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BOOK 9300 PAGE 396

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

GRACE S. MOSLEY, Petitioner,	)	
vs.	)	No. 90D-2815
CHARLES E. MOSLEY, Respondent.	)	

59-5
229

ORDER ON DIVORCE AND CUSTODY

This matter came to be heard on May 19, 1992, wherein the parties announced to the Court that they had reached an agreement on the issues of divorce, custody, support and the settlement of their marital debts and assets. The Court, after hearing the statements of the attorneys, has thus made their announcement an **ORDER** of the Court as follows:

1. Wife is granted the divorce on the grounds of inappropriate marital conduct.

2. Wife is awarded custody of the parties' minor children.

3. Husband shall pay as child support the amount of ~~$80.75~~ 80.95 per week, plus the clerk's lawful commission of 5%, or ~~$4.25~~ 4.05, ~~for~~ a total of $85.00 per week, to the Clerk of this Court at 506 Metropolitan Courthouse, Nashville, Tennessee 37201. Said payments are to be paid each and every Friday.

4. Beginning June 1, 1992, Husband shall pay to Wife rehabilitative alimony in the amount of $250.00 per month for Wife's support, plus the clerk's lawful commission of 5%, or $12.50, for a total of $262.50. Said monies are to be paid through the Clerk's office of this Court, 502 Metropolitan Courthouse, Nashville, Tennessee 37201. Said payments shall be paid by the 10th day of each and every month and continue until Wife has completed her law school education. Wife will provide Husband a copy of her law school diploma within ten (10) days of receipt.

5. Husband will maintain medical insurance on the minor children. Any medical expenses not covered by insurance, including, but not limited to, insulin and needles, shall be equally split by the parties. Wife will provide Husband copies of receipts for said uncovered expenses and Husband will reimburse

Wife for his one-half of the expenses within ten (10) days of his receipt of said copies. Wife will make every effort to obtain medication from pharmacies that give discounts to Metropolitan Government employees.

6. Husband shall have visitation with the minor children every other weekend and shall pick the children up at 6:00 p.m., Friday, and return them by 6:00 p.m., Sunday, at the Northgate Shopping Center. Wife will wait no longer than 30 minutes. If Husband does not appear to pick the children up by 6:30 p.m., Wife may leave. In the event Husband does not pick up the children and return them to the appropriate location and at the appropriate time, Husband will be in violation of this Court Order. Husband shall not leave the children unattended for any periods of time. Husband will have two weeks' summer visitation with the minor children.

The parties shall alternate the following holidays: Christmas Eve, Christmas Day, New Year's Day, Memorial Day, Easter, Fourth of July, Labor Day, Halloween and Thanksgiving. Husband shall have additional visitation with the children on Father's Day and Wife shall have the children with her on Mother's Day.

7. Husband will be awarded the house at 923 N. 14th St., Nashville, Davidson County, Tennessee 37206, and will be responsible for the mortgage with National Mortgage Company. Husband will indemnify and hold Wife harmless from any claims that may be associated with said real estate, which is more particularly described as follows:

> Being the southerly 60 feet of Lots Nos. 53 and 54 on the Plan of J. B. Hancock's East End Addition, of record in Book 57, Page 133, Register's Office for said County.
>
> Beginning on the westerly margin of North 14th (formerly Weakley) Street at a point 75 feet south of the southerly margin of Granada (formerly Grand) Avenue; thence with the westerly margin of said street southwardly 60 feet to the northerly margin of an alley; thence with said alley westwardly 93 feet to the easterly line of Lot No. 52; thence with said line northwardly 60 feet; thence eastwardly 93 feet to the point of beginning.
>
> Being the same property conveyed to Pace Propteries Inc., of record in Book 5740, Page 487, Register's Office for Davidson County Tennessee.
>
> This is improved property known as 923 N. 14th Street, Nashville, Tennessee 37206.

8. Wife will receive the house and lot at 4909 Boyd Drive, Nashville, Davidson County, Tennessee 37218, and will be responsible for the mortgage at BANC Boston Mortgage Company. Wife will indemnify and hold Husband harmless with any debt associated with said house and lot, which is more particularly described as follows:

> Being Lot No. 234 on the Plan of Buena Vista Estates, Section 6, of record in Book 4460, Page 85, Register's Office for Davidson County, Tennessee, to which plan reference is here made for a more complete and accurate description.
>
> Being the same property conveyed to David A. Green and Wife, Ruth M. Green, by deed from Carroll C. Grant, Sr., and Carroll C. Grant, Jr., and Senthia S. Grant, of record in Book 6294, Page 275, Register's Office for Davidson County, Tennessee.
>
> This is improved property known as 4909 Boyd Drive, Nashville, Tennessee 37218.

9. Wife will receive the 22 acres of land in Athens, Tennessee, and assume any liability and hold Husband harmless for same. Said property is described as follows:

LYING AND BEING situated in the Second Civil District of McMinn County, Tennessee, and being Tract Five in two parcels as shown on the survey of Jimmy L. Richmond, and being more particularly described as follows, to wit:

TRACT ONE:
LYING AND BEING situated on the West side of County Road No. 83 and BEGINNING at an iron pin corner on the West line of said road at the common corner of Tracts Five and Six, said point being 327.73 feet South along the West line of County Road No. 83 from the South line of the Annie Mae Adamson property; thence along the West line of County Road No. 83 the following calls and distances: South 40 57¦ West 196.1 feet; thence South 38 12¦ 30" West 47.3 feet to an iron pin corner on the severance line between Tracts Four and Five at its point of intersection with the West line of County Road NO. 83; thence 84 24¦ West 1389.7 feet with the severance line between Tracts Four and Five to an iron pin corner; thence North 5 34¦ 40" West 320.0 feet to an iron fence post at a corner common with properties of Hiwassee Land Company; thence South 88 57¦ East 423.0 feet with property of Hiwassee Land Company to an iron fence post; thence South 77 12¦ 30" East 1178.4 feet along the severance line between Tracts Five and Six to an iron pin corner, same being the point of BEGINNING.

TRACT TWO:
BEING the portion of Tract Five East of County Road No. 83 and BEGINNING at an iron pin corner on the East line of said road at the common corner of Tracts Five and Six, said point being 327.25 feet South along the East line of County Road No. 83 from the South line of Annie Mae Adamson property; thence South 77 12¦ 30" East 386.0 feet along the severance line between Tracts Five and Six to an iron pin corner; thence South 35 33¦ 30" West 170.0 feet with property of Lawson to an iron pin corner; thence North 84 24¦ West 434.6 feet along severance line

between Tracts Four and Five to an iron pin corner on the East line of County Road No. 83; thence the following calls and distances along the East line of County Road No. 83: North 38 12¦ 30" East 27.4 feet; North 40 57¦ East 195.9 feet; North 39 02¦ East 15.3 feet to an iron pin corner, same being the point of BEGINNING on the East line of County Road No. 83, the two above described parcels being all of Tract Five and containing together 11.47 acres, according to the survey of Jimmy L. Richmond dated 2/1/88 to which reference was made and from which the hereinabove description was taken, said survey further showing that County Road No. 83 is 30 feet wide.

10. Husband will receive the real property located in Lynchburg, Tennessee, said property being Plot 1041x of the Jack Daniel Distillery, Tennessee Squires Association, a one-inch square plot located within the distillery. Husband will assume an liability associated with said property and hold Wife harmless from same.

11. Wife will receive the 1987 Cadillac automobile and will assume any liability associated with said automobile and hold Husband harmless from same.

12. Husband will receive the Dodge van, the 1979 Camero, the 1974 pick-up truck, the RV vehicle, the 1965 Chevrolet, the 1957 Chevrolet, his shotgun and the doghouses. Husband will indemnify and hold Wife harmless from any claim and debt associated with said personal property.

13. Each party shall have their own personal property and Wife shall have all marital furniture and household goods.

14. Husband will receive the vested pension he has with Bridgestone-Firestone in Akron, Ohio, in the amount of $ 2,328.47.

15. Wife will receive the entire amount of the 401K plan as of May 19, 1992, plus any interest accrued thereon since May 19, 1992, said account being Bridgestone/Firestone, Inc., Savings Plan II, in the name of Charles E. Mosley, Sr., SSN [redacted]-2388. Said monies shall be sent by Firestone/Bridgestone, Akron, Ohio, directly to Wife by way of her attorney upon receipt of the signed Order from this Court.

16. Husband will receive any interest he has in the business of Allied Automotive, 1029 5th Avenue North, Nashville, Tennessee, and any tools and equipment contained in said business.

17. Husband will be responsible for the following debts and will indemnify and hold Wife harmless from said debts:

Beneficial National Bank--credit card	$ 348.63
Banc Ohio--credit card	$ 343.38
Dominion Bank--credit card	$ 731.24
Dance Arts Center	$ 100.00
Mastercard	$ 3,557.00
National Mortgage Company	$19,000.00

Wife will be responsible for the following debts and will indemnify and hold Husband harmless from said debts:

BANC Boston Mortgage Company	$46,000.00
Service Merchandise	$ 434.62
J. C. Penney	$ 34.68
Amoco	$ 72.65
Castner Knott	$ 125.00
Lipscomb Clinic	$ 43.10
Metro Credit Union	$ 1,243.00

18. Husband will pay to Mary Frances Rudy, attorney's fees in the amount of $2,000.00, of which execution may lie if necessary.

19. The parties agree that any court costs will be equally split between the parties.

20. Wife will be entitled to a lien on Husband's property located at 923 N. 14th St., Nashville, Davidson County, Tennessee, previously described herein, to secure the payment of any and all debt obligations that Husband has agreed to pay to or on behalf of Wife.

ENTERED this 18 day of July, 1992.

JUDGE JAMES R. EVERETT, JR.

APPROVED FOR ENTRY:

MARY FRANCES RUDY
Attorney for Plaintiff
Supreme Ct. No. 13403
200 4th Avenue N., Suite 625
Nashville, TN 37219
(615) 256-8181

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order on Divorce and Custody has been mailed to Joy Sims, Attorney for Defendant, Stahlman Bldg., Suite 912, Nashville, TN 37201, on this the 12th day of June, 1992.

MARY FRANCES RUDY

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IDENTIF. ↑ REFERENCE

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PICK-UP

STATE OF TENNESSEE BOOK 9300 PAGE 402

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 _SECOND Circuit Court for Davidson County, Tennessee, on the _19 day of _JUNE , 19 _90 , in the Case Number _90D2015 between _MOSLEY, GRACE S Plaintiff, and _MOSLEY, CHARLES E Defendant, as same remains of record in Book 670 , Page _1051 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 _05 day of _APRIL in the year one thousand nine hundred and _ninety-four and in the _218th_ year of American Independence.

04/05 0101 03CHECK 28.00

RICHARD R. ROOKER, Clerk

By MW Binkley
Deputy Clerk

SEAL