FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

96 MAY 22 PM 3:57

RICHARD R. ROOKER, CLERK

D.C.

DIANE MARY CHABOT BEARD)
)
Plaintiff/Counter-Defendant,)
)
v.) No. 94D-4141
)
JOHN EARL BEARD)
)
Defendant/Counter-Plaintiff.)

BOOK 10121 PG 976

FINAL DECREE OF DIVORCE

This matter came on to be heard on the 15th and 22nd days of April, 1996, upon the Complaint of the Plaintiff, Diane Marie Chabot Beard (hereinafter "Wife") and the Counter-Complaint of the Defendant, John Earl Beard (hereinafter "Husband"). After testimony of the parties and witnesses, review of the file and argument of counsel for the parties, the Court hereby rules as follows:

1. That the Wife is hereby granted an absolute divorce on the grounds of adultery and inappropriate marital conduct.

2. That all right, title and interest to the homeplace located at 5612 Regatta Boulevard, Hermitage, Tennessee 37076 (hereinafter "Homeplace") is hereby divested out of Husband and vested solely to Wife, subject to the existing mortgage./ holding the Husband harmless thereon. Said Homeplace located at 5612 Regatta Boulevard, Hermitage, Tennessee 37076 is further described as follows:

0203959
IDENTIFICATION REFERENCE

96 JUL 16 AM 9:57
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

BEING Lot No. 173, on the plan of Lakeshore, Phase 2-B, of record in Plat Book 7900, Page 599, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.

BEING the same property conveyed to Frank Batson Homes, Inc. by deed from B & P Developments, Inc., of record in Book 9269, Page 415, Register's Office for said County.

MAIL ENV.

3. That Wife will keep her 1989 Honda Accord, subject to any liens thereon, and will be responsible for the payment thereof.

That Husband will keep his 1995 Honda Accord and 1995 GMC Ventura truck, subject to any liens thereon, and will be responsible for the payment thereof.

4. That Husband will be responsible for the business debts of Flooring Factory Outlet, Inc. and Beard Carpet, holding Wife harmless, and Husband is awarded any future tax credits regarding said business debts.

5. That Wife will retain her retirement accounts and Thrift Plan, free and clear of any claims of Husband.

6. Each party will keep the household furniture and furnishings in their possession.

7. That Wife will keep the eight items of separate personal property in dispute, but these items do not include the grandfather clock. This Court does not declare the grandfather clock as marital property in this Final Decree of Divorce.

8. That Wife will retain $12,680.82 of the Dean Witter account. The balance of the Dean Witter account, in the approximate amount of $30,000.00, is awarded to Husband.

9. Husband will be able to continue the COBRA medical insurance coverage through Wife's employment, if Husband pays the premium. This is an elective to Husband or he can obtain his own insurance. Wife is under no duty to pay Husband's medical insurance premiums.

10. Husband will keep the 1989 truck and the coin collection. The parties will divide the ten (10) oriental rugs. Wife will pick out the five rugs she desires and the remaining five rugs are granted to Husband.

11. Each party will retain their own insurance policies. Wife can keep the $100,000 term policy on Husband's life, but the payment of the premium will be Wife's responsibility.

12. Wife shall be restored to her maiden name of Diane Mary Chabot.

13. Husband shall pay to Wife's attorney of record, Charlotte U. Fleming, $1,500.00 in attorneys fees. Charlotte U. Fleming shall have a lien on Husband's portion of the parties' Dean Witter account to secure the payment of said attorneys fees, upon which execution may issue, if necessary.

14. The court costs incurred in this action are assessed to Husband, upon which execution may issue, if necessary.

It is so **ORDERED**.

MURIEL ROBINSON, Judge

5-22-96.

APPROVED FOR ENTRY:

Charlotte U. Fleming, #12631
105 Fifth Avenue West
Springfield, Tennessee 37172
Phone: (615) 384-7750

Attorney for Diane Mary Chabot Beard

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Decree of Divorce has been sent by United State mail, postage prepaid, to Mary Arline Evans, Esq., 214 Third Avenue North, Nashville, Tennessee 37201 and to Martin S. Sir, Esq., 221 Fourth Avenue North, 5th Floor, Nashville, Tennessee 37219, this the 22nd day of May, 1996.

Charlotte U. Fleming

STATE OF TENNESSEE

BOOK 10121 PG 979

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 22 day of MAY , 19 96 , in the Case Number 9404141 between BEARD, DIANE MARY CHABOT Plaintiff, and BEARD, JOHN EARL Defendant, as same remains of record in Book 257B , Page 901 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 03 day of JULY in the year one thousand nine hundred and ninety-six and in the 220th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk