BK 1181 PG 12

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE

ROBERT SKIPWORTH COMER)
)
vs) NO. 20385
)
CINDY DUNLAP COMER)

FILED
ENTERED 2-3-94
BOOK 109 PAGE 273-27
JANICE W. JORDAN, Clerk & Master

BOOK 9312 PAGE 520

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FINAL DECREE OF DIVORCE

This cause came on to be heard upon the 30th day of November, 1993, before the Honorable Donald P. Harris, Judge, upon the pleadings heretofore filed in this cause, testimony of the parties and their witnesses in open Court, exhibits to the testimony, statement of counsel for the parties, and the entire record. Whereupon, Court was adjourned and set for further hearing upon the 4th day of December, 1993. This cause then came on to be further heard upon the 4th day of December, 1993, upon further testimony and statement of counsel for the parties. From all of which the Court finds and orders as follows:

It is ORDERED, ADJUDGED AND DECREED pursuant to Tennessee Code Annotated Section 36-4-129, that the parties should be and are hereby each awarded an absolute divorce from the other upon the grounds of inappropriate marital conduct, and that the parties should be and are hereby restored to all of the rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED AND DECREED that the Wife, Cindy Dunlap Comer, should be and is hereby awarded the following:

(a) the marital residence located at 5155 Drakes Branch Road, Nashville, Davidson County, Tennessee ($78,000.00); (b) the Dodge Aries automobile ($300.00); (c) the four-wheeler ($250.00); (d) bushhog ($500.00); (e) Gravely tractor ($1,000.00); (f) her jewelry business ($500.00); (g) her massage business ($300.00); (h) the U.S. Savings Bonds (approximately $4,000.00); and (i) her TVA Retirement ($20,269.77). Any interest of the Husband, Robert Skipworth Comer, in the aforesaid real and personal property should

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.
JANICE W. JORDAN, Clerk & Master

be and is hereby divested from him and reinvested in the Wife, so that she shall own same as her sole and separate property, free and clear of any interest or claim of the Husband. The real property is more particularly described as follows: BOOK 9312 PAGE 521

BEGINNING at an ash stump, Noah Underwood's northwest corner in the east boundary line of a 20-3/4 acre tract conveyed to H. H. Holt, Jr., by Timothy Walton and wife, in Book 60, page 364, Register's Office for said County; thence with Underwood's line east 132 poles to a beech corner; thence with McCool's line, north 5.8 poles to a stake, Andrew's corner; thence with Andrew's line, north 67 degrees west 54 poles to a black oak on the point of a ridge; thence north 85-1/2 degrees west 24.8 pole to a stake with gum pointers on a ridge; Andrew's southwest corner, north 36 poles to a white oak stump on a ridge, Andrew's northwest corner, thence west 23 poles to a hickory on the southwest side of an old road; thence south 12-1/2 degrees west 38-1/2 poles to a small dogwood; thence south 64 degrees west 28.5 poles to a hickory and mulberry pointers on a ridge; thence south 13 poles to beginning, containing 23 acres and which included 6.12 acres conveyed to Timothy Walton and wife, by Henry Holt, Jr. Book 60, page 364, Register's Office and also a part of Lt. 10 in the Subdivision of the W. J. Drake's Lands, as per plan in Minute Book "J", page 396, of the County Court.

Being the same property conveyed to Robert S. Comer and Wife, Cindy D. Comer, by deed of record in Book 5611, page 417, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that the Wife, Cindy Dunlap Comer, should be and is hereby ORDERED to be solely responsible for the debt to her father, John Dunlap, in the approximate amount of $91,000.00, which is the subject of John Dunlap's lawsuit against the parties, of record in the Chancery Court for the Twentieth Judicial District (Davidson County, Tennessee), being docket number 93-3000-I. The Wife should be and is hereby ORDERED to indemnify and hold the Husband, Robert Skipworth Comer, harmless thereon.

It is therefore ORDERED, ADJUDGED AND DECREED that the parties should be and are hereby ORDERED each to be solely responsible for one-half (1/2) the debt, (if any), adjudged against the parties as a result of John Dunlap's Davidson County General Sessions lawsuit against them, it being the intent of the Court that if either party is required by the General Sessions Court to pay more than one-half (1/2) of the judgment, (if any) to John Dunlap, then that party shall be entitled to recover from the other party so that each party shall be responsible for one-half (1/2) of

the judgment (if any), but no more.

It is further ORDERED, ADJUDGED AND DECREED that the Husband, Robert Skipworth Comer, should be and is hereby awarded the following: (a) the marital residence located at 4826 Old Bethesda-Duplex Road, College Grove, Williamson County, Tennessee ($140,000.00), subject to the mortgage thereon, ($68,159.98), for which the Husband shall be solely responsible and shall indemnify and hold the Wife harmless; (b) the Honda automobile, ($7,500.00) subject to the note thereon ($5,944.00), for which he shall be solely responsible and shall indemnify and hold the Wife harmless; (c) his Nashville State Technological Institute Retirement plan, ($2,135.20); (d) the Mustang automobile ($2,500.00); (e) his photography business ($19,649.00); (f) and the tractor and bushhog $1,000.00). Any interest of the Wife, Cindy Dunlap Comer, in the aforesaid real and personal property should be and is hereby divested from her and reinvested in the Husband so that the Husband, Robert Skipworth Comer, shall own them as his sole and separate property, free and clear of any interest or claim of the Wife, except her judgment lien in the amount of $38,246.51 under the terms and conditions listed hereinafter. The real property is more particularly described as follows:

> Said tract lies wholly within the Twelfth (12th) Civil District of Williamson County, Tennessee, and is bound in the general on the North by Wolfe, on the South and East by Graves, on the West by Old Bethesda Duplex Road.
>
> Beginning at a point in the centerline of Old Bethesda Duplex Road said point being the northwest corner of said tract and Wolfe's southwest corner, thence with Wolfe's south line S 53 deg. 35' E 799 ft. to an iron pin, thence with a new line S 68 deg. 17' W 582 ft. to an iron pin, thence with a new line N 50 deg. W 152.1 ft. to an iron pin, thence N 44 deg. W 548 ft. to a point in the centerline of Old Bethesda Duplex Road, thence with the centerline of said road with the three following calls, N 66 deg. E 145 ft., N 64 deg. E 150 ft. and N 60 deg. E. 149 ft. to the point of beginning, containing 7.89 acres, more or less.
>
> Being the same property conveyed to Robert S. Comer and wife, Cindy D. Comer, by deed from Charles Ronald Graves and wife, Lea J. Graves, of record in Book 0755, page 369, Register's Office for Williamson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that the Husband should be and is hereby ORDERED to be solely responsible for the aforesaid mortgage on the Williamson County real property,

the aforesaid note encumbering the Honda automobile, the credit card debt for the purchase and upkeep of the Mustang automobile ($3,047.00), and the debts of his photography business ($6,843.00). The Husband shall indemnify and hold the Wife harmless thereon.

It is further ORDERED, ADJUDGED AND DECREED that the Wife should be and is hereby ORDERED to be solely responsible for her debt to Dr. Philip Hayes, and to indemnify and hold the Husband harmless thereon.

It is further ORDERED, ADJUDGED AND DECREED that each party shall be responsible for all other non-mortgage debt each has incurred since the separation of the parties which debt is not otherwise assigned in this Order.

It is further ORDERED, ADJUDGED AND DECREED that as a further division of property the Wife should be and is hereby awarded a judgment against the Husband, Robert Skipworth Comer, in the amount of Thirty Eight Thousand Two Hundred Forty-Six and 51/100 ($38,246.51) Dollars, for her one-half (1/2) interest in the difference in the values of property awarded to the parties, and that the Wife should be and is hereby awarded a lien against the Williamson County property in that amount. It is further ORDERED that execution thereon shall be STAYED for five (5) years or so long as the Husband is not more than thirty (30) days delinquent on his mortgage payments, whichever first occurs, but upon the occurrence of either event, the Wife may execute upon her judgment. It is further ORDERED that upon execution by the Wife, the Husband may move the Court to have the proceeds therefrom applied to the wife's child support obligation. It is further ORDERED that the Husband shall notify the Wife if he is delinquent in a mortgage payment by twenty (20) days. It is further ORDERED that the Court request the mortgage holder of the Williamson County property immediately notify Cindy Comer of any delinquency in the mortgage payments.

It is further ORDERED, ADJUDGED AND DECREED that additional child support for the two (2) minor children should be and is hereby RESERVED for future determination.

It is further ORDERED, ADJUDGED AND DECREED that the Wife's request for spousal support from the Husband should be and is hereby DENIED.

It is further ORDERED, ADJUDGED AND DECREED that the wife should be and is hereby awarded the following specific visitation with the two (2) minor children of the parties: (a) alternate weekends from 5:00 p.m. Friday to 5:00 p.m. Sunday, or such other hour to which the parties agree; (b) if any visitation weekend is followed by a Monday holiday (defined as a holiday when state offices are closed), then the visitation weekend shall include Monday also; (c) four (4) weeks summer visitation for which the Wife shall be required to notify the Husband by April 1 of each year of her choice of dates thereof; (d) one (1) week at Christmas, being in odd-numbered years a week commencing at 10:00 a.m., on Christmas Day, December 25, and in even-numbered years, the week preceding Christmas ending at 9:00 p.m. on Christmas Eve, December 24; (e) and, in even-numbered years, the Thanksgiving holiday from 5:00 p.m. Wednesday to 5:00 p.m. Sunday.

It is further ORDERED, ADJUDGED AND DECREED that the costs of this cause should be and are hereby taxed equally to the parties, for which let execution issue if necessary.

ENTER this 3rd day of February, 1994 ~~1993~~.

Daniel P. Harris
JUDGE

APPROVED FOR ENTRY:

CHARLES WATSON CROSS, # 3548
Attorney for Wife
221 Fourth Avenue North
Fifth Floor
Nashville, TN 37219
(615) 254-6405

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been hand-delivered to Mary Arline Evans, 214 Third Avenue North, Nashville, TN 37201 on this 25th day of January, 1994.

Charles Watson Cross by C.T.
Charles Watson Cross

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NOTICE OF ENTRY REQUESTED

CLERK'S CERTIFICATE

I hereby certify that a true and exact copy of the foregoing, bearing the signature of Judge Donald P. Harris, and entered on the 3rd day of February, 1994, has been forwarded to counsel for the parties at their addresses above.

This 3rd day of February, 1994.

JANICE JORDAN, Clerk and Master

By: Kelly Scott
Deputy Clerk

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

39203
IDENTIFICATION REFERENCE

94 APR 14 AM 10:45
FELIX ... REGISTER
DAVIDSON COUNTY, TN.

Comer\FD

State of Tennessee, County of WILLIAMSON
Received for record the 11 day of
APRIL 1994 at 1:05 PM. (REC# 93516)
Recorded in official records
Book 1185 Page 12- 18
Notebook 52 Page 457
State Tax $ .00 Clerks Fee $ .00,
Recording $ 28.00, Total $ 28.00,
Register of Deeds SADIE WADE
Deputy Register ANGELA WAY

CHECK 28.00 03CHECK 0101 04/11/94