BOOK 11355 PG. 189

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
1999 JAN 13 PM 4
RICHARD R. ROOKER, CI

JAMES M. HANEY JR.

PLAINTIFF

V

CONNIE ROBERTS HANEY

DEFENDANT

NO: 97D-151

FINAL DECREE

This cause came to be heard for final hearing ex parte on the 14th day of December 1998, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court of Davidson County, Tennessee, on the Complaint of Absolute Divorce filed by the Plaintiff, and from sworn testimony of Plaintiff and his witnesses in open court, statements of counsel for the Plaintiff and the entire record herein, the Court finds as follows:

1. The amended Complaint and Marital Dissolution Agreement containing marginal notations and comments by the Defendant and filed with the Clerk of the Court is null, void and of no binding effect upon the parties or of any probative value to the Court.

2. Plaintiff has sustained his burden of proof and established that Defendant has been guilty of inappropriate marital conduct sufficient to render divorce necessary and appropriate.

3. The Plaintiff is accordingly awarded an Absolute Divorce from the Defendant and restored the rights and privileges of unmarried person.

4. The parties have one child of this marriage, who has been emancipated during the pendency of this case, and the periodic child support obligation imposed upon the Defendant by previous order of this court, is accordingly terminated effective the date of ~~the entry of this order~~ December 14, 1998.

5. Plaintiff shall be granted judgement; however, against the Defendant in the amount of $2832.00, excluding Clerk's commission, for which execution may issue representing child support due from and unpaid by the Defendant to the Plaintiff from April 1, 1998 through the date of ~~entry of this Order~~ December 14, 1998.

6. Plaintiff shall be granted a lien in the amount of $2832.00, excluding Clerk's commission upon the proceeds from the

sale of real property located at 1613 17th Avenue South, Nashville, Tennessee 37203, ordered herein in order to secure the repayment of same.

7. All of Defendants right, title and interest in and to marital real estate located at 4891 Packard Drive, Antioch, Davidson County, Tennessee 37013, shall be divested out of her, and vested solely in Plaintiff. Said property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot. 29 on the Plan of Blanchard Heights, of Record in Book 2663, Pages 61&63, as amended in Book 2799, Page 243, Registers Office for Davidson County, Tennessee as follows:
>
> Beginning at a point on the North margin of Packard Drive at the corner of Lots No.S29N30 with a line between said lots; northerly 147.17 feet to a corner Lot No. 28; fence with a line between Lots No. S28 & 29, easterly 150.14 feet to west margins of Keeley Drive; fence with the margin of same southerly 158 feet to the beginning of the curb, fence around said curb, southeasterly 31.55 feet to the north margin of Packard Drive; fence with the margin of the same westerly 169.69 feet to the point of beginning.

8. All of Defendants right, title and interest in and to marital real estate located at 1613 17th Avenue South, Nashville, Tennessee 37203, shall be divested out of her and vested solely in Plaintiff. Said property is more particularly described as follows:

> Being the southerly 50 feet of the Northerly 100 feet of the easterly part of Lot 58 in OB Hayes Plan of Large Lots call Rokeby of record in Book 21, Page 87, Register's Office for Davidson County, Tennessee.
>
> Beginning on the westerly margin of 17th Avenue South, formerly Addison Street; at a point being 50 feet South of the corner of Lots No.'s 55 ND 58. Said point being the Southeast corner of the property conveyed to Laura Harris, by Deed form W. Dale Cleaves and Wife, of record in Book 772, Page 693, said Register's Office thence with the westerly margin of said Ave.; southwardly 50 feet thence westwardly 157 feet more or less to the easterly margin of a proposed alley thence with Harris southerly line; eastwardly 157 feet, more or less to the point of the beginning.
>
> Being the same property conveyed to Ralph E. Knapp, unmarried by Deed from Elenor B. Handlaw of record in Book 6502, Page 440, Register's Office for Davidson County, Tennessee; being the same property conveyed to

Connie R. Haney,, married by Deed from Susan R. Limor,, Trustee for Ralph Edward Knapp, of record in Book 8992, Page 886, Register's Office for Davidson County, Tennessee, being the same property conveyed to Connie R. Haney, married by QuitClaim Deed from James M. Haney, Jr., married of record in Book 10302, Page 605, Register's Office for Davidson County, Tennessee.

9. Plaintiff shall sell the 1613 17th Avenue South, Nashville, Tennessee property and the proceeds from such sale shall be deposited with the Clerk of the Court for Davidson County, Tennessee in an interest bearing account pending service of process upon William F. Rushing and further Orders of this Court.

10. The issue of the interest of William F. Rushing in the foregoing real property or the proceeds thereof, if any, shall be reserved.

11. All of Defendants right, title and interest in and to the business known as Kleen Kare shall be divested out of her and vested solely in Plaintiff.

12. Plaintiff shall have as his sole and separate property, free and clear of any and all claims of Defendant, the 1991 GEO Prism automobile, the 1987 Dodge Ram 350 Van, and the 1985 Isuzu Trooper automobile.

13. Defendant shall have as her sole and separate property, free and clear of any and all claims of Plaintiff the 1994 Nissan Maxima automobile.

14. Plaintiff shall be awarded all right, title and interest in and to the furniture, furnishings, and personal property in his possession at the time of the final hearing of divorce; Defendant shall be awarded all right, title and interest in and to the furniture, furnishings, and personal property in her possession at the time of the final hearing of divorce.

15. Plaintiff shall be awarded the sum of $2,500.00 for reimbursement for reasonable and necessary attorneys fees expended by him in the prosecution of his Complaint for Absolute Divorce, for which execution may issue if necessary.

16. Plaintiff shall have a lien upon the proceeds of the sale of the real property located at 1613 17th Avenue South, Nashville,,

Tennessee, ordered herein in the amount of $2,500.00 in order to secure the repayment of same by Defendant.

17. Costs of this cause are taxed to the Defendant, for which execution may issue if necessary.

IT IS SO ORDERED, ADJUDGED AND DECREED.

ENTERED this 13th day of January 1998.

JUDGE MURIEL ROBINSON
JUDGE OF THE FOURTH CIRCUIT COURT

APPROVED FOR ENTRY:

DANIEL C. MASTEN, #9815
COUNSEL FOR PLAINTIFF
311 WHITE BRIDGE ROAD
NASHVILLE, TENNESSEE 37209
(615) 354-1740

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was mailed via United States mail, postage prepaid to the following individuals on this 14th day of January 1998.

Connie Roberts Haney
PO Box 1560
Ward Cove, Alaska 99928

William Rushing
PO Box 1560
Ward Cove, Alaska 99928

DANIEL C. MASTEN

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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 13 day of JANUARY , 19 99 , in the Case Number 97D151 between HANEY, JAMES M. JR. Plaintiff, and HANEY, CONNIE ROBERTS ET.AL Defendant, as same remains of record in Vol. 455 , Page 83595 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 08 day of FEBRUARY in the year one thousand nine hundred and ninety-nine and in the 223rd year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

99 FEB 25 AM 9:16
DAVIDSON COUNTY REGISTER
DAVIDSON COUNTY, TN.

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IDENTIF. & REFERENCE

RECORDED 02/25 0101 02CHECK 22.00