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273A/527

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

97 SEP 11 PM 2:23

RICHARD R. ROOT, CLERK

DORIS JEAN GAMMELGARD ECKENRODE,

Complainant,

v. No. 96D-1700 D.C.

JAMES ROBERT ECKENRODE,

Defendant.

BOOK 10661 PG 348

FINAL DECREE

This cause came on to be heard on the 2nd day of September, 1997, before the Honorable Muriel Robinson, Judge, upon the Original and Amended and Supplemental Complaints for Absolute Divorce filed by Mrs. Eckenrode, Answer filed by Mr. Eckenrode, testimony of the parties, statement of counsel in open Court, and from the entire record in this cause. From all of which the Court finds that Mr. Eckenrode has been guilty of such inappropriate marital conduct as renders further cohabitation unsafe and improper and he has been guilty of adultery during the marriage.

It is therefore, ORDERED, ADJUDGED, AND DECREED, by the Court that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby forever and perpetually dissolved and the Complainant, Doris Jean Eckenrode, shall be granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED, AND DECREED, by the Court and the Court finds that the Proposed Division of the Marital Assets and Liabilities as presented by the Complainant, **Doris Jean Eckenrode**, is found to be fair and equitable, and shall become an Order of this Court as hereinafter provided.

It is further ORDERED, ADJUDGED, AND DECREED, by the Court that all right, title and interest, which the Defendant, **James Robert Eckenrode**, has in and to the marital residence located at 1412 Aaronwood Drive, Old Hickory, Davidson County, Tennessee, and described as follows:

> BEING Lot No. 290 on the Plan of Hampton Park, formerly Chitwood Down, a planned Unity Development, of record in Plat Book 6900, Page 405, Amended in Plat Book 6900, Page 550 thru 552, corrected in Book 7462, Page 445, Surveyor's Certificate of Correction in Book 8110, Page 401; and amended in Book 8181, Page 112, Register's Office for Davidson County, Tennessee, to which Plat reference is hereby made for a more complete description.

shall be divested from him and the sole and exclusive ownership in and to the said marital residence, shall be vested in the Complainant, **Doris Jean Eckenrode**, in fee simple absolute, and she shall assume the balance of mortgage indebtedness thereon and hold Mr. Eckenrode harmless from any responsibility thereon. It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that Mrs. Eckenrode shall be awarded the 1994 Nissan Altima GXE, VIN #1N4BU31D1RC156811 automobile and she shall be responsible for the indebtedness thereon and hold Mr. Eckenrode harmless therefrom.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that Mrs. Eckenrode shall retain ownership of her bank accounts, her Southwest pension, and any and all furniture and personal property in her possession.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that the Defendant, **James Robert Eckenrode**, shall be awarded his "old" **Hill's** pension and his "new" **Hill's** pension, his **Service Merchandise Savings Plan**, his savings and checking accounts, the 1996 Nissan Maximum SE, the 1976 Jeep CJ5, and any and all furniture and furnishings in his possession. Mr. Eckenrode will be responsible for any indebtedness on his vehicles and hold Mrs. Eckenrode harmless therefrom.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that the Complainant, **Doris Jean Eckenrode**, shall be responsible for payment of the following debts, the **Citibank Visa, First Card Visa, Pier One, Capitol One Visa, J. C. Penney,** and **MBNA Mastercard**, and she shall hold Mr. Eckenrode harmless therefrom. Mr. Eckenrode shall be responsible for paying the balance owing to **AT&T Mastercard, First Bank S.D. Mastercard, Sears, American Express, Optima American Express,** and he shall hold Mrs. Eckenrode harmless and indemnify her from any responsibility therefrom.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that Mrs. Eckenrode shall be awarded a judgment against the Defendant, **James Robert Eckenrode**, for attorney fees in the sum of $ 3675.50 .

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that Mrs. Eckenrode shall be awarded, as her separate property, her IRA account at **Marine Midland Bank**, the furniture list as presented to the Court as her separate furniture and her clothes and jewelry.

It is further ORDERED, ADJUDGED, AND DECREED, by the Court that the cost of this cause shall be taxed to the Defendant, James Robert Eckenrode, for all of which execution may issue, if necessary.

ENTERED this 11th day of Sept, 1997.

JUDGE

APPROVED FOR ENTRY:

ROBERT L. JACKSON & ASSOCIATES

BY: ROBERT L. JACKSON
P.R. #2486
ATTORNEY FOR COMPLAINANT
214 Second Avenue, North
Suite 103
Nashville, Tennessee 37201
615/256-2602

Mail

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Decree has been furnished to Clark L. Shaw, Attorney at Law, 2525 Lebanon Road, Nashville, TN 37214, on this 4th day of September, 1997.

ROBERT L. JACKSON

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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 11 day of SEPTEMBER , 19 97 , in the Case Number 96D1700 between ECKENRODE, DORIS JEAN GAMMELGARD Plaintiff, and ECKENRODE, JAMES ROBERT Defendant, as same remains of record in Book 273A , Page 527 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 28 day of OCTOBER in the year one thousand nine hundred and ninety-seven and in the 222nd year of American Independence.

SEAL

**RICHARD R. ROOKER,** Clerk,

By _____ Deputy Clerk

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IDENTIF. ↑ REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

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