BOOK 11649 PAGE 489

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

99 SEP 13 PM 3:40
B Murray D.C.

JAMES PATRICK DORTCH, SR.	)	
	)	
v.	)	**No: 98D-3460**
	)	
EVONNE P. DORTCH	)	

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 19th day of July, 1999, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon Husband's Complaint for Divorce and Wife's Answer and Counter-Complaint thereto. It appearing to the Court that the parties have announced agreement as concerns the granting of the divorce which the Court approves and finds proper and makes an order of the Court as follows:

1. It is, therefore, **ORDERED, ADJUDGED AND DECREED** that by stipulation of the parties, they are declared divorced pursuant to T.C.A. §36-4-129, upon the stipulation that if the Court were to hear the proof, the Court would find that each have grounds against the other for divorce. It is, therefore, **ORDERED, ADJUDGED AND DECREED** that these parties are divorced pursuant to T.C.A. §36-4-129.

2. The Court further finds that the fair market value of the home place is $200,000.00. The Court makes the finding that the fair market value of the business known as PD Printing is $38,000.00. The Court finds the marital debt to be $10,000.00, which the Court will order divided.

The Court further has taken into consideration the value of the marital furnishings which have been appraised and the value which by this order is awarded to each party. It is, therefore, **ORDERED, ADJUDGED AND DECREED** that Mr. Dortch is awarded the items of personal property as listed on Exhibit 12, those being numbered as follows with a value of each listed.

42	$600.00
68	$450.00
69	$800.00
72	$250.00
74	$150.00
101	$400.00
	$2,650.00

Total value of furniture awarded to Husband $2,650.00. The remainder of the marital furnishings

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WILLIAM R. KEY REGISTER DAVIDSON COUNTY, TN.
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KEY REFERENCE

are awarded to Wife, the value of which is $27,049.00.

3. The Court finds that Mr. Dortch has the ability to pay and Ms. Dortch has the need for alimony in futuro. It is, therefore, **ORDERED, ADJUDGED AND DECREED** that Mr. Dortch is **ORDERED** to pay Ms. Dortch the amount of $1,000.00 per month alimony in futuro until her death or remarriage. This amount shall be paid directly to Ms. Dortch beginning August 1, 1999 and the 1st of each and every month unless otherwise changed or modified by written order of this Court.

4. The following properties are awarded as indicated:

A. Wife is awarded all right, title and interest in the marital residence located at 5844 Pettus Road, Antioch, Tennessee 37013, which is more particularly described as follows:

> Being Lot 1 on the Plan of David Knaggs Farm Subdivision, of record in Plat Book 5190, Page 574, Register's Office of Davidson County, and more particularly described in a survey by Howard George & Associates, dated September 21, 1981, as follows:
>
> BEGINNING at an iron pin found upon the east right-of-way of Pettus Road at the northwest corner of the said Lot 1; thence South 85 deg. 55' 50" East 364.95 feet to a point in an existing fence; thence South 52 deg. 14' 20" East 294.76 feet to a concrete monument set, the northeast corner of Lot 2; thence with the north line of Lot 2 South 82 deg. 5' 10" West, passing a concrete monument set at 300.75 feet, a total distance of 594.94 feet to an iron pin set on the east right-of-way of Pettus Road at the northwest corner of Lot 2; thence with said right-of-way North 4 deg. 45' 10" East 327.16 feet (previously stated as 347.65 feet in error, see above described Plat) to the beginning, containing 3.03 acres, more or less, subject to and including the easements shown on the plat referred to on Lots 1 and 2, including a certain 10 foot sewer easement, a 90' x 100' permanent drain field easement, and a 20 foot wide drainage easement along an existing drain.
>
> Being the same property conveyed to James Patrick Dortch and wife, Evonne Dortch, by deed from Dean Rutherford a/k/a Dean Dillon and wife, Keni L. Dillon, of record in Book 8189, Page 696, Register's Office of Davidson County, Tennessee

All right, title and interest of Husband is hereby divested out of Husband and reinvested solely in Wife. Wife further is responsible and shall hold Husband harmless on the mortgage indebtedness owing thereto in the approximate amount of $59,500.00. The amount of equity awarded to her should be $140,500.00.

B. Husband is awarded:

The business known as PD Printing	$ 38,000.00 (net value)
The commercial property at 2711 Landers Avenue	233,056.00 (net value)

The commercial property located at 2711 Landers Avenue, Nashville, Tennessee 37211, is more fully described as follows:

> Being Lots 84 and 85 of the Thompson & Ring's Revised and Corrected Plan of Edenwold Park as of record in Plan Book 332, Page 29, Register's Office for Davidson County, Tennessee. Each lot fronts 50 feet on the westerly side of Landers Avenue, and runs back between parallel lines 185 feet to an alley.
>
> Being the same property conveyed to Pat Dortch by deed from Power Enterprises, dated July 1987, and of record in Deed Book _____, Page _____, Register's Office for Davidson County, Tennessee.

Any and all right, title and interest of Wife in the commercial property at 2711 Landers Avenue, Nashville, Tennessee 37211, is hereby divested out of Wife and reinvested solely in Husband to the exclusion of Wife. The Court found the market value of this property to be $350,000.00. The mortgage pay-off to be $116,943.00. The Court finds the equity in this to be $233,056.00. Husband is **ORDERED** to pay the balance of the debt and hold Wife harmless thereon.

5. It is further **ORDERED, ADJUDGED AND DECREED** that Husband is **ORDERED** to pay the lease on the Navigator and the insurance thereon until the lease is paid. Wife is **ORDERED** to maintain the Navigator in a proper fashion without any damage excepting ordinary wear and tear, pursuant to the terms of the lease.

As alimony in gross for her support, non dischargeable in Bankruptcy. MLP

6. Husband is **ORDERED** to carry Wife under the COBRA on medical insurance for a period of sixty (60) days from this date or until her insurance from her new employer becomes effective, whichever is first.

7. Wife is awarded the balance of the furniture on Exhibit 12, the value of which is $27,049.00.

8. The Court further finds to equalize the division of the property that Husband is to pay Wife the amount of $91,532.50, which shall be as further property division so that the Court can equalize the property distribution between the parties. The Court **ORDERS** that the $91,532.00 lien shall be on the business as well as the commercial real estate on Landers Avenue.

9. It is the **ORDER** of this Court that the division of marital property is as follows:

Husband:	Value:	Wife:	Value:
Furniture	$ 2,650.00	Furniture	$ 27,049.00
Business of PD Printing	38,000.00	Marital Residence	140,500.00

Commercial Property	233,056.00	Division of Property	91,532.00
	$273,706.00		$259,081.00

10. It is further **ORDERED, ADJUDGED AND DECREED** that each party shall be awarded their IRA's.

11. It is further **ORDERED** that Husband shall be awarded his Cadillac automobile and be responsible for the indebtedness thereon.

12. It is further **ORDERED, ADJUDGED AND DECREED** that Husband shall be responsible for $4,848.50 of Wife's attorney's fees, which amount is awarded to Wife in the form of alimony.

13. It is further **ORDERED, ADJUDGED AND DECREED** that Husband shall keep his two life insurance policies in effect with Ms. Dortch named as beneficiary and pay the premiums thereon which shall be awarded to her as additional alimony necessary to secure her alimony payments.

14. The Court further **ORDERS** that Mr. Dortch is to make arrangements as soon as possible to pay Ms. Dortch her equitable interest as previously ordered by this Court in this decree.

15. It is further **ORDERED, ADJUDGED AND DECREED** that the costs of this cause are assessed against Husband, James Patrick Dortch, Sr., 2711 Landers Avenue, Nashville, Tennessee 37211, for which let execution issue if necessary.

Enter this 19th day of ~~July,~~ Aug 1999.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

D. SCOTT PARSLEY, #13606
BARRETT, JOHNSTON & PARSLEY
217 Second Avenue North
Nashville, TN 37201
(615) 244-2202

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been served on the Honorable Amanda McClendon, 2806 Bransford Avenue, Nashville, TN 37204, by placing same in the U. S. Mail, postage prepaid, on this 29 day of July, 1999.

D. SCOTT PARSLEY

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 19 day of AUGUST , 19 99 , in the Case Number 98D3460 between DORTCH, JAMES PATRICK SR Plaintiff, and DORTCH, EVONNE P Defendant, as same remains of record in Vol. 791 , Page 145096 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 03 day of SEPTEMBER in the year one thousand nine hundred and ninety-nine and in the 224th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk