IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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CLERK

CLARICE JOHNSON DIXON, Wife,	)	
vs.	)	No. 94D-3586
JIMMY (NMN) DIXON, Husband.	)	"NOTICE OF ENTRY REQUIRED"

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FINAL DECREE OF DIVORCE

This cause came on to be heard on the 15th day of October, 1996, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Wife's original and Amended Complaints for Divorce, the Husband's Counter-Complaint, and the parties' respective Answers thereto, upon statements of counsel, testimony of the parties and their witnesses, Husband's stipulation that Wife should be awarded a divorce pursuant to Tennessee Code Annotated §36-4-129(a), and upon the record as a whole, from all of which the Court finds that the Wife, Clarice Johnson Dixon, is entitled to an absolute divorce pursuant to Tennessee Code Annotated §36-4-129(a) and that it should be and therefore is,

ORDERED, ADJUDGED and DECREED as follows:

1. The Wife, Clarice Johnson Dixon, is hereby granted an absolute divorce from the Husband, Jimmy (NMN) Dixon, pursuant to Tennessee Code Annotated §36-4-129(a) on the basis of Mr. Dixon's inappropriate marital conduct, and the parties are hereby restored to all the rights and privileges of unmarried persons, and the bonds of matrimony heretofore existing between the parties are hereby perpetually dissolved.

2. Wife is hereby awarded sole custody of the parties' three minor children.

3. Husband shall have the following visitation:

a. Husband shall have visitation with the minor children every other weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday.

b. The parties shall alternate holiday visitation for the holidays of New Year's, Easter,

Memorial Day, July 4th, and Labor Day from 6:00 p.m. on the eve of the holiday to 8:00 p.m. on the holiday with Husband to have New Year's Day, 1997 and alternating the holidays thereafter.

c. Husband shall have the right of Thanksgiving visitation with the minor children in odd years with his Thanksgiving visitation being from 6:00 p.m. on Thanksgiving eve to 8:00 p.m. on Thanksgiving Day. Wife shall have Thanksgiving visitation in even years.

d. Husband shall have the right of visitation with the minor children for one week at Christmas each year with his 1996 Christmas visitation being from 6:00 p.m. on December 17th to 9:00 p.m. on Christmas Eve in 1996 and in 1997 to begin at 9:00 p.m. on Christmas Eve and end one week later at 6:00 p.m. on New Year's Eve, and alternating thereafter.

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e. Husband shall have the right of thirty (30) days summer visitation with the minor children.

f. Husband shall have the right to have the minor children on Father's Day from 8:00 a.m. to 6:00 p.m. and Wife shall have the right to have the minor children on Mother's Day from 8:00 a.m. to 6:00 p.m.

g. Neither party shall have the minor children overnight around a member of the opposite sex under inappropriate circumstances.

4. Husband shall maintain all current life insurance on his life naming Wife as beneficiary for so long as Husband has any child support obligations under the decree.

5. The marital debts shall be dealt with as follows:

a. Wife shall pay the remaining taxes, penalties and interest owed on the parties' joint 1993 federal income tax return and shall hold Husband harmless and indemnify him thereon.

b. Wife shall pay the remaining balance owed to Associates Furniture and shall hold Husband harmless and indemnify him thereon.

c. Wife shall pay the remaining balance owed to Dr. John Johnson and the American Express account and shall hold Husband harmless and indemnify him thereon.

d. Husband shall pay the remaining taxes, penalties and interest owed on the parties' joint 1994 and 1995 federal income tax returns and shall hold Wife harmless and indemnify her thereon.

e. Husband shall pay the Visa bill and shall hold Wife harmless and indemnify her thereon.

f. Husband shall pay the First American Bank loan secured by stock and shall hold Wife harmless and indemnify her thereon.

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g. Husband shall pay the Blazer Finance debt and shall hold Wife harmless and indemnify her thereon.

h. Husband shall pay the Home Depot debt and shall hold Wife harmless and indemnify her thereon.

6. Wife is awarded all right, title and interest in and to the home property known as 2518 Sleepy Hollow Drive, Nashville, Davidson County, Tennessee, more fully described as follows:

> Land in Davidson County, Tennessee, being Lot No. 416 on the plan of Section Six, EdgeOLake Estates, of record in Book 3700, pages 15 and 16, Register's Office for said County.
>
> Said Lot No. 416 fronts 80.0 feet on the northwesterly margin of Sleepy Hollow Drive and extends back 189.66 feet on the northeasterly line and 222.09 feet on the broken westerly line to a dead line in the rear, measuring 50.0 feet thereon.
>
> Being part of the property conveyed to Dan Duer by deed from African Christian Schools Foundation, Inc. of record in Book 5324, page 834, Register's Office for Davidson County, Tennessee.
>
> Being the same property conveyed to Jimmy Dixon and wife, Clarice Dixon, by deed from Dan Duer and wife, Janie Duer, of record in Book 5535, page 13, Register's Office for Davidson County, Tennessee.

All Husband's right, title and interest in and to said real property is hereby divested out of him and the same is vested in Wife in fee simple absolute.

Wife shall be solely responsible for paying the first and second mortgages on said real property and shall hold Husband harmless and indemnify him thereon. Wife shall be responsible for paying both mortgages on a timely basis. Further, she shall have both mortgages brought current by January of 1997. Starting January, 1997, she shall be under order to pay the first and second mortgage notes as they come due. In the event these notes become four months in arrears, upon motion of Husband and proof of such arrearage, the Court will order the property sold, unless Wife has refinanced said property and removed Husband's name from the indebtedness on both mortgages. In the event the property is ordered sold, any proceeds of sale will be Wife's sole and separate property.

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7. Wife is hereby awarded the 1990 Volvo, VIN #YV1FA8846L-2452468, as her sole property, free of all claims of Husband.

8. Wife is hereby awarded her retirement savings through her employment as her sole property, free of all claims of Husband.

9. Wife is awarded one-half the marital portion of Husband's pension from United Parcel Service. She is further awarded the pre and post-retirement survivor benefits. Wife's counsel shall prepare a Qualified Domestic Relations Order to effectuate this provision.

10. Wife is awarded one-half the marital portion of Husband's military pension and she is further awarded the pre and post-retirement survivor benefits. Wife's counsel shall prepare the appropriate order to effectuate this provision.

11. Each party is awarded one-half the remaining 1,693 shares of United Parcel Service stock, of which a portion has been pledged to secure a loan with First American Bank. Husband's one-half of said stock shall include the stock pledged to secure repayment of the loan. Wife shall therefore receive

846 shares of the unencumbered stock and Husband shall receive 847 shares of stock which shall include the pledged stock. Said stock is with United Parcel Service, Account Number 416580824-00, Husband's Social Security Number [redacted]-0824. Said stock being held by First Union National Bank, Philadelphia, Pennsylvania.

12. Husband shall receive all stock options awarded to him in future as his sole property.

13. Wife is awarded as her sole property all shares accrued by Husband as of the October 15, 1996 divorce date in Overseas Partners Ltd., Account Number [redacted]24-00, Husband's Social Security Number [redacted]-0824, being 510 shares held by First Fidelity Bank, N.A., now First Union National Bank, as custodian.

14. Husband is awarded his 401(k) Plan as his sole property, free of all claims of Wife. BOOK 10423 PG 391

15. Husband is awarded the 1992 Ford Explorer as his sole property, free of all claims of Wife. Husband shall be responsible for the indebtedness against said Explorer and shall hold Wife harmless and indemnify her thereon.

16. Husband is awarded the $11,615.34 in his UPS Thrift Plan, which funds Husband has disposed of.

17. Clarice Johnson Dixon is hereby awarded a judgment against Jimmy (NMN) Dixon in the amount of $4,885 representing arrearage on the pendente lite support order that Mr. Dixon failed to honor. Execution may issue for this judgment.

18. Husband shall provide health insurance coverage for the minor children and dental and vision if covered by his employment. Each party shall be responsible for one-half any uncovered healthcare expenses including dental, eyecare and orthodontry.

19. Husband shall pay child support in the amount of $1,500.00 per month by Wage Assignment plus the Clerk's lawful fee of 5% ($75.00), for a total monthly payment of $1,575.00 per month, beginning November, 1996. Husband's payments shall be deducted from his monthly paychecks. The Clerk of Court is

hereby instructed to issue a Wage Assignment Order to Husband's employer:

United Parcel Service
705 Massman Drive
Nashville, TN 37210

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Upon receipt, the Clerk's Office shall disburse payment to Wife at the address below:

Ms. Clarice Dixon
2518 Sleepy Hollow
Nashville, TN 37217

20. Husband shall be permitted to claim the parties' oldest child, and Wife shall be permitted to claim the parties' two younger children, as deductions on their respective federal income tax returns.

21. Wife is awarded alimony for a period of three (3) years, payable by Wage Assignment, in the amount of $250.00 per month plus the Clerk's lawful fee of 5% ($12.50) for a total of $262.50 per month, with the first payment due November, 1996. Said payments shall be deducted from Husband's monthly paycheck.

The combined child support and alimony deductions plus the Clerk's fee out of Husband's monthly paychecks each month for a period of thirty-six (36) months shall be $1,837.50, after which it shall be reduced to $1,575.00 for the child support and clerk's fee after the alimony deduction ends.

22. Husband shall make payment direct to Wife of any amount of alimony and child support ordered herein to the extent the current Wage Assignment is short and shall continue doing so until such time as the amounts ordered in this Decree begin to be deducted from Husband's paychecks. Wife shall provide receipts to Husband for each direct payment and Husband shall file said receipts with the Circuit Clerk's office in order to receive credit on the Clerk's records for his out-of-court payments.

23. Husband shall vacate the marital residence by October 29, 1996.

24. Husband is hereby ordered to pay the sum of $3,960.56 toward Wife's attorney's fees, for which execution may issue.

25. The parties shall inform this Court of any change of address within thirty (30) days of any such change, which address is different from the parties' present addresses hereafter stated:

Ms. Clarice Johnson Dixon
2518 Sleepy Hollow
Nashville, TN 37217

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Mr. Jimmy Dixon
P.O. Box 178153
Nashville, TN 37217-9998

26. Unless specifically ordered by the Court, the Husband shall not pro rate or reduce the child support ordered in paragraph number 19 of this Final Decree.

27. Husband shall pay the Court costs of this cause.

Entered this 29th day of January, 1997.

JUDGE

APPROVED FOR ENTRY:

BRUCE, WEATHERS, CORLEY, DUGHMAN & LYLE

MARY FRANCES LYLE
Attorney for Wife
First American Center, 20th Floor
315 Deaderick Street
Nashville, Tennessee 37238-2075
Telephone: (615) 244-5432
Supreme Court No. 6895

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree of Divorce has been mailed, postage prepaid, to Philip E. Smith and Phillip Robinson, Attorneys for Husband, 213 Third Avenue, North, Nashville, Tennessee 37201, on this 16th day of January, 1997.

MARY FRANCES LYLE

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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 FOURTH Circuit Court for Davidson County, Tennessee, on the 29 day of JANUARY , 19 97 , in the Case Number 94D3586 between DIXON, CLARICE JOHNSON Plaintiff, and DIXON, JIMMY (NMN) Defendant,

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as same remains of record in Book 265B , Page 1460 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 21 day of APRIL in the year one thousand nine hundred and ninety-seven and in the 221st year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

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IDENTIFICATION REFERENCE

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