IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED

JUL 27 1995

SARAH N. HUMPHREY,)
)
Petitioner,)
)
v.) No. 94D-622
)
JAMES EATON HUMPHREY, JR.,)
)
Respondent.)

BOOK 9841 PG 525

FINAL DECREE

This cause came to be heard on the 27th day of June, 1995, before the Honorable Muriel Robinson, Judge of the Fourth Circuit of Davidson County, Nashville, Tennessee, upon Plaintiff's Complaint for absolute divorce and Defendant's Counter-complaint for absolute divorce. Prior to the Court hearing evidence in this cause, the parties stipulated pursuant to T.C.A. § 36-4-129(b) that both parties have grounds for a divorce and consequently this Court hereby finds and declares that pursuant to T.C.A § 36-4-129(b) the parties should be declared divorced. The Court then proceeded to hear evidence and upon hearing all of the evidence in this case, arguments of counsel for both parties, and upon the consideration of the record as a whole, it is hereby, ORDERED, ADJUDGED AND DECREED as follows:

1. That pursuant to the stipulation of the parties under T.C.A. § 36-4-129(b), the parties are hereby declared divorced.

2. That the Agreed Order entered in this cause on July 15, 1994 which divided a significant portion of the marital estate was a fair and equitable division and said Agreed Order is hereby incorporated into this Final Decree as if set forth herein, and a copy of said Agreed Order is attached hereto and incorporated herein as Exhibit "1."

3. That the Defendant/Husband is awarded the unimproved real property located at lot 32, Nix Drive, Madison, Davidson County, Tennessee. The Court specifically finds that since it is awarding this property to the Defendant/Husband, his credit in the amount of $11,725.00 which resulted from the earlier Agreed Order of July 15, 1994, (Exhibit "1" hereto) is hereby extinguished.

1 of 1 A

4. That the Defendant/Husband is awarded the marital residence located at 211 Nix Drive, Madison, Davidson County, Tennessee and that the Plaintiff/Wife is entitled to a lump sum of $37,500.00 for her share of the marital residence, and said lump sum shall be paid to Plaintiff/Wife within 90 days of the date of the entry of this Final Decree, and Plaintiff/Wife is entitled to statutory interest of 10% per annum beginning 30 days from the date of entry of this Final Decree. In addition, the Defendant/Husband's title to said property is subject to Plaintiff/Wife's lien as set forth herein, and said lien will only be extinguished upon full payment, including interest, of Plaintiff/Wife's share. Wife shall sign a quitclaim deed conveying her interest to the husband upon receipt of the sum of $37,500 plus any accrued interest as set forth herein.

5. That the Defendant/Husband is awarded the unimproved property located on Old Hickory Blvd., Davidson County, Tennessee and that the Plaintiff/Wife is entitled to a lump sum of $3,500.00 for her share of this property, and said lump sum shall be paid to Plaintiff/Wife within 90 days of the date of the entry of this Final Decree, and Plaintiff/Wife is entitled to statutory interest of 10% per annum beginning 30 days from the date of entry of this Final Decree. In addition, the Defendant/Husband's title to said property is subject to Plaintiff/Wife's lien as set forth herein, and said lien will only be extinguished upon full payment, including interest, of Plaintiff/Wife's share. Upon payment of the sum of $3,500.00 plus any accrued interest as set forth herein, wife shall sign a quitclaim deed conveying her interest to husband.

6. That the joint property of the parties referred to as the Williamson County property located at 5596 Boy Scout Road, Franklin, Tennessee, be appraised by an appraiser selected by the Court with the costs of said appraisal divided equally between the parties and taxed hereto to the costs of this cause. The Court hereby appoints J. Donald Turner & Assc., Turner Professional Bldg., 5100 Linbar Drive Suite 100, Nashville, Tn 37211 (615) 831-2727 to appraise said property and file said appraisal with the Court and the Court reserves and retains jurisdiction of this property pending further orders of this Court.

'95 16

7. That neither party is entitled to rehabilitative, in solido, or periodic alimony.

8. That each party will be responsible for their attorney's fees and discretionary costs, and it is further ordered by this Court that the attorneys of record shall have a lien for their reasonable attorney's fees and costs against their client's respective marital estate for which execution may issue if necessary.

9. That the Court finds that the personal property of the parties shall be divided as follows: That the Husband will be awarded all of the items listed on the right-hand side of Plaintiff's Exhibit 13 (attached hereto as Exhibit "2"); and the wife will be awarded all of the items on the left-hand side of Plaintiff's Exhibit 13, except for the wagon rain lamp, the washer and dryer, the satellite dish, the satellite receiver, boxes with the remote, the water purifier, and the dining room suit, all of which will be awarded to the husband. With respect to the marble top tables listed on the left-hand side of Exhibit 13, the wife will get two of the four marble top tables and the husband will get the remaining two. However, if only two remain the wife will receive these two.

10. That the Plaintiff/Wife is not entitled to any sums of money for her loss of use of the marital residence or of the rental property.

11. That each party shall execute any and all documents associated with the transfer of properties as set forth herein.

12. That Wife shall be awarded the cash value, if any, in a life insurance policy of the Husband.

13. That each party will be responsible and pay one-half (1/2) the cost of this action, for which execution may issue if necessary.

It is so ordered.

MURIEL ROBINSON, JUDGE

7-27-95

APPROVED FOR ENTRY:

Bob Lynch Jr

BY: BOB LYNCH, JR.
P.R. #6298
222 Second Avenue North
Suite 316
Nashville, TN 37201
(615) 255-2888

ATTORNEY FOR WIFE

L. Ralph Demarco by Bob Lynch Jr

BY: L. RALPH DEMARCO
P.R. #
Suite 400, Washington Square
214 Second Avenue, North
Nashville, TN 37201
(615) 256-6681

ATTORNEY FOR HUSBAND

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been served upon L. Ralph Demarco, Suite 400 Washington Square, 214 Second Avenue North, Nashville, TN 37201, on this the 27 day of July, 1995.

Bob Lynch Jr

BOB LYNCH, JR.

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
1994 JUL 15 PM 12:33
RICHARD R. ROOKER, CLERK
D.C.

SARAH N. HUMPHREY)
)
VS.) 94D-622
)
JAMES ELTON HUMPHREY, JR.)

BOOK 9841 PG 529

AGREED ORDER

The parties in this cause met in the office of the Defendant's attorney on May 20, 1994, and entered into the following agreement as it appeared to each of the parties that the court would, in all likelihood, divide the property of the parties equally. Therefore in order to save time and expense, and for the mutual consideration of each of the parties, they have agreed to divide the real estate on an equal basis as follows:

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JUL 27 1995
RICHARD R. ROOKER, CLK.

Each of the parties has a list of all the real estate owned by the parties, together with the appraised value by the local tax accessor, together with the amount of mortgage owed on each piece of property, if any, together with any delinquent taxes. All three of these items have been added and the grand total shown in order that the parties can adequately share and share alike all the property that they own.

The parties have flipped a coin as to who would have the first selection and they will alternate selecting the property. The division of the homeplace and Williamson County property of the parties will await further agreement, along with certain other property that is listed herein.

The said properties and said encumbrances are on a list attached hereto and made a part of this agreement. When the parties have each selected their proposed one-half of said assets, there could well be a discrepancy in the fifty/fifty allocation. In that event, the parties will adjust, through their attorneys, the values to a point where each party will ultimately receive one-half of all the property they now own.

The parties herein have not as yet agreed to the following:

1. A division of the personal property of the parties;

2. The question of income on said properties prior to May 20, 1994.

EXHIBIT
1

FOURTH CIRCUIT

IT IS SO ORDERED, ADJUDGED AND DECREED.

Entered this 15th day of July, 1994.

JUDGE

APPROVED FOR ENTRY:

Bob Lynch, Jr. #6298
Attorney for Wife
Suite 316, Washington Square
222 Second Avenue, North
Nashville, Tennessee 37201
(615) 255-2888

Sarah A. Humphrey

David C. Rutherford, #2706

L. R. DeMarco, #

Attorneys for Husband
Suite 400, Washington Square
214 Second Avenue, North
Nashville, Tennessee 37201
(615) 256-6681

James Elton Humphrey, Jr.

Pursuant to the Agreement entered into on this 25th day of May, 1994, between the parties herein, the following described property chosen by Sarah Humphrey.

Address

1. 210 May Drive
2. 210 Nix Drive
3. 201-203 Scalf Drive
4. 219 Emmett Avenue
5. 207A Nix Drive
6. 327 Nix Drive
7. 215 Scalf Drive
8. 208-A & B May Drive
9. 208-C & D May Drive
10. 1112 Old Hickory Boulevard
11. 1120 Old Hickory Boulevard
12. 404 Delaware Avenue
13. Land located in Stewart County
14. Land located on Dry Creek Road

BOOK 9841 PG 531

FILED

JUL 27 1995

RICHARD R. ROSS, JR., C.C.C.
By _____ Deputy

Sarah Humphrey
SARAH HUMPHREY

James Humphrey
JAMES HUMPHREY

1. 43-10-0-005.00
2. 43-10-0-019.00
3. 43-10-0-027.00
4. 51-08-0-035.00
5. 43-10-0-012.00
6. 43-06-0-097.00
7. 43-10-0-024.00
8. 43-10-0-004.00
9. 43-10-0-098.00
10. 43-15-0-153.00
11. 41-09-0-062.00
12. 43-09-0-347.00
13. 24-171

See Exhibit 13

SARAH HUMPHREY v. JAMES HUMPHREY

Pursuant to the Agreement entered into on the 20th day of May, 1994, between the parties herein, the following is the property chosen by James Humphrey.

BOOK 9841 PG 532

Address

1 208 Nix Drive
2 171-169 Scalf Drive
3 222 Nix Drive
4 331 Nix Drive
5 202 Nix Drive
6 155 Scalf Drive
7 104 Forest Park
8 325 Nix Drive (325 N/X)
9 207B Nix Drive
10 329 Scalf Drive
11 333 Scalf Drive
12 1116 Old Hickory Boulevard
13 203 Nix Drive
14 Land located in Maury County

SARAH HUMPHREY

JAMES HUMPHREY

1 TCA
2 43-10-0-028.00
3 43-10-0-022.00
4 43-06-0-086.00
5 43-10-0-017.00
6 43-10-0-029.00
7 43-13-0-117.00
8 43-06-0-351.00
9 43-10-0-103.00
10 43-06-0-349.00
11 43-06-0-106.00
12 43-15-0-160.00
13 43-10-0-014.00
14 in Maury County

PLAINTIFF'S PROPOSED DIVISION OF MARITAL ESTATE
INCLUDING PROPERTY DIVIDED IN AGREED ORDER

BOOK 9841 PG 533

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JUL 27 1995

RICHARD ROGERS, Clerk
By Deputy

TO WIFE	VALUE	TO HUSBAND	VALUE
PERSONAL ITEMS IN POSSESSION OF WIFE			
Miscellaneous household items	$2075.00		
TOTAL:	$2075.00		
WIFE'S PROPOSED DISTRIBUTION OF REMAINING PERSONAL ITEMS			
2 Lion Statues	$50.00	Filing cabinet	$125.00
1 Wagon wheel rain lamp	$75.00	Driving lawn mower	$200.00
2 Solid brass candle sticks	$150.00	4/5 Kerosene heaters	$200.00
4 Marble top tables	$400.00	Pink refrigerator	$200.00
2 Plant Statues on front porch	$100.00	Black couch & chair	$150.00
2 Gold mirrors w/marble shelf	$100.00	Push lawn mowers	$90.00
Chifforobe in bedroom	$200.00	Filing cabinet	$100.00
French provincial bedroom set	$300.00	Metal desk	$200.00
French provincial dining room set	$200.00	2 Portable color televisions	$100.00
Dry sink cabinet	$100.00	Electric drills	$90.00
Avon dishes	$50.00	Skill saws	$150.00
Brown mirror in bedroom w/marl	$50.00	3 chain saws	$150.00
2 Small marble top shelves	$40.00	Bed in recreation room	$100.00
Blue flowered dishes	$20.00	Ceiling texturizer	$5000.00
Costume jewelry	$300.00	2 Black chairs in den	$60.00
School diplomas	n/a	Jacuzzi	$1200.00
White round kitchen table	$30.00	4 refrigerators in basement	$400.00
Solid cherry desk	$75.00	3 rocking chairs on front porch	$90.00
Calculator	$35.00	Swing on front porch	$30.00
Typewriter	$100.00	Wood desk in recreation room	$40.00
Washer & dryer	$200.00	Assorted tools	$400.00
Figurines	$300.00	Antique clock	$100.00
Long mirror & table w/shelf	$150.00	Red school bus	$3000.00
2 Darkwood straight chairs	$400.00	18 wheel trailer	$4500.00
2 Five arm sconces	$80.00	2 Trailers	$5000.00
French telephone	$60.00	White storage trailer	$2400.00
Satellite dish	$3000.00	Police scanner	$300.00
Satellite receiver boxes w/remot	$1000.00	Tool shed	$200.00
Water purifier	$400.00	16 assorted guns	$8000.00
Waterless cookware	$400.00	3 2-way radio transmitters	$4500.00
		Radio base station	$10000.00
		VCR in recreation room	$250.00
		Kabota tractor	$14500.00
		Front end loader for tractor	$3000.00
		Plow	$350.00
		Bush hog	$700.00
		Gravel scrapper	$350.00
TOTAL:	$8365.00	TOTAL:	$66225.00
PROPERTY NOT DISTRIBUTED IN AGREED ORDER			
Residence	$44950.00	Residence	$44950.00
Old Hickory Property	$3250.00	Old Hickory Property	$3250.00
Williamson County Property	$40897.50	Williamson County Property	$40897.50
Lot 32, Nix Drive	$5500.00	Lot 32, Nix Drive	$5500.00

EXHIBIT
2

PLAINTIFF'S PROPOSED DIVISION OF MARITAL ESTATE INCLUDING PROPERTY DIVIDED IN AGREED ORDER

TOTAL:	$94597.50	TOTAL:	$94597.50
PROPERTY DISTRIBUTED IN AGREED ORDER			
210 May Drive	$77702.90	208 Nix Drive	$57800.00
210 Nix Drive	$56664.65	171-169 Scalf Drive	$47783.56
201-203 Scalf Drive	$47700.00	222 Nix Drive	$46116.75
219 Emmett Ave	$41148.45	331 Nix Drive	$42469.21
207-A Nix Drive	$36243.63	202 Nix Drive	$30729.15
327 Nix Drive	$30692.98	155 Scalf Drive	$23008.73
215 Scalf Drive	$25792.98	104 Forest Park	$38862.91
208 A&B May Drive	-$10194.66	325 Nix Drive	$11000.00
208 C&D May Drive	-$8994.66	207 Nix Drive	$10884.00
1120 Old Hickory Blvd.	$6358.24	329 Scalf Drive	$8724.00
1112 Old Hickory Blvd.	$5858.24	333 Scalf Drive	-$20176.00
404 Delaware Avenue	$4118.91	1116 Old Hickory Boulevard	$6358.24
Land located in Stewart County	$800.00	203 Nix Drive	$5000.00
Land located on Dry Creek Road	$19090.77	Land Located in Maury County	$12700.00
TOTAL:	$332982.43	TOTAL:	$321260.55
		CREDIT	~~$11721.88~~
TOTAL TO WIFE:	$438019.93	TOTAL TO HUSBAND:	$493804.93
WIFE'S LOST INCOME FROM RENTAL PROPERTY:	$14912.00		
WIFE'S LOSS OF USE OF RESIDENCE:	$11418.15		
WIFE'S ATTORNEY FEES AND EXPENSES:	$8144.08		
GRAND TOTAL TO WIFE:	$472494.16	GRAND TOTAL TO HUSBAND	$493804.93

EXHIBIT 13

BOOK 9841 PG 535

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JUL 27 1995

Susan Hemingway				James Humphrey			
	Address:	Value:	Taxes:		Address:	Value:	Taxes:
37,703.93	210 May Drive NM	78,800	1097.10	57,800	208 Nix Drive NM	57,800	—
26,664.65	210 Nix Drive NM	57,800	1133.35	47,783.56	171/169 Scalf Drive NM	47,900	116.41
47,700	201-205 Scalf Drive NM	47,700	—	46,116.75	222 Nix Drive NM	47,000	116.41 766.81
41,148.45	219 Emmett Ave. NM	41,500	351.55	42469.21	331 Nix Drive NM	43,400	930.79
36,243.63	207 Nix Drive NM	36,600	356.37	30,729.15	202 Nix Drive NM	31,100	370.85
30,692.98	327 Nix Drive NM	31,100	407.02	23,008.73	155 Scalf Drive NM	23,300	291.27
25,792.98	215 Scalf Drive NM	26,200	407.02	38,862.91	104 Forest Park NM	39,200	337.09
(10,194.66)	(208 May Drive A&B Mortgage *49,960	40,700	934.66)	11,000	325 Nix Drive NM	11,000	—
(8994.66)	208 May Drive C&D Mortgage *49,960	41,900	934.66)	10,884.00	207 Nix Drive NM	11,000	116.00
800.00	Stewart Co Land	#800	—	8724.00	329 SCALF DR	59,100	
558.24	1112 OLD Hickory Blvd	6,500 (NM)	141.76	(-(20,176.00)	333 SCALF DR	30,200	
558.24	1120 OLD Hickory Blvd (NM)	6,500	141.76	6358.24	1116 Old Hickory NM	6,500	141.76
9,090.27	Dry Creek Rd (NM)	19,300 M-25,584	209.73	5000.00	205 NIX (27,400) (1700)	34,700	NT
8.91	404 Delaware Ave	3,200	337.09	12,700	MAIN CO (NM)	12,700	NT

332,982.43
(11,725)
321,257.24

95 OCT 30 AM 9:45
FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.

IDENTIFICATION REFERENCE
016945

1111K

BOOK 9841 PG 536

STATE OF TENNESSEE

I, RICHARD R. ROOKER, Clerk of the Chancery Court of Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order entered in the Chancery Court of Davidson County, Tennessee, on the 22 day of June, 19 70, in the cause styled [illegible] between [illegible] Plaintiffs, and [illegible] Defendants, as same remains on record in Book 3844, Page 1 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Court, at office, in Nashville, this 22 day of June in the year one thousand nine hundred and seventy and in the 194th year of American Independence.

RICHARD R. ROOKER, Clerk,

By [signature]
Deputy Clerk

1970 10/30 0101 03CHECK 48.00