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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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RICHARD R. ROOKER, CLERK

PATRICIA ANN LINDISH,

Plaintiff,

vs.

RONALD DAVID LINDISH,

Defendant.

No. 95D-480

FINAL DECREE OF DIVORCE BOOK 9853 PG 315

This cause came on to be heard for final hearing for divorce on the day of 31st day of July, 1995, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee; and after the testimony of the parties and witnesses, the introduction of exhibits, statement of counsel and the entire record in this cause, the Court was of the opinion that the parties should be declared divorced pursuant to T.C.A. § 36-4-129 with the stipulation that both parties are guilty of misconduct against the other; and the establishing of custody, child support, visitation and a division of the marital property, all of which became the orders of the Court, to-wit:

It is, therefore, ORDERED, ADJUDGED and DECREED that the parties are divorced pursuant to T.C.A. § 36-4-129 with the stipulation that both parties are guilty of misconduct against the other, that both parties are restored to all the rights and privileges of unmarried persons and that the bonds of matrimony are hereafter forever and perpetually dissolved.

It is, further, ORDERED, ADJUDGED and DECREED that all right, title and interest in and to the parties' homeplace is hereby divested out of the Husband, Ronald David Lindish, and all right, title and interest in and to said real estate is vested solely in the name of the Wife, Patricia Ann Lindish, subject to the mortgage thereon, said property being commonly known as 3616 Woodbridge Drive, Nashville, Tennessee 37217, and more particularly described as follows, to-wit:

> Being Lot No. 408 on the Plan of Priest Lake Park, Section 6, of record in Plat Book 5050, pages 21 and 22, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Ronald D. Lindish and wife, Patricia A. Lindish, by deed from Kenneth and Nancy Green, of record in

Book _____, page _____, said Register's Office.

It is, further, ORDERED, ADJUDGED and DECREED that the Wife shall refinance said real property within ninety (90) days of the date of this Order to the end result that the Husband shall be relieved of any liability for the mortgage thereon and, in the event the Wife is unable to refinance said real property, then said home shall be sold and, after the first mortgage is paid and the expenses of the sale, the Wife shall be awarded the equity therein exclusive of any claims of the Husband.

It is, further, ORDERED, ADJUDGED and DECREED that the custody of the parties' two minor children, Elizabeth Ann Lindish, DOB 4/1/89, and Sara Jane Lindish, DOB 9/17/92, is hereby awarded to the Wife.

It is, further, ORDERED, ADJUDGED and DECREED that the Wife shall be solely responsible for any debt that is due and owing to her parents, including the Husband's one-half (1/2), in that the Court has off-set said debt with the Wife's receipt of all the equity in the real estate.

It is, further, ORDERED, ADJUDGED and DECREED that each of the parties shall be responsible for one-half (1/2) of the payment on the First Deposit debt balance in the amount of Sixteen Thousand Nine Hundred Fifteen and 61/100 Dollars ($16,915.61), the debt on the Discover Card in the amount of One Hundred Eighty-Eight and 59/100 Dollars ($188.59) and the Wachovia card in the amount of Four Hundred Twenty-Seven and 37/100 Dollars ($427.37). These three (3) accounts shall be closed immediately. No further or other charges on the credit of each other will be permitted. The payments on these debts are adjudged by the Court to be alimony payments and are made necessary by both for the support of the minor children; said debts are non-dischargeable in bankruptcy to either party unless the parties agree to each take bankruptcy in this regard as to these debts.

It is, further, ORDERED, ADJUDGED and DECREED that the Husband is awarded the sole ownership of the television in the den of the parties' homeplace and the television in the kitchen of the

parties' homeplace. The Husband shall be solely responsible for the payment of the debt owing on the television to H. H. Gregg and shall hold the Wife harmless therefor and indemnify her for any losses therefrom. The Wife is hereby awarded the sole ownership of the furniture which is in the den, subject to the Rhodes account and the Wife shall be solely responsible for the payment of the Rhodes furniture debt and shall hold the Husband harmless therefor and indemnify him for any losses therefrom.

It is, further, **ORDERED, ADJUDGED** and **DECREED** that the Husband shall pay directly to the Wife the sum of Seven Hundred Thirty Dollars ($730.00) per month as child support for the support and maintenance of the parties' two minor children. The Husband shall furnish hospitalization and medical insurance for said minor children. The parties will equally divide any deductible or any claims not paid by said hospitalization and medical insurance.

It is, further, **ORDERED, ADJUDGED** and **DECREED** that the Husband is hereby awarded visitation with the parties' two minor children as previously ordered pendente lite, which is every other week to be exercised on the two days which the Husband has off from work. Further, the parties are ordered to communicate during the visitation transfer as to medicines or any kind of circumstances that a parent may need to know about the children. The Wife shall have the children in her possession in even numbered years on Easter Sunday, July the 4th and Thanksgiving Day, and the Husband shall have the children in his possession on said holidays in odd numbered years. The Wife shall have the children in her possession in odd numbered years on New Year's Day, Memorial Day and Labor Day, and the Husband shall have the children in his possession on said holidays in even numbered years. The visitation for said holidays shall begin at 6:00 p.m. on the eve of the holiday and end at 8:00 p.m. on the day of the holiday. The parties shall alternate weeks at Christmas with the Wife having the children in her possession the week before Christmas to 9:00 p.m. Christmas Eve, and the Husband picking up the children at 9:00 p.m. Christmas Eve and having them in his possession through Christmas Day and the

week thereafter in odd numbered years, and said visitation shall be reversed in even numbered years. The Wife shall have the children in her possession during spring break in odd numbered years, and the Husband shall have the children in his possession during spring break in even numbered years. The Husband is hereby awarded visitation with the minor children on Father's Day beginning at 8:00 a.m., if the same does not fall on his usual visitation weekend. The Wife shall have the minor children in her possession on Mother's Day of each year beginning at 8:00 a.m. and on both of these holidays said visitation is to end at 6:00 p.m. If any of said holidays occurs on the weekend when the children are to be in the other parent's possession, then said holiday takes precedence over the weekend visitation. The parties shall equally divide the birthdays with the children. The Husband is awarded extended summer visitation in the month of July of each year and the Wife is awarded visitation on the middle weekend of July from 6:00 p.m. on Friday until 6:00 p.m. on Sunday.

It is, further, ORDERED, ADJUDGED and DECREED that the parties shall be awarded the sole ownership of the household furnishings as indicated for each party on Exhibit No. 1 and the same is incorporated into this Order by reference with the following exceptions: the Wife is awarded the sole ownership of the television in the master bedroom; the Husband is awarded the sole ownership of the wicker chest and the white wicker mirror in the extra bedroom, with the Wife being awarded the other furnishings therein; the Husband is awarded the sole ownership of the coffee table, end table and the lamp in the living room, with the Wife being awarded the sole ownership of the other items therein; the Wife is awarded the sole ownership of the picture of the children and the Precious Moments figurines; the Husband is awarded the sole ownership of the set of dishes that are packed up and the set of glasses that are appropriate for those dishes, the Visions cookware and, the bowl and pitcher, with the Wife being awarded the sole ownership of all other furnishings in the kitchen including the flatware, the picture of Charleston and the china; the Husband is

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awarded the sole ownership of the den stereo and the Charleston picture in the den, with the Wife being awarded all other furnishings in the den, including the eagle picture and the Charleston house collection; the Wife shall retain ownership of the freezer which is located in the garage until the same is empty or until March 1, 1996, at which time the freezer becomes the sole property of the Husband; the Husband is awarded the deck table, umbrella and four (4) chairs; the Husband is awarded duplicate of the pictures in the hallway and the trash can. It appear that the brass mirror and curio in the hallway are not items that can be disposed of by the Court since the owners are not properly before the Court. All of the rest of the items on Exhibit 1 are items that the Wife would get or the Husband would get and that are not in dispute.

It is, further, ORDERED, ADJUDGED and DECREED that each party shall pay his or her own attorney's fees and that the parties shall equally divide the court costs herein, for which execution may issue if necessary.

ENTER this the 24th day of August, 1995.

Muriel Robinson, Judge

APPROVED FOR ENTRY:

Dick Clark #2892
Suite 112
3354 Perimeter Hill Drive
Nashville, TN 37211
(615) 834-3066
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned certifies that he has provided a true and accurate copy of the foregoing document to David O. Huff, Esq., Washington Square Suite 204, 214 Second Avenue North, Nashville, TN 37201 by U. S. Mail, first class postage prepaid this 27 day of August, 1995.

Dick Clark

STATE OF TENNESSEE

BOOK 9853PG320

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 FOURTH Circuit Court for Davidson County, Tennessee, on the 29 day of AUGUST , 19 95 , in the Case Number 950480 between LINDISH, PATRICIA ANN Plaintiff, and LINDISH, RONALD DAVID Defendant, as same remains of record in Book 2470 , Page 1640 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 24 day of OCTOBER in the year one thousand nine hundred and ninety-five and in the 220th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

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