VIOLET MAE HEARD
1417 Lischey Avenue, Apt. B
Nashville, TN 37207

Plaintiff,

vs.

COLUMBUS HEARD
1201 Meridian Street
Nashville, TN 37207

Defendant.

FILED

IN THE SECOND CIRCUIT COURT

FOR DAVIDSON COUNTY, TENNESSEE

PRO BONO CLINIC CASE

Docket No. 95D-646

BK 10040 PG 614

AMENDED FINAL DECREE OF DIVORCE

This cause came to be heard on the 20th day of February, 1996, before the Honorable Marietta Shipley, Judge of the Second Circuit Court, upon the Plaintiff's Complaint for Absolute Divorce, with personal service of process on the Defendant on March 2, 1995. Upon the sworn testimony of the Plaintiff and Defendant in open court, the parties' Income/Expense and Asset Statements, the statements of counsels, and the entire record herein, from all of which the Court finds that the allegations of the complaint are sustained by proof: that is, that the Defendant has been guilty of inappropriate marital conduct towards the Plaintiff as renders further cohabitation unsafe and improper.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Plaintiff, Violet Mae Heard, be and is hereby awarded an Absolute Divorce from the Defendant, Columbus Heard, and the parties are restored to all of the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff is awarded permanent alimony for the life of the Plaintiff in the amount of One Hundred, and Fifty Dollars ($150.00) per month, beginning on May 1, 1996, and continuing to be paid on the first of every month thereafter. The permanent alimony award shall remain in effect until the death of the Plaintiff or the Defendant, but shall not terminate in the event that the Plaintiff shall decide to remarry.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff is award a Judgment of Three Thousand Dollars ($3,000.00), plus the

statutory post judgment interest rate of ten percent (10%) per annum, for her portion of the equity in the jointly owned residence located at 1201 Meridian Street, and that the Plaintiff is also awarded a Lien against said residence for satisfaction of this Judgment. The ownership of said residence is now invested in the Defendant and any ownership interest is hereby divested out of the Plaintiff except for the Lien awarded above. Said Judgment will be paid to the Plaintiff at the rate of One Hundred Dollars ($100.00) per month, beginning May 1, 1996, and continuing to be paid on the first of every month thereafter until said Judgment with interest is paid in full.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff's counsel, Mr. Peter B. Halverstadt, Attorney at Law, is awarded a Judgment of One Thousand, Nine Hundred, Forty-Two Dollars and Eighty-Three Cents ($1,942.83), but with no interest, for reasonable attorney fees and costs. This Judgment shall constitute additional alimony for the Plaintiff. Said Judgment will be paid at a rate of Eighty-Four Dollars ($84.00) per month, beginning May 1, 1996, and continuing to be paid on the first of every month thereafter until said Judgment is paid in full, along with the payment of the Plaintiff's monthly alimony and equity Judgment amounts. Therefore, the Defendant will submit Three Hundred, and Thirty-Four Dollars ($334.00) per month to the Clerk of this Court, located at 506 Metro Courthouse, Nashville, TN, 37201, together with the Clerk's lawful fee of five percent ($16.70) for a total monthly payment of Three Hundred, Fifty Dollars and Seventy Cents ($350.70).

IT IS FURTHER ORDERED, ADJUDGED and DECREED that, upon receipt of said payments, the Clerk shall send Three Hundred, Thirty-Four Dollars ($334.00) to the Plaintiff at the address above or to any subsequent address given to them by the Plaintiff, and the Plaintiff shall then forward Eighty-Four Dollars ($84.00) to her counsel for payment on the Judgment for reasonable attorney fees.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that, once the Plaintiff's Residential Equity and the counsel's Attorney Fee

Judgments are satisfied, the Defendant shall continue to pay the One Fifty Dollars ($150.00) per month permanent alimony, along with the Clerk's lawful fee of five percent ($7.50), for a total amount of One Hundred, Fifty-Seven Dollars and Fifty Cents ($157.50).

IT IS FURTHER ORDERED, ADJUDGED and DECREED that no action by the parties shall be effective to reduce said support and/or Judgments after the due date of each payment and court approval must be obtained before said support and/or Judgments can be reduced or terminated.

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IT IS FURTHER ORDERED, ADJUDGED and DECREED, that the Plaintiff is declared to be a Co-Beneficiary of the Defendant's Twenty-Five Thousand Dollar ($25,000.00) Life Insurance Policy. The Plaintiff will received Fifty Percent (50%) of the policy proceeds, while the remaining other two (2) Co-Beneficiaries, the Defendant's daughter and granddaughter, will receive the other Fifty Percent (50%) of the policy proceeds. In the event that either the Plaintiff, on the one hand, or the other two (2) Co-Beneficiaries, on the other hand, should be deceased when the policy proceeds are distributed, then the remaining beneficiary(s) will received One Hundred Percent (100%) of the policy proceeds.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff is awarded a Judgment against the Defendant for all medical debts incurred by the Defendant and jointly loans used by the Defendant to purchase vehicles, and that the Defendant alone will be held solely accountable for said debts and that the Plaintiff shall be held harmless for said debts. This Judgment is awarded as support necessary for the maintenance and well-being of the Plaintiff, and therefore is non-dischargeable in bankruptcy.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendant will retain ownership of the three (3) vehicles in his possession, namely a 1992 Maxima, a mid-1980s Buick, and a 1982 Chevy Van, and the Plaintiff will retain ownership of household furniture in her possession, these two (2) groups of possession being agreed upon as

equivalent in value during the Pre-Trial Conference held on February 15, 1996.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Plaintiff is awarded all right, title, and interest in the personal property presently in her possession, and that Defendant is divested of all interest in said property.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the costs of this cause be and are hereby taxed to the Defendant, for which execution shall issue if necessary.

ENTERED this 16th day of April, 1996. BK. 10040 PG 617

Judge

Respectfully Submitted:

Peter B. Halverstadt
Attorney at Law
BPR No. 016721
P.O. Box 158521
Nashville, TN 37215
(615) 292-1814

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Amended Final Decree of Divorce was mailed, postage pre-paid, to the Defendant's attorney, C. Alex Meacham, at his last known address, 5220 Murfreesboro Road, LaVergne, TN 37086, on this 5th day of April, 1996.

Peter B. Halverstadt

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FELIX Z. ... REGISTER
DAVIDSON COUNTY, TN.
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IDENTIF. # REFERENCE

STATE OF TENNESSEE

10040 PG 618

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 16 day of APRIL , 19 96 , in the Case Number 95D646 between HEARD, VIOLET MAE Plaintiff, and HEARD, COLUMBUS Defendant, as same remains of record in Book 163B , Page 1252 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 06 day of MAY in the year one thousand nine hundred and ninety-six and in the 220th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

20.00