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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
1999 NOV -5 AM 9:45
RICHARD R. ROOKLIN, CLERK
D Murray D.C.

SIMINTAJ (NMN) VAFAIE, Wife, vs. MAHMOOD (NMN) VAFAIE, Husband.	)	No. 97D-1321 **NOTICE OF ENTRY REQUESTED**

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FINAL DECREE OF DIVORCE

This cause came to be heard on the 3rd day of November, 1999, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the original and Amended Complaints for Divorce of the Wife, and the Counter-Complaint of Husband, the respective Answers thereto, statements of counsel, testimony of the parties and their witnesses, and the record as a whole, from all of which it duly appeared to the Court that the Wife, Simintaj Vafaie, is entitled to an absolute divorce on the grounds of the Husband's inappropriate marital conduct and adultery.

It is therefore ORDERED, ADJUDGED and DECREED as follows:

1. That the Wife, Simintaj Vafaie, is hereby granted an absolute divorce from the Husband, Mahmood Vafaie, and the parties are restored to all the rights and privileges of unmarried persons, and the bonds of matrimony heretofore existing between the parties are hereby perpetually dissolved.

2. Each party is awarded the personal property in that party's possession. As to Wife, this includes the two Persian rugs and the miniature art which Husband had requested. These are awarded to Wife.

3. Wife is awarded the 1993 Nissan Altima, free and clear of all claims of Husband.

4. Husband is awarded the 1994 Ford Taurus and the 1996 Jeep on which he had previously traded in the 1997 Ford Ranger truck, as his sole property, free of all claims of Wife.

5. Each party shall receive all checking accounts in that party's name as that party's sole property, free of all claims of the other.

6. Wife is awarded all right, title and interest in and to the real estate located at 233 Summit Ridge Drive, Nashville, Davidson County, Tennessee. Husband is hereby divested of all his right, title and interest in and to said real property and the same is vested in Wife in fee simple absolute. Said property is more fully described as follows:

> Unit No. 233 as shown on the Plan of Four Seasons, a Condominium Development, together with an undivided percentage interest in the Common Elements appurtenant to said unit, as set forth in the Master Deed establishing Four Seasons, a Condominium, of record in Book 6841, page 349, Register's Office for Davidson County, Tennessee.
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> Being a portion of the same property conveyed to Four Seasons Associates, Inc. by instrument recorded in Book 6793, page 61, Register's Office for Davidson County, Tennessee.
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> Being a portion of the same property conveyed to Mahmood Vafaie and wife, Simintaj Vafaie by deed from Four Seasons Associates, Inc., a Tennessee corporation, of record in Book 7376, page 370, Register's Office for Davidson County, Tennessee.

7. Wife is awarded all right, title and interest in and to the real estate located at 320 Nesbitt Lane, Madison, Davidson County, Tennessee. Husband is hereby divested of all his right, title and interest in and to said real property and the same is vested in Wife in fee simple absolute. Said property is more fully described as follows:

> Land in Davidson County, Tennessee, being Lot No. 5B on the Zone Lot Division of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51, 52, 53, 54, 55, 56, 57, 58, 59, & 60 of Heritage Place, of record in Plat Book 5200, page 628, as amended in Plat Book 6250, page 632, Register's Office for Davidson County, Tennessee, to which Plan reference is here made for a more complete description of said lot.
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> Being the same property conveyed to Afsoon Vafaie Elmore, by Deed of record in Book 8367, page 973, Register's Office for Davidson County, Tennessee.
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> Being the same property conveyed to Mahmood Vafaie, by deed from Afsoon Vafaie Elmore, of record in Book 9378, Page 558, Register's Office for Davidson County, Tennessee.

8. Wife is awarded all right, title and interest in and to the real estate located at 314 Nesbitt Lane, Madison, Davidson

County, Tennessee. Husband is hereby divested of all his right, title and interest in and to said real property and the same is vested in Wife in fee simple absolute. Said property is more fully described as follows:

> Being Lot No. 7-A, Zone Lot Division of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 60, Heritage Place, of record in Plat Book 6250, page 632, amending Plat Book 5200, Page 628, Register's Office for Davidson County, Tennessee, to which Plat reference is hereby made for a more complete legal description of said lot.
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> Being the same property conveyed to Ray McMullen and wife, Elizabeth McMullen by deed from Secretary of Housing and Urban Development, of record in Book 7742, Page 195, Register's Office for said County. (Elizabeth McMullen, having since died a resident of Davidson County, Tennessee, July 01, 1995.)
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> Being the same property conveyed to Mahmood Vafaie, by deed from Ray McMullen, of record in Book 10796, Page 232, Register's Office for said County.

9. Wife is awarded all right, title and interest in and to the real estate located at 328 Nesbitt Lane, Madison, Davidson County, Tennessee. Husband is hereby divested of all his right, title and interest in and to said real property and the same is vested in Wife in fee simple absolute. Said property is more fully described as follows:

> Land in Davidson County, Tennessee, being Lot No. 3B of the Zone Lot Division of Lots 1-10, 15-24, and 51-60, Heritage Place, of record in Plat Book 6250, page 632, Register's Office for said County, to which reference is hereby made for a more complete description.
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> Being the same property conveyed to Lucas M. Nieto and wife, Mary E. Nieto, by deed from Fischer Construction Co. of record in Book 7763, page 489, Register's Office, Davidson County, Tennessee.
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> This legal description is the same as found in the previous deed of record.
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> Being the same property conveyed to Mahmood Vafaie, by deed from Lucas M. Nieto and wife, Mary E. Nieto, of record in Book 11018, Page 668, Register's Office for Davidson County, Tennessee.

10. Wife shall be solely responsible for the mortgages on all real property awarded to her herein and shall hold Husband harmless and indemnify him thereon.

11. Wife is entitled to immediately begin receiving all rental income from the properties she is awarded in this Order paid after November 3, 1999 as her sole property, free of all claims of Husband.

12. Wife is awarded the two Individual Retirement Accounts at First American Bank in the name of Mahmood Vafaie, being Investment Numbers 240-600-0241501508 and 240-620-0241501359, as her sole property, free of all claims of Husband. Husband is hereby divested of all his right, title and interest in and to said two IRA accounts, and these accounts shall immediately be transferred to the name of Simintaj Vafaie.

13. Husband is awarded all right, title and interest to Europa Mini Park, Inc. as his sole property, free of all claims of Wife.

14. Wife is awarded her Edward D. Jones Investment Account as her sole property, free of all claims of Husband.

15. Wife is awarded her Edward D. Jones IRA account as her sole property, free of all claims of Husband.

16. Husband is awarded all real estate in which the parties have an interest in Iran as his sole property, free of all claims of Wife.

17. Husband is awarded the IBM stock as his sole property, free of all claims of Wife.

18. Husband is awarded the AON Insurance stock as his sole property, free of all claims of Wife.

19. Husband is awarded the BellSouth stock as his sole property, free of all claims of Wife.

20. Husband is awarded his Timeshare at Fairfield Glade as his sole property, free of all claims of Wife.

21. Wife shall pay the debts listed on her Income and Expense Statement and hold Husband harmless and indemnify him thereon. Husband shall pay the debts attached to his Income and

Expense Statement and shall hold Wife harmless and indemnify her thereon.

22. Husband shall pay alimony in futuro to Wife in the amount of $150.00 per month, payable in hand or postmarked on the 1st day of each month. This alimony shall be modifiable based on a substantial and material change of circumstances.

23. Mahmood Vafaie is hereby enjoined and prohibited from taking any action toward disposing of, encumbering, transferring ownership in, placing liens against, or in any other manner interfering with the real and personal property which is awarded to Wife in this Order. It is the Court's intent that all transfers of ownership ordered herein take place immediately in order to protect the property, even in the event of appeal.

24. Husband is enjoined and prohibited from interfering with Wife's taking immediate possession of all property awarded to her in this Order.

25. Mahmood Vafaie shall pay one-half Wife's attorney fees of $10,931 in the amount of $5,465.50. This shall constitute a judgment for which execution may issue.

26. Court costs are taxed to the Husband.

Entered this 5th day of NOV, 1999.

JUDGE

APPROVED FOR ENTRY:

BRUCE, WEATHERS, CORLEY, DUGHMAN & LYLE

MARY FRANCES LYLE
Attorney for Wife
First American Center, 20th Floor
315 Deaderick Street
Nashville, Tennessee 37238-2075
Telephone: (615) 244-5432
Supreme Court No. 6895

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree of Divorce has been mailed, postage prepaid, to Jay R. Slobey, Attorney for Husband, 414 Union Street, Suite 2050, Nashville, Tennessee 37219, on this 4th day of November, 1999.

MARY FRANCES LYLE

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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 30 day of OCTOBER , 19 97 , in the Case Number 97D3121 between POPA, IRENE Plaintiff, and GHEORGHE, CONSTANTINE Defendant, as same remains of record in Vol. , Page _ of the Minutes of said Court.

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IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 10 day of NOVEMBER 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

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ATTEST: