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285 P 1260

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

98 AUG 10 PM 4:19

CLERK

D.C.

WILLIAM O. ALEXANDER,

Plaintiff,

vs.

EVELYN B. ALEXANDER,

Defendant.

No.: 96D-3332

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98 AUG 31 AM 9:23

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

IDENTIFICATION REFERENCE

04811307

FINAL DECREE

This cause came on to be heard on the 27th day of July, 1998, before The Honorable Muriel Robinson, Judge, upon the original complaint for divorce heretofore filed by Mr. Alexander, Answer and Counter-Complaint for separate maintenance filed by Mrs. Alexander, statement in open court by counsel for Mrs. Alexander that she desires to amend her Counter-Complaint and request an absolute divorce, which Motion the Court was pleased to grant, testimony of the parties, submission of exhibits, and statement of counsel in open court, and from the entire record in this cause. From all of which the Court finds that both parties have grounds for divorce against each other therefore the Court declares the parties to be divorced based upon the proof pursuant to T.C.A. 36-4-129.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that both parties shall be declared divorced pursuant to T.C.A. 36-4-129.

It is further ORDERED, ADJUDGED and DECREED that the marital residence located at 628 Highland View Court, Hermitage, Davidson County, Tennessee, shall be placed on the market for immediate sale and upon the sale of the home and after payment of the mortgage indebtedness and reasonable closing costs, the net proceeds shall be divided equally between the parties. Mrs. Alexander will be responsible for cleaning up the residence in the next thirty (30) days in order that it can be shown by the real estate agent. The home will be sold "as is." The parties will mutually agree upon a realtor and will sign a 90-day listing contract only. If the house is not sold within 90 days than either party can request a new realtor or ask the Court to have the

Clerk of the Court to sell the home. Pending the sale of the home, Mr. Alexander shall be responsible for payment of the mortgage payment of approximately four hundred forty-five dollars ($445.00) per month, and he shall maintain the mortgage current until the residence is sold. Mrs. Alexander will continue to occupy the residence, however, she shall be responsible for the utilities. Mrs. Alexander will be responsible for her automobile insurance when the present coverage provided by Mr. Alexander terminates.

It is further ORDERED, ADJUDGED and DECREED by the Court that each party will retain their personal property in his or her possession including jewelry and clothes, with the exception of the following items of personal property which shall be awarded to Mr. Alexander, which items may be located at the marital residence: Knife collection, antique light fixtures, quilt made by his mother, projector and tape recorder, 35-mm Kodak camera, rocking chair (brown without arms), fishing tackle rod and reels, portable air compressor, and sockets and small tools.

It is further ORDERED, ADJDUGED and DECREED by the Court that Mrs. Alexander will retain the proceeds from the settlement of her automobile accident claim as her sole and separate property.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Court adopts Mrs. Alexander's proposed division of the marital assets and hereby ORDERS the division as follows:

1. From Mr. Alexander's 401K with Gaylord Entertainment, Mrs. Alexander shall be awarded the sum of eighteen thousand fifteen dollars and no cents ($18,015.00) with the balance being awarded to Mr. Alexander. The attorney for Mrs. Alexander will prepare a qualified domestic relations order to transfer these funds.

2. Mr. Alexander's pension from Gaylord Entertainment in the sum of four hundred thirty-seven dollars ($437.00) per month shall be divided equally between the parties with one-half being awarded to Mrs.

Alexander and one-half being awarded to Mr. Alexander. A qualified domestic relations order will be prepared to transfer these funds.

3. Mrs. Alexander will be awarded her entire 401K retirement with T.W. Frierson in the approximate sum of thirty-two thousand sixty-seven dollars ($32,067.00).

4. Mr. Alexander has a checking account with Nations Bank with approximately one thousand five hundred dollars ($1,500.00) on deposit. Mr. Alexander also has an account with Old Hickory Credit Union with approximately one thousand five hundred dollars ($1,500.00). Both of these accounts will be awarded as the sole and exclusive property of Mrs. Alexander.

5. Mrs. Alexander will retain her Sun Trust Checking and Savings Account titled in her sole and separate name.

6. Mrs. Alexander will be awarded the cash surrender value in the Veterans' Affairs Life Insurance Policy in the approximate amount of one thousand eight hundred sixty-four dollars and fifty-six cents ($1,864.56).

7. Mrs. Alexander will be awarded the 1994 Toyota Camry and the 1987 Toyota Camry.

8. Mr. Alexander shall be awarded the four thousand dollars ($4,000) that he spent from the sale of the GTE stock.

9. Mr. Alexander shall be awarded the 1990 Pontiac Van and the 1985 Chevrolet Van and he will be responsible for any indebtedness thereon.

Attached hereto as Exhibit A to the final decree of divorce is wife's proposed division of marital assets which was presented in court.

It is further ORDERED, ADJUDGED and DECREED that each party will be responsible for any and all debts they have incurred in their sole and separate name and shall hold the other party harmless from any responsibility thereon.

It is further ORDERED, ADJUDGED and DECREED by the Court that Mr. Alexander shall pay to Mrs. Alexander alimony *in futuro* in the sum of one hundred dollars ($100.00) a month until her death or remarriage, said payments to begin on the first day of the first full calendar month after the sale of the marital residence. These payments will continue to be due and payable on the first day of each month thereafter until the further orders of this Court.

It is further ORDERED, ADJUDGED and DECREED by the Court that each party shall be responsible for payment of their respective attorney fees and the Court does award the attorneys a lien against the house proceeds as follows: Robert L. Jackson, Attorney, shall be awarded a lien for attorney's fees against Mrs. Alexander's proceeds from the sale of the house in the sum of $4702.90 dollars. James L. Harris, Attorney, shall be awarded a lien for attorney fees against Mr. Alexander's proceeds from the sale of the house in the sum of $3037.50 dollars.

The cost of this cause shall be taxed to the parties equally for all of which execution may issue if necessary.

JUDGE

8-10-98.

APPROVED FOR ENTRY:

ROBERT L. JACKSON & ASSOCIATES

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

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of this Final Decree has been forwarded by mail to Mr. James L. Harris, Attorney at Law, 2400 Crestmoor Road, Nashville, Tennessee 37214, on this the 3rd day of August, 1998.

ROBERT L. JACKSON

EXHIBIT A

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**IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE**

| | | |
|---|---|---|
| **WILLIAM O. ALEXANDER,** | ) | 98 AUG 10 PM 4:19 |
| | ) | |
| **Plaintiff,** | ) | CLERK |
| | ) | |
| **Vs.** | ) | **No: 96D-3332** D.C. |
| | ) | |
| **EVELYN B. ALEXANDER,** | ) | |
| | ) | |
| **Defendant.** | ) | |

**WIFE'S PROPOSED DIVISION OF MARITAL ASSETS**

| **TO MRS. ALEXANDER** | | **TO MR. ALEXANDER** | |
|---|---|---|---|
| ½ proceeds from sale of house | 50,388.50 | ½ proceeds from sale of house | 50,388.50 |
| Gaylord 401(k) | 18,015.00 | Gaylord 401(k) | 50,082.09 |
| Gaylord Pension Payments | one half | Gaylord Pension Payments | one half |
| T. W. Frierson 401(k) | 32,067.00 | G.T.E. Stock Sale Proceeds | 4,000.00 |
| Nations Bank Checking Acct. | 1,500.00 | Pontiac Van | 3,000.00 |
| Old Hickory Credit Union | 1,500.00 | Chevrolet Van | 2,000.00 |
| SunTrust Checking | 100.00 | | |
| SunTrust Savings | 200.00 | | |
| Veterans Affairs Life Ins. Policy CSV | 1,864.56 | | |
| Toyota Camry | 2,500.00 | | |
| Toyota Camry | 350.00 | | |
| **TOTAL TO WIFE:** | **108,485.06** | **TOTAL TO HUSBAND:** | **109,470.59** |

3785 08/31 0101 03CHECK 30.00

Respectfully submitted,

ROBERT L. JACKSON & ASSOCIATES

**Robert L. Jackson, P.R. #2486**
Attorney for Wife
214 Second Avenue, North
Suite 103
Nashville, Tennessee 37201
(615) 256-2602

mail

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 10 day of AUGUST , 19 98 , in the Case Number 96D3332 between ALEXANDER, WILLIAM O. Plaintiff, and ALEXANDER, EVELYN B. Defendant, as same remains of record in Book 285A , Page 260 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 AUGUST in the year one thousand nine hundred and ninety-eight and in the 223rd year of American Independence.

**RICHARD R. ROOKER,** Clerk,

By _____ Deputy Clerk

SEAL