0-	20,000.00
323 Forrest Park Madison, Tennessee	45,000.00	24,996.00	20,004.00
3392 Oak Trees Court Nashville, Tennessee	62,000.00	54,300.00	7,700.00
1/2 interest in 5272 Murfreesboro Road Nashville, Tennessee	47,500.00	22,500.00	25,000.00
604 Shares Wal-Mart Stock	16,157.00	-0-	16,157.00
300 Shares Shoneys Stock	6,862.00	-0-	6,862.00
250 Shares Home Depot Stock	10,062.00	-0-	10,062.00
300 Shares Cracker Barrell Stock	8,250.00	-0-	8,250.00
Advance	7,500.00	-0-	7,500.00
Boat	1,100.00	-0-	1,100.00
Honda 4-wheeler	500.00	-0-	500.00
Jerry Reed Note	22,750.00	-0-	22,750.00
Rice Hill Sale Escrow Account at NationsBank	1,700.00	-0-	1,700.00
1/4 Interest in Sadler Avenue Property	2,193.00	-0-	2,193.00

The Talent Shop	5,000.00	-0-	5,000.00
IRA	1,977.00	-0-	1,977.00
1989 Cadillac	15,000.00	14,000.00	1,000.00

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the defendant, Kenneth Spicer Victory, is awarded the following marital assets:

	Value	Mortgage	Equity
Furniture and personal property located at marital residence	$12,500.00	-0-	$12,500.00
118 Waldron Circle LaVergne, Tennessee	40,000.00	9,000.00	31,000.00
1976 Honda Motorcycle	200.00	-0-	200.00
1983 Mercedes	7,500.00	2,400.00	5,100.00
Residence and acreage on Kidd Road, Nolensville, Tennessee	290,000.00	195,000.00	95,000.00
3300 Hamilton Church Rd. Antioch, Tennessee	95,000.00	66,000.00	29,000.00
560 Rosedale Nashville, Tennessee	30,000.00	-0-	30,000.00
Bruce Construction	3,159.00	-0-	3,159.00
Advance/Gift to Ms. Hunt	16,000.00	-0-	16,000.00
IRA	1,961.00	-0-	1,961.00
Advance/J.D. Jones Note	8,000.00	-0-	8,000.00
11 acres Jefferson Pike LaVergne, Tennessee	60,000.00	-0-	60,000.00
Kenneth Victory Construction	28,418.00	-0-	28,418.00
1/4 interest in Lot & Trailer Lake Tansi	6,250.00	5,607.00	643.00
Southeast Builders Group	38,500.00	-0-	38,500.00

It is further **ORDERED, ADJUDGED and DECREED** by the Court that the plaintiff, Gail Campbell Victory shall pay the Sears charge bill in the approximate amount of $1,307.00,

and that the defendant, Kenneth Spicer Victory shall pay the IRS indebtedness in the amount of $5,200.00, and Dr. Kenner's bill in the amount of $1,500.00.

The Court further finds that the total value of all marital property is $979,539.00, and the total marital indebtedness is $442,087.00. The property awarded to the defendant, Kenneth Spicer Victory, is valued at $637,488.00. The indebtedness he is assuming totals $284,709.00 which means he is left with net property having a value of $352,779.00. The value of the property awarded to the Wife was $342,051.00. The indebtedness that she is incurring will be $157,378.00. The difference in those two numbers is $184,673.00. The Court intends to make an equal division of the property. The difference between them, the net values of all the properties awarded to each party, is $168,106. The Wife is awarded a judgment of one-half (1/2) that amount against the defendant, Kenneth Spicer Victory, and that judgment shall be in the amount of $84,053.00. No execution may be had on that judgment for a period of three years, so long as the Husband pays interest on the judgment in the amount of seven percent (7%). The interest will be payable monthly. The payments will begin January 1, 1994, and each interest payment will be in the amount of $490.31.

It is further **ORDERED, ADJUDGED and DECREED** that the plaintiff, Gail Campbell Victory, is awarded permanent alimony in the amount of $500.00 per month to be paid to her by the defendant, Kenneth Spicer Victory. Said payments will begin January 1, 1994.

It is further **ORDERED, ADJUDGED and DECREED** that the property of Jennifer Leigh Victory is awarded to her and the property of Kenneth Nicholas Victory is awarded to him.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that each party will execute and deliver any and all instruments necessary or required to implement the terms of this Final Decree.

It is further **ORDERED, ADJUDGED and DECREED** by the Court that as additional alimony, the plaintiff, Gail Campbell Victory, is awarded the sum of $20,000.00 to be paid by the defendant, Kenneth Spicer Victory, towards her attorneys fees.

It is further **ORDERED, ADJUDGED and DECREED** that each of the parties shall pay one-half the costs of this cause.

ENTERED this 3RD day of January, 1994.

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Donald P. Harris
DONALD P. HARRIS, JUDGE

APPROVED FOR ENTRY:

STATE OF TENNESSEE
WILLIAMSON COUNTY
I, THE UNDERSIGNED CLERK & MASTER, DO HEREBY CERTIFY THIS TO BE A TRUE COPY OF THE ORIGINAL OF THIS INSTRUMENT FILED IN THIS CAUSE.
Kelly Scott (Dep)
JANICE W. JORDAN, Clerk & Master

JOHN J. HOLLINS, BPN: 2452
HOLLINS, WAGSTER & YARBROUGH, P.C.
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Attorney for Gail Campbell Victory

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213 Third Avenue North
Nashville, TN 37201
615/242-5453

Attorney for Kenneth Spicer Victory

TRANSFERRED
MAR 0 3 1994
DENNIS ANGLIN PROP. ASSESSOR
WILLIAMSON COUNTY

State of Tennessee, County of WILLIAMSON
Received for record the 03 day of
MARCH 1994 at 8:58 AM. (RECN 88516)
Recorded in official records
Book 1172 Page 163- 168
Notebook 52 Page 355
State Tax $ .00 Clerks Fee $ .00,
Recording $ 24.00, Total $ 24.00,
Register of Deeds SADIE WADE
Deputy Register KAREN OWENS

94 MAR 10 AM 9:53
FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.

26029
IDENTIF. & REFERENCE

9907 03/10 0101 03CHECK 24.00