280A/115

FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1998 APR -2 PM 4:30

RICHARD R. ROOKER, CLERK

D.C.

SHERRY ANN SCHEITEL, *Plaintiff/Wife,* vs. WILBUR HOMER SCHEITEL, *Defendant/Husband.*	)	Docket No. 96D-2308

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FINAL DECREE

THIS CAUSE came on to be heard before the Honorable Muriel Robinson, Judge, on the 10th day of March, 1998, upon all pleadings previously filed and the stipulation by the Husband and Wife that each of them has been guilty of conduct entitling the other to a divorce;

Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that the parties be, and they are hereby, declared divorced pursuant to the provisions of T.C.A. § 36-4-129(b). The bonds of matrimony heretofore existing between Husband and Wife are hereby dissolved and they are restored all the rights and privileges of unmarried persons.

Counsel for the parties advised the Court that the parties have agreed on a division of all marital property, real and personal, which agreement is as follows:

1. That the Wife shall convey by quitclaim deed all of her right, title and interest in the residence of the parties located at 500 Cody Hill Court, Nashville, Tennessee 37211, which property is described as follows:

LAND in Davidson County, Tennessee, being Lot No. 242 on the Plan of Bradford Hills, Section Eleven, of record in Plat Book 7900, page 6, and amended in Book 7900, Page 496, Register's Office for said County, to which plan reference is hereby made for a more complete description.

BEING the same property conveyed to Wilbur H. Scheitel and wife, Sherry Ann Scheitel, of record in Book 9070, Page 603, Register's Office for Davidson County, Tennessee.

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2. That as a part of the division of the marital estate, Husband will pay to Wife the sum of $20,000, payable in twenty equal and successive monthly installments of $1,000 each, beginning on April 1, 1998.

3. That the Husband will pay directly to the Wife as rehabilitative alimony $750 each month for eighteen (18) consecutive months beginning April 1, 1998. The payments provided in this and in the preceding paragraph shall be timely paid on the first day of each month and in no event are they to be received later than the 5th day of each month.

4. That the Wife shall have as her sole and absolute property, free of all encumbrances, the 1988 Cadillac DeVille automobile presently titled in the Husband's name.

5. That the Husband will have as his sole and absolute property, the 1995 Lincoln Town Car and he shall be fully responsible for the payment of any indebtedness owed for said vehicle.

6. That the Husband will pay to Herbert R. Rich, Attorney, $1,500 for services rendered to the Wife in this cause. Payment shall be made on or before ~~March 31~~ April 9, 1998.

7. That each of the parties will retain their separate personal property and effects free of any claim by the other.

8. That the Wife shall have the following personal property and household effects: 24-piece set of Christmas dishes; the Ginger jars; cast iron skillet; miscellaneous kitchen housewares; Christmas Village set; silver candelabra; silver spoons and tongs; food warmer tray; white wicker furniture; cherub table, wooden chest, cedar chest, ginger jar picture; coo-coo clock; hunter green Queen Anne chair; big-screen TV; marble oil painting; oil painting of flowers in vase; memorabilia and collectibles in attic; gold mirror; antique wardrobe; elephant table; pink Victorian lamp; 19" TV; couch and love seat; cherry bedroom suite; chaise longue; baseball collection, ping pong table, and personal effects of Wife's son; flower oil painting; pictures of old shoes and fainting couches; and the living room suite which is in Wife's apartment. All other marital property in the residence at Cody Hill Court and a walnut chest of drawers and brown throw rug at the Wife's apartment, shall be the sole and separate property of the Husband.

It is **NOW ORDERED** that the foregoing agreement for the division of the marital estate property be and is hereby approved by the Court and each and every provision of said agreement is hereby made the **ORDER** of this Court.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Wife, Sherry Ann Scheitel, have, and she is hereby, awarded a lien on the hereinabove described real property to secure the payment of all money due her from the Husband pursuant to this decree.

It is further **ORDERED** that in the event the Husband defaults in making any of the payments required herein, as and when due, Wife may file a motion with the Court to have the real property sold and, from the net proceeds, Wife shall receive any indebtedness owed her and any legal fees and expenses incurred as the result of the Husband's default.

It is further **ORDERED** by the Court that the parties will execute all appropriate documents required to carry out the provisions of this decree.

It is further **ORDERED** that the maiden name of the wife, Sherry Ann Thompson, be and is hereby restored to her.

It is further **ORDERED** that the Husband pay all court costs.

MURIEL ROBINSON, Judge

APPROVED FOR ENTRY: 4-2-98

HERBERT R. RICH, No. 3599
Attorney for Plaintiff/Wife
213 Third Avenue, North
Nashville, Tennessee 37201-1680
615/254-3341

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and exact copy of the foregoing final decree has been mailed to James S. Higgins, Attorney for the Defendant/Husband, 311 White Bridge Road, Nashville, Tennessee 37209, on this 18th day of March, 1998.

Herbert R. Rich

HERBERT R. RICH, Attorney

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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 02 day of APRIL , 19 98 , in the Case Number 96D2308 between SCHEITEL, SHERRY ANN Plaintiff, and SCHEITEL, WILBUR HOMER Defendant, as same remains of record in Book 280A , Page 115 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 23 day of JUNE in the year one thousand nine hundred and ninety-eight and in the 222nd year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By W. L. Rowland
Deputy Clerk