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IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

RUTH CARMAN,

Plaintiff,

vs.

L.C. CARMAN,

Defendant.

No. 90D-1068

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FINAL DECREE OF DIVORCE

This cause came on to be heard on this 12th day of October, 1990, before the Honorable James R. Everett, Judge of the Probate Court for Davidson County, Tennessee, upon the original complaint for divorce filed by the wife, order of default against the husband for his failure to answer in the time prescribed by law, the defendant having received notice of this hearing and having made no appearance, and upon the entire record in this cause, from all of which the court orders as follows:

1. The wife is hereby awarded an absolute divorce from the husband on the grounds of cruel and inhuman treatment, and she is hereby restored to all the rights and privileges of an unmarried person.

2. The issue of alimony shall be reserved.

3. All right, title and interest in and to the real property located at 1513 Rosedale Avenue, Nashville, Tennessee 37207 shall be divested out of husband and vested in wife, with the husband being responsible for the first mortgage, payable to Banc Boston Mortgage Corporation, P. O. Box 44090, Jacksonville, Florida 32231, in an approximate amount of Eight Thousand, Four Hundred and Eighty Six ($8,486.00) Dollars and the second mortgage payable to Fidelity Financial Services, P. O. Box 461, Madison, Tennessee, 37116, in an approximate amount of Twenty Eight Thousand, Two Hundred ($28,200.00) Dollars, and wife shall be held harmless from any indebtedness thereon. The property is further described as follows:

> Being Lot No. 2 on the Plan of William & Hays Co.'s Belleview Subdivision, being a resubdivision of Lots 8 and 11, of record in Book 4350, page 143, Register's Office for said County.
>
> Said lot fronts 50 feet on the easterly side of

Rosedale Avenue and extends back between parallel lines 200 feet to a dead line.

Being the same property conveyed to L. C. Carman, by deed from J. Paul Hasty and wife, Robbie Hasty, of record in Book _____, page _____, Register's Office for said County.

These mortgage payments are intended to create a support debt that will be nondischargeable in the event of the bankruptcy of the obligor spouse, pursuant to 11 U.S.C. Section 523(a)(5). This support is necessary to meet the daily living expenses of the nonobligor spouse, and the amount of support is reasonable.

4. The husband invested in a certain account #ONK-115640 which he placed with Prudential Bach, 200 Fourth Avenue, Nashville, Tennessee 37219. All right, title and interest in and to said funds shall be divested out of the husband and vested into the wife. Said funds shall be considered as a support debt that will be nondischargeable in the event of the bankruptcy of the obligor spouse, pursuant to 11 U.S.C. Section 523(a)(5). This support is necessary to meet the daily living expenses of the nonobligor spouse, and the amount of support is reasonable.

5. Ruth Carman, who shall be known as "the Alternate Payee" is entitled to receive One Hundred (100%) Percent of the accrued benefits currently held in the Pension of Leggett and Platt, Inc., on behalf of L. C. Carman, who shall be known as the "Participant", based upon the plan balances as of the date of the entry of the Final Decree of Divorce increased by the amount of any investment earnings and decreased by the amount of any investment losses allocated to such accrued benefits between such date of entry and the valuation date under the above stated plan next preceding the date on which such benefits are paid to the Alternate Payee. In the case of the payment of cash, the portion of the Participant's accounts invested in the stock of Leggett and Platt, Inc. (which has as one of its companies, Steiner-Liff Company), shall be converted to cash based on the value of such stock on the date provided under the above stated plan for such purposes. The Alternate Payee's right to receive a portion of the benefits payable with respect to the Participant and the Plan arises pursuant to Tennessee Code Annotated Section 36-4-

121(b)(1).

This order shall constitute a Qualified Domestic Relations Order to provide for the disposition of the benefits held for the Participant in the above stated plan as required by Section 414(p) of the Internal Revenue Code and 29 U.S.C. Section 1056(d).

The parties were married on January 17, 1972 and were separated on April 13, 1990. The last known mailing address of the Participant is L. C. Carman, c/o Steiner-Liff Company, 400 Davidson Street, Nashville, Tennessee 37213, and the Participant's Social Security Number is [redacted]-3350. The present known mailing address of the Alternate Payee is 1513 Rosedale Avenue, Nashville, Tennessee 37207 and the Alternate Payee's Social Security Number is [redacted]-8660.

The Participant was employed by Steiner-Liff Company and is a Participant in the Leggett and Platt, Inc. Employee Stock Ownership Plan, hereinafter known as "The Stock Bonus Plan". This Plan is tax qualified under the applicable provision of the Internal Revenue Code.

The Participant presently has an account in the Stock Bonus Plan, with payment to be made to him upon the occurrence of certain events, specified in the plan, among such events being death, disability, retirement or termination of employment.

The Alternate Payee is entitled to receive One Hundred (100%) Percent of the benefits so held for the Participant in the Plan as an "Alternate Payee" as defined by Section 414(p)(8) of the Internal Revenue Code and 29 U.S.C. sECTION 1056(D)(3)(k).

This order is intended to be a Qualified Domestic Relations Order pursuant to Internal Revenue Code Section 414(p) and 20 U.S.C. Section 1056(d), so that the plan administrator will be required to pay the benefits as directed herein pursuant to the terms of the trust, Internal Revenue Code Section 414(p)(7)(B) and 29 U.S.C. Section 1057(d)(3)(H)(ii).

A sum equal to One Hundred (100%) Percent of the amount allocated to the account of the Participant in the said Leggett and Platt, Inc. Executive Stock Purchase Plan as of the date of

the entry of the Final Decree of Divorce, is hereby awarded and shall be transferred immediately to the Alternate Payee, under the terms and conditions set forth herein.

The benefits awarded to the Alternate Payee shall be transferred to the Alternate Payee, in a single lump sum payment, by forwarding to 1513 Rosedale Avenue, Nashville, Tennessee 37207 or in the event of the Alternate Payee's death, to a beneficiary properly designated by the Alternate Payee, as soon as administratively feasible, upon the Alternate Payee's execution of all appropriate documents required by Federal law to be executed by distributee of qualified retirement plan assets.

The benefits awarded hereunder shall not be assigned, pledged or otherwise transferred, voluntarily or involuntarily, prior to the receipt of such benefits by the Alternate Payee.

An attested copy of this order is to be served upon the trustee of the plan immediately upon entry.

This order is subject to, and may be modified to the extent required by, The Internal Revenue Code, the Employee Retirement Income Security Act, amendments to either, and to the regulations promulgated thereunder, where applicable to the matters set forth herein. The payment of these funds is intended to be a support debt that will be nondischargeable in the event of the bankruptcy of the obligor spouse pursuant to 11 U.S.C. Section 523(a)(5). This support is necessary to meet the daily living expenses of the nonobligor spouse, and the amount of support is reasonable.

6. All right, title and interest in and to all the personal effects left in the homeplace of the parties shall be the sole property of the wife.

7. All right, title and interest in and to the 1977 Coupe Deville shall be vested in the wife and divested out of the husband and wife shall hold husband harmless from any indebtedness thereon.

8. The husband shall be responsible for any income tax due to the Internal Revenue Service for the years that the parties were married, particularly for 1986, 1987 and 1989, including any interest or penalties thereon, and shall hold wife harmless

therefrom. This payment of taxes is intended to create a support debt that will be nondischargeable in the event of the bankruptcy of the obligor spouse pursuant to 11 U.S.C. Section 523(a)(5). This support is necessary to meet the daily living expenses of the nonobligor spouse, and the amount of support is reasonable.

9. The husband shall be responsible for all joint debts of the parties, as well as any debts that he has incurred individually, and shall hold wife harmless therefrom. The husband shall be responsible for any hospital, doctor and medical bills he has incurred. This payment of the foregoing obligations is intended to create a support debt that will be nondischargeable in the event of the bankruptcy of the obligor spouse pursuant to 11 U.S.C. Section 523(a)(5). This support is necessary to meet the daily living expenses of the nonobligor spouse and the amount of support is reasonable.

10. The attorney for wife, Mary Frances Rudy, shall have a judgment against the husband for his attorney's fees incurred in this cause, in the amount of Seven Hundred & Fifty ($750.00) Dollars, for which execution shall issue, if necessary. These fees are intended to create a support debt that will be nondischargeable in the event of the bankruptcy of the obligor spouse pursuant to 11 U.S.C. Section 523(a)(5). This support is necessary to meet the daily living expenses of the nonobligor spouse, and the amount of support is reasonable.

11. The husband shall be responsible for the court costs incurred in this cause, for all of which execution shall issue if necessary.

IT IS SO ORDERED, ADJUDGED AND DECREED.

ENTERED, this the 29 day of _____, 1990.

JUDGE

APPROVED FOR ENTRY:

MARY FRANCES RUDY
Attorney for Plaintiff
Supreme Ct. No. 13403
1610 Parkway Towers
Nashville, TN 37219
(615) 244-5432

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Decree of Divorce has been mailed to Mr. L. C. Carman, c/o Steiner-Liff Company, 400 Davidson Street, Nashville, Tennessee 37213 on this the 17th day of October, 1990.

Mary Frances Rudy

MARY FRANCES RUDY

STATE OF TENNESSEE

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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 PROBATE Circuit Court for Davidson County, Tennessee, on the 29 day of OCTOBER , 19 90 , in the Case Number 90D1068 between CARMAN, RUTH Plaintiff, and CARMAN, L C Defendant, as same remains of record in Book 057B , Page 01507 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 19 day of SEPTEMBER in the year one thousand nine hundred and ninety-four and in the 219th year of American Independence.

RICHARD R. ROOKER, Clerk,

By Terry Campbell
Deputy Clerk

SEAL

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