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RICHARD ROOKER, CLERK
D.C.

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

| | | |
|---|---|---|
| **FRANCES L. SCRUGGS** | } | |
| **PLAINTIFF/WIFE** | } | |
| | } | |
| **VS.** | } | **doc.no. 98D 1043** |
| | } | |
| | } | |
| **JOHN O. SCRUGGS** | } | |
| **DEFENDANT/HUSBAND** | } | |

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**FINAL DECREE OF DIVORCE**

This cause came to be heard on the 30th day of September, 1998 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee upon the Wife's complaint for divorce and the Husband's counter-complaint for divorce. The Husband after being duly notice failed to appear; however, was represented by attorney. It appearing from the entire record in this cause, statements of counsel for both parties, testimony by the Wife and three witnesses that the Wife shall be entitled to a divorce from the Husband on the grounds of cruel and inhuman treatment.

***It is therefore Ordered, Adjudged and Decreed*** that the Wife is granted an absolute divorce from the Husband on the grounds of cruel and inhuman treatment and that she be restored to all rights and privileges of an unmarried person. Further, that the Wife be restored to her maiden name of Frances L. Love.

***It is further Ordered, Adjudged and Decreed,*** that all of the household furnishings shall be the Wife 's sole possession except that the Husband may have one bed including the mattress.

***It is further Ordered, Adjudged and Decreed,*** that the Wife shall have sole possession and title to the house located at 3137 Country Meadow Road, Antioch, Tennessee and that the Husband. All rights title and interest in said property is divested from the Husband and reinvested solely to the Wife. The Wife shall solely be responsible for the mortgage on said house and hold the Husband harmless from any liability thereon. The property is more particularly described as follows:

Located in Antioch, County of Davidson, Tennessee to wit:

Described land situated in Antioch, Davidson County, Tennessee, being Lot. No. 157 on the Plan of the Country, Section 4A, as of record in Book 5200, Page 138 and

139, Register's Office for said County.

Being the same property conveyed to Grantor by deed from Joe M. Kirsch, Substitute Trustee, dated December 11, 1991, of record in Book 8506, Page 876, in the Register's Office of Davidson County, Tennessee

Being the same property conveyed to John O. Scruggs and Wife Frances L. Scruggs By deed dated April 9, 1992 of record in Book 8605, Page 440 in the Register's Office of Davidson County, Tennessee.

Further the Husband has not paid *pendente lite* support as ordered for the mortgage payments on the house and that the Wife would otherwise be entitled to a judgment. Any equity that the Husband may have had in the residence is set off by the amount of money owed to the Wife pursuant to the *pendente lite* support order.

***It is further Ordered, Adjudged and Decreed,*** that the Wife is awarded sole possession and title to the 1986 Toyota.

***It is further Ordered, Adjudged and Decreed*** that each party shall keep his/her retirement.

***It is further Ordered, Adjudged and Decreed*** that the Husband shall pay for the Wife's health insurance premiums through COBRA in the amount of two hundred and three dollars and seventy-eight cents ($203.78) per month as long as the Wife is allowed to maintain such coverage. Said amount is deemed *alimony* and necessary for support; therefore, is non-dischargeable in bankruptcy. Both parties shall cooperate in signing the necessary papers for conversion.

***It is further Ordered, Adjudged and Decreed*** that the Wife's attorney Kathy A. Leslie is hereby awarded a judgment against the Husband in the amount of six hundred dollars ($600.00) for attorney fees for which execution may levy if necessary. Further that the Husband's attorney Rosemary Phillips is granted permission to withdraw as counsel of record for the Husband.

***It is furher Ordered, Adjudged and Decreed*** that the costs of this cause be taxed against the Husband for which execution may levy if necessary.

***It is so Ordered.***

***Entered this*** 29th ***day of*** October ***1998.***

Muriel Robinson, Judge

APPROVED FOR ENTRY:

Kathy A. Leslie #013587
176 2nd Ave. N. Ste. 500
Nashville, Tennessee 37201
(615) 242-5350

Attorney for the Wife

**CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing has been mailed postage pre-paid United States Mail to Rosemary Phillips, attorney at 429 Church Street, Goodlettsville, Tennessee 37070-0590 on this the 27 day of October, 1998.

Kathy A. Leslie

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IDENTIF. + REFERENCE

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BILL [illegible] REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

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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 OCTOBER , 19 98 , in the Case Number 98D1043 between SCRUGGS, FRANCES L. Plaintiff, and SCRUGGS, JOHN O. Defendant, as same remains of record in Vol. 355 , Page 65247 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 17 day of NOVEMBER in the year one thousand nine hundred and ninety-eight and in the 223rd year of American Independence.

SEAL

**RICHARD R. ROOKER,** Clerk,

By _____ Deputy Clerk