FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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RICHARD R. ROOKER, CLERK

JAMES WILLIAM REED, Jr.
Husband/Plaintiff

vs.

CAROL REED
Wife/Defendant

DOCKET NO.: 97D-1882

FINAL DECREE OF DIVORCE

This cause came on to be heard upon the 22nd day of February, 1999, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon the pleadings heretofore filed in this cause, testimony of the parties in open court, exhibits to the testimony, stipulations of the parties, statement of counsel for the parties, and the entire record. From all of which the Court finds that the Husband is entitled to a divorce upon the ground of Two Years Separation, with no cohabitation and with No Minor Children but that he has no other grounds for divorce from the Wife. The Court further finds that the property and debts of the parties should be divided and that that Wife is entitled to spousal support.

It is therefore ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby awarded an Absolute Divorce from the Wife, Carol C. Reed, upon the ground of Two Years' Separation with no cohabitation and with No Minor Children pursuant to Tenn. Code Annot. § 36-4-101(12), and that the parties should be and are hereby restored to all the rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED and DECREED that the Wife, Carol C. Reed, should be and is hereby awarded the marital residence and real property located at 4855 Alvin Sperry Road, Mt. Juliet, Davidson County, Tennessee, subject to the first (1st) mortgage thereon owed to First American National Bank, which property is more particularly described below, and any interest of the Husband, James William Reed, Jr., in and to the aforesaid property should be and is hereby divested out of him and reinvested in the Wife, Carol C. Reed, so that she shall own the aforesaid realty and residence as her sole property, free and clear of any right, title or interest of the Husband. The said property is more particularly described as follows:

> Land situated in the Fourth Civil District of Davidson County, State of Tennessee, to wit:

Beginning at an iron pin on the northerly margin of Alvin Sperry Road being the southeast corner of a 0.15 acre parcel conveyed to James H. Bright and wife, of record in Book 3907, page 367, Register's Office for Davidson County, thence with the east line of said parcel N 40 deg 52' 27" W, 94.25 feet to an iron pin in the east line of said James H. Bright and wife, Lois Moss Bright property of record in Book 1338, page 626, R.O.D.C., Tn.; thence with said east line N 03 deg 40' 18" E, 537.65 feet to an iron pin in the south boundary line of Bailey Slavin, Jr., property of record in Book 5852, page 388, R.O.D.C., Tn.; thence with said line, being an old wire fence S 83 deg 31' 48" E, passing said Slavin's southeast corner and James M. Odum's southwest corner at 14.01 feet and continuing with James W. Odum's south line for a distance of 306.88 feet to an iron pin; thence S 06 deg 32' E, 562.60 feet to the northerly margin of Alvin Sperry Road; thence with the same south 75 deg 12' W, 111.59 feet and S 77 deg 08' W 254.09 feet to the beginning, containing 5.00 acres, more or less.

Being the same property conveyed to James W. Reed et ux, Carol C. Reed by deed from Edmund W. Turnley, III, Bankruptcy Trustee, by Bankruptcy Trustee's Deed of record in Book 6402, page 569, Register's Office for said County.

It is further ORDERED, ADJUDGED and DECREED that the Wife, Carol C. Reed, shall be solely responsible for the aforesaid First American National Bank first (1st) mortgage encumbering the Alvin Sperry Road property, and she shall indemnify and hold the Husband harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the Wife, Carol C. Reed, should be, and is hereby, awarded the residence and real property located at 2660 Shacklett Drive, Nashville, Davidson County, Tennessee, subject to the first (1st) mortgage thereon due to SunTrust Bank and subject to the Line of Credit thereon due to First American National Bank, which property is more particularly described below, and any interest of the Husband, James William Reed, Jr., in and to the aforesaid property should be and is hereby divested out of him and reinvested in the Wife, Carol C. Reed, so that she shall own the aforesaid realty and residence as her sole property, free and clear of any right, title or interest of the Husband. The said property is more particularly described as follows:

A certain tract or parcel of land in Davidson County, State of Tennessee, described as follows:

Being Lot No. 11 on the Plan of Larkwood Subdivision, as of record in Book 2900, page 144, Register's Office for Davidson County, Tennessee

BEGINNING at a point in the northerly margin of Shacklett Drive common corner of Lots Nos. 11 and 12; thence with the line between said two lots northerly 150.68 feet to a point; thence easterly 127.22 feet to a point in the westerly margin of Lockwood Drive; thence with said margin southerly 161.49 feet to a point; thence around a curve southwesterly 39.27 feet to a point in the northerly margin of Shacklett Drive; thence with said margin of said drive westerly 70 feet to the point of beginning.

Being the same property conveyed to James W. Reed, Jr. and wife, Carol C. Reed, by deed from John M. North and wife, Carmen L. North as of record in Book 4791, page 962, said Register's Office.

It is further ORDERED that the Wife, Carol C. Reed, shall be solely responsible for the first (1st) mortgage due to SunTrust Bank and for the Line of Credit due to First American National Bank, which encumber the aforesaid Shacklett Drive property, and she shall indemnify and hold the Husband harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the funds of the parties on deposit in the escrow account of the Wife's attorney, Mary Arline Evans, in the approximate amount of Nineteen Thousand One Hundred Eighty ($19,180.00) Dollars, shall be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby ORDERED to keep in effect the Federal Kemper Life Insurance policy on his life, being policy number FK 502 5772, having a face value of Two Hundred Fifty Thousand ($250,000.00) Dollars, with the Wife as sole and exclusive beneficiary thereof, and that the Husband should be and is hereby ORDERED to pay the premium thereon in a timely manner, as alimony necessary for the support and maintenance of the Wife. The Wife shall be permitted to obtain information directly from the insurance company so as to confirm the payment of premiums and continued existence of this coverage.

It is further ORDERED, ADJUDGED and DECREED that the Wife, Carol C. Reed, should be and is hereby awarded the Met Life policy of insurance on her life, being policy # 670526036M, and the cash value therein, as her sole property, free and clear of any right, title or interest of the Husband.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby awarded the three (3) Met Life policies of insurance on his life, being policies #814431196A, #844430484A, and #874632447M, and the cash value therein, as his sole property, free and clear of any right, title or interest of the Wife.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby ORDERED to maintain health insurance for the benefit of the Wife, Carol C. Reed, at his expense, for ninety (90) days following entry of the Final Decree of Divorce in this cause.

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It is further ORDERED, ADJUDGED and DECREED that the Wife should be and is hereby awarded the Toyota Avalon automobile as her sole property, free and clear of any right, title or interest of the Husband. The Wife should be and is hereby ORDERED to be solely responsible for the debt which encumbers this vehicle, and she shall indemnify and hold the Husband harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the Husband should be and is hereby awarded the Chevy van, the Honda motorcycle, and the leased Jeep Cherokee as his sole property, free and clear of any right, title or interest of the Wife. The Husband should be and is hereby ORDERED to be solely responsible for the debt which encumbers the motorcycle and for the Jeep lease obligation, and he shall indemnify and hold the Wife harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the ~~that~~ parties should be and are hereby each awarded as their sole property all funds on deposit in their respective names in various financial institutions, including checking, savings, and credit union accounts, free and clear of any right, title or interest of the other.

It is further ORDERED, ADJUDGED and DECREED that the parties should be and are hereby each awarded the Individual Retirement Accounts (IRA's) in their respective names held at First Union Bank, free and clear of any right, title or interest of the other, the Husband's IRA being account [redacted]6-8144 in the approximate amount of Sixteen Thousand Two Hundred Seventeen and 78/100 ($16,217.78) Dollars and the Wife's IRA being account [redacted]2-9050 in the approximate amount of Thirteen Thousand Nine Hundred Seven and 46/100 ($13,907.46) Dollars.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby awarded the six (6) duplexes (twelve (12) units) and real property located at 1411, 1413, 1415, 1417, 1419 and 1421 Lischey Avenue, Nashville, Davidson County, Tennessee and more particularly described below, subject to the mortgages held by Union Planters Bank and First American National Bank and subject to outstanding real property taxes due thereon, and any interest of the Wife, Carol C. Reed, in and to the aforesaid real property should be and is hereby divested out of her and reinvested in the Husband, James William Reed, Jr., so that he shall own the aforesaid real property as his sole property, free and clear of any right, title or interest of the Wife. This property is more particularly described as follows:

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: to wit:

Tract I:

Land in Davidson County, Tennessee, being lots Nos. 5, 6, and 7 on the Plan of Joy Floral Company Property, as of record in Book 5210, page 161, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a metes and bound description.

Being the same property conveyed to James W. Reed, Jr. by deed from Freddy L. Pugh of record in Book 6664, page 523, Register's office for Davidson County, Tennessee.

Tract II:

Land in Davidson County, Tennessee, being Lots Nos. 2, 3, 4, 5, 6 and 7 on the Plan of Joy Floral Company Property, as of record in Book 5210, page 161, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a metes and bounds description.

Being the same property conveyed to James W. Reed, Jr. and wife, Carol C. Reed, by deed from Clarence Elrod and wife, Carlene C. Elrod, of record in Book 6486, page 624, Register's Office for Davidson County, Tennessee.

It is further ORDERED that the Husband, James William Reed, Jr. should be and is hereby ORDERED to be solely responsible for the aforesaid mortgages and for the outstanding real property taxes which encumber the said Lischey Avenue property, and he shall indemnify and hold the Wife harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James W. Reed, Jr., should be and is hereby awarded the duplex and real property located at 1115 Campbell Street, Nashville, Davidson County, Tennessee, subject to the mortgage thereon held by Union Planters Bank, which property is more particularly described below, and any interest therein of the Wife, Carol C. Reed, should be and is hereby divested out of her and reinvested in the Husband, James William Reed, Jr., so that he shall own the aforesaid real property as his sole property, free and clear of any right, title or interest of the Wife. The said property is described as follows:

A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: TO-WIT:

TRACT I:

Land in Davidson County, Tennessee, being a portion of Lot 57 on the Plan of Brownsville, as of record in Book 21, page 9, Register's Office for Davidson County, Tennessee, and described according to a survey by George Anton, Registered Engineer No. 5348, dated September 19, 1978, as follows:

Beginning at a point which is the northeast corner of said Lot 57 and the northwest corner of the Richard T. Brown property, said point being 87° 52' 53" west 70.06 feet from an iron pin set in concrete in the line of said Brown and southeasternmost corner of the property conveyed to Everett H. Lowe and Richard Shepherd as recorded in Book 5343, page 230, said Register's Office; thence south 1° 55' 20" west 480.58 feet to a point, northeast corner of Alpha-Zoe Hall property, as recorded in Book 4763, page 330, said Register's Office; thence north 87° 34' 50" west 206.57 feet to a point in the line of J. T. McMahan; thence north 1° 49'43" east 482.33 feet to a point in the line of the aforesaid Lowe and Shepherd property; thence south 87° 06' 02" west 207.39 feet to the point of beginning, containing 2.29 acres, more or less. Being a recent and exact description of the same property conveyed to Mary Jane Swafford by deed, dated June 15, 1976, from C. L. McFarland and wife, Martha McFarland of record in Book 5035, page 829, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to James William Reed, Jr. by deed from Everette H. Lowe and Richard Shepherd of record in Book 6146, page 187 Register's Office for Davidson County, Tennessee.

TRACT II:

Being Lot No. 5 Campbell Street, BROWN MEADOWS, Nashville, Tennessee, which plat is of record in Book 2854, page 113, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to James William Reed, Jr. by deed from Doyle Harding Brown and wife, Linda S. Brown, of record in Book 6084, page 679, Register's Office for Davidson County, Tennessee.

TRACT III:

Being "RESERVED PARCEL A", Brown Meadows, of record in Book 2854, page 113, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to James William Reed, Jr. by deed from Richard T. Brown and wife, Evelyn C. Brown of record in Book 6084, page 684, Register's Office for Davidson County, Tennessee.

TRACT IV:

Being Lot No. 6 Campbell Street, BROWN MEADOWS, Nashville, Tennessee, which plat is of record in Book 2854, page 113, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to James William Reed, Jr. by deed from Gertrude Brown, a widow, of record in Book 6084, page 682, Register's Office for Davidson County, Tennessee.

It is further ORDERED that the Husband should be and is hereby ORDERED to be solely responsible for the Union Planters Bank mortgage encumbering the said Campbell Street property, and that he shall indemnify and hold the Wife harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby awarded the undeveloped real property located at 716, 717, 720, 721 and 724 Jones Park Court, and the unnumbered partial parcel also at that location, and more particularly described below, which property is unencumbered by a mortgage but which is subject to past due and unpaid real property taxes, and any interest of the Wife, Carol C. Reed, in and to the said real property, should be and is hereby divested out of her and into the Husband, James William. Reed, Jr., so that he shall own the aforesaid Jones Park Court real property as his sole property, free and clear of any right, title or interest of the Wife. The said property is more particularly described as follows:

LAND IN Davidson COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS: to wit:

TRACT I:

Land in Davidson County, Tennessee, being lots 5, 6, 7, 8, 9, 10, 11, 12 on the plan of Jones Park Estates, of record in Book 5722, page 89, Register's office for said County.

Being the same property conveyed to James W. Reed, Jr. by deed from Freddy L. Pugh of Record in Book 6664, page 525, Register's office for Davidson County, Tennessee.

TRACT II:

Land in Davidson County, Tennessee, being Reserve Parcel "A" on the plan of Jones Park Estates, of record in Book 5210, page 349, Register's Office for said County, and described as follows:

Beginning at a point which is the northeasterly corner of Lot No. 13 on said plan; thence, S 87° 41' 05" E. 472.86 feet to a point; thence. S 3° 51' 47" W 315.20 feet to a point; thence, N 84° 08' 06" W. 488.80 feet to a point which is the southeasterly corner of Lot No. 1 on said plan; thence, with the easterly line of Lot No. 1, N 5° 36' 48" E. 119.56 feet to a point; thence, eastwardly 0.64 feet to a point; thence, N 5° 36' 08" E 165.8 feet to the point of beginning.

Being the same property conveyed to James W. Reed, Jr. by deed from P. & A. Properties, Inc. of record in Book 6284, page 983 Register's Office for Davidson County, Tennessee.

It is further ORDERED that the Husband shall be solely responsible for the outstanding real property taxes which are due on the Jones Park Court property and he shall indemnify and hold the Wife harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby awarded "Reed and Associates, Architects," as his sole property, free and clear of any right, title or interest of the Wife, Carol C. Reed. It is further ORDERED that the Husband shall be solely responsible for the debts, obligations and liabilities of "Reed and Associates, Architects" and he shall indemnify and hold the Wife harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the Sixty-Thousand ($60,000.00) Dollar note receivable due to the parties in July 1999 shall be applied first to liquidate the Line of Credit due to First American National Bank in the approximate amount of Forty-Three Thousand One Hundred Four and 50/100 ($43,104.50) Dollars which Line of Credit encumbers the Alvin Sperry residence, and thereafter the remaining balance of the note receivable shall be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Wife should be and is hereby awarded the original blueprints and sepias for the Alvin Sperry Road residence, her Last Will and Testament if in the Husband's possession, and her high school composite picture located in the Husband's office.

It is further ORDERED, ADJUDGED and DECREED that the parties shall have the right to ask the Court, by Motion, to divide their household goods if they are otherwise unable to reach a satisfactory division thereof.

It is further ORDERED, ADJUDGED and DECREED that the parties should be and are hereby each awarded four (4) of the parties' University of Tennessee season football tickets.

It is further ORDERED, ADJUDGED and DECREED that the Husband, James William Reed, Jr., should be and is hereby ordered to pay to the Wife, Carol C. Reed, as alimony *in futuro*, the sum of One Thousand Five Hundred ($1,500.00) Dollars per month, until her death or remarriage or the death of the Husband.

It is further ORDERED, ADJUDGED and DECREED that the Husband shall be solely responsible for any taxes, penalties or interest due on the parties' joint income tax returns, if any, and each party shall be solely and separately responsible for any taxes, penalties or interest due on their respective individual income tax returns, and they shall each indemnify and hold the other harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the parties shall each be solely responsible for any debts that they have acquired in their respective names since the separation in November, 1996, and they shall each indemnify and hold the other harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the parties shall execute any additional documents necessary to effectuate the terms of this Order.

It is further ORDERED, ADJUDGED and DECREED that Mary Arline Evans, attorney, should be and is hereby awarded a judgment against the Husband, James William Reed, Jr., in the amount of Three Thousand Five Hundred ($3,500.00) Dollars for partial attorney fees for representation of the Wife, Carol C. Reed, in this cause, for which let execution issue if necessary.

It is further ORDERED, ADJUDGED and DECREED that the costs of this cause should be and are hereby taxed to the Husband, James William Reed, Jr., for which let execution issue if necessary.

ENTER this 12th day of April 1999.

JUDGE

APPROVED FOR ENTRY:

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MARY ARLINE EVANS No. 12067
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c: Greg Smith 4-8-99

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IDENTIFICATION REFERENCE

BOOK 11445 PG. 325

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 12 day of APRIL , 19 99 , in the Case Number 97D1882 between REED, JAMES JR. Plaintiff, and REED, CAROL Defendant, as same remains of record in Vol. 586 , Page 107512 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 22 day of APRIL in the year one thousand nine hundred and ninety-nine and in the 223rd year of American Independence.

RICHARD R. ROOKER, Clerk,

By B. Rawls
Deputy Clerk

SEAL

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