IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

95 MAY 23 PM 3:40

NANCY HICKS MULLINS,
Plaintiff,
vs.
ROBERT O. MULLINS,
Defendant.

No. 95D-393

D.C.

FINAL DECREE

This cause came on to be heard on May 11, 1995, before the Honorable Marietta M. Shipley, Judge of the Second Circuit Court for Davidson County, Tennessee, upon the Complaint for Absolute Divorce filed by the Wife, personal service on the Husband, Default Judgment duly entered on April 27, 1995, sworn testimony of the Wife and two (2) witnesses in open Court, statements of counsel and the entire record herein from all of which the Court finds that the Husband has been guilty of inappropriate marital conduct such as entitles the Wife to an absolute divorce; the Court further finds that the parties have one (1) minor child, Robert Landon Mullins, age 14, and that it is in the best interest of the child that his exclusive care, custody and control be awarded to the Wife and that the Husband have reasonable visitation; the Court further finds that the Husband is self-employed, that he has an annual income of $20,000.00 and, that, in accordance with the provisions of T.C.A. 36-5-101(E)(2), he should pay child support in the amount of Two Hundred Eight-Five and 00/100 Dollars ($285.00) per month, said amount to be paid directly to the Wife; the Court further finds that the Husband has vacated the marital residence and that the Wife should receive all furniture, furnishings and fixtures remaining therein and that each party should receive any other personal property currently in his or her possession, including any automobile which he or she may be driving; the Court further finds that the Wife should receive her accumulated pension and retirement benefits through the State of Tennessee; the Court further finds that certain marital debt is outstanding, which debt consists of a first and a second mortgage on the marital residence and a revolving charge account at Castner-Knott; the Court finds that the Wife should pay and be responsible for the current balance of the

first mortgage in the amount of Forty-Six Thousand Five Hundred Forty and 12/100 Dollars ($46,540.12), and that the Husband should pay and be responsible for the balance of the second mortgage in the amount of Twenty-Eight Thousand Seven Hundred Seventeen and 48/100 Dollars ($28,717.48), and of the Castner-Knott account in the amount of Seven Hundred Nine and 73/100 Dollars ($709.73); the Court further finds that prior to 1994, the parties filed joint Federal Income Tax Returns and that with respect to any additional taxes, penalties and interest which may be assessed for those years, the Husband should be responsible for the payment thereof; the Court further finds that the Wife is entitled to alimony in solido such that the Husband should be divested of all right, title and interest in and to the marital residence located at 6108 Frontier Court, Nashville, Davidson County, Tennessee, and the same vested in the Wife; the Court further finds that the Wife should have a judgment against the Husband for her reasonable attorney's fee in the amount of Seven Hundred Fifty and 00/100 Dollars ($750.00); the Court finally finds that the costs of this cause should be taxed to the Husband.

IT IS, THEREFORE, ORDERED as follows:

1. That Nancy Hicks Mullins be, and she hereby is, awarded an absolute divorce from Robert O. Mullins and that she be restored to all of the rights of a single person.

2. That the exclusive care, custody and control of Robert Landon Mullins, age 14, be, and it hereby is, awarded to Nancy Hicks Mullins with reasonable visitation to Robert O. Mullins.

3. That as and for the support of the minor child, Robert O. Mullins shall pay, directly to Nancy Hicks Mullins, the sum of Two Hundred Eight-Five and 00/00 Dollars ($285.00) per month, commencing upon entry of the Final Decree. Said amount shall not be reduced or prorated without first obtaining permission from the Court, shall not be subject to modification after any payment has become due, and shall continue until the child attains his majority or the high school class of which he is a member at the time he reaches age eighteen graduates, whichever event last occurs.

4. That the Wife shall receive, free of any interest of the Husband, all furniture, furnishings and fixtures now located in the marital residence at 1608 Frontier Court, Nashville, Tennessee, any other personal property currently in her possession or under her control, her automobile, and her accumulated pension and retirement benefits from the State of Tennessee.

5. That the Husband shall receive, free of any interest of the Wife, all personal property currently in his possession or under his control and his automobile.

6. That the Wife shall pay and be responsible for the outstanding balance of the first mortgage on the property located at 6108 Frontier Court, Nashville, Tennessee, said amount being Forty-Six Thousand Five Hundred Forty and 12/100 Dollars ($46,540.12), and shall indemnify and hold the Husband harmless therefor.

7. That the Wife shall have a judgment against the Husband in the amount of Twenty-Nine Thousand Four Hundred Twenty-Seven and 21/100 Dollars ($29,427.21), which amount represents the outstanding balance of the second mortgage on the property located at 6108 Frontier Court, Nashville, Tennessee, of Twenty-Eight Thousand Seven Hundred Seventeen and 48/100 Dollars ($28,717.48), and the outstanding balance of the Castner-Knott revolving charge account of Seven Hundred Nine and 73/100 Dollars ($709.73), for which amount let execution issue, if necessary.

8. That the Husband shall pay and be responsible for any additional taxes, penalty and interest which may be assessed by the Internal Revenue Service with respect to any joint tax returns filed by the parties for tax years prior to 1994, and shall indemnify and hold the Wife harmless therefor.

9. That all right, title and interest of Robert O. Mullins in and to the marital residence located at 6108 Frontier Court, Nashville, Davidson County, Tennessee, said property being more particularly described as:

> Lot No. 54 on the Plan of the Highlands, Section 3, as of record in Book 5050, page 14, Register's Office for said County, to which plan reference is hereby made for a more complete and accurate description.

Being the same property conveyed to Robert O. Mullins and wife, Nancy Hicks Mullins by deed of record in Book 5353, page 138, Register's Office for Davidson County, Tennessee.

shall be, and it hereby is, divested from Robert O. Mullins and vested in Nancy Hicks Mullins.

10. That as and for her reasonable attorney's fee, Nancy Hicks Mullins is awarded a judgment against Robert O. Mullins in the amount of Seven Hundred Fifty and 00/100 ($750.00), for which amount let execution issue, if necessary.

11. That the costs of this cause are taxed to Robert O. Mullins, 1509 Brian Street, Lebanon, TN 37087, for which amount let execution issue, if necessary.

ENTER this _____ day of May, 1995.

JUDGE

Approved for Entry:

VICKY V. KLEIN, BPR# 10015
Attorney for Wife
509 Lentz Drive
P. O. Box 608
Madison, TN 37116-0608
(615) 865-5533

Current address of the parties:

Nancy Hicks Mullins
6108 Frontier Court
Nashville, TN 37211

Robert O. Mullins
1509 Brian Street
Lebanon, TN 37087

CERTIFICATE OF SERVICE

The undersigned hereby certifies that an exact copy of the foregoing Final Decree has been mailed, postage pre-paid, to Mr. Robert O. Mullins, 1509 Brian Street, Lebanon, TN 37087, on this 16th day of May, 1995.

VICKY V. KLEIN

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STATE OF TENNESSEE

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 _23 day of _MAY , 19 _95 , in the Case Number _950393 between _MULLINS, NANCY HICKS Plaintiff, and _MULLINS, ROBERT O. Defendant, as same remains of record in Book 158C , Page _1642 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 _22 day of _JUNE in the year one thousand nine hundred and _ninety-five and in the _219th_ year of American Independence.

RICHARD R. ROOKER, Clerk,

By _Jerry Campion_
Deputy Clerk

SEAL

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IDENTIF. & REFERENCE

95 JUN 23 AM 9:25
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

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