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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

2000 JAN 12 PM 2:57

RICHARD R. ROOKER, CLERK

JOHN CALVIN SMITH,	]	
	]	
Plaintiff,	]	
	]	
VS.	]	NO. 98D-324 B Murray D.C.
	]	
LOIS L. GREGORY SMITH,	]	NOTICE OF ENTRY REQUESTED
	]	
Defendant.	]	

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 12th day of January, 2000, before the Honorable Muriel Robinson, Judge, upon the original Complaint for Bed and Board Divorce filed by the Plaintiff, John Calvin Smith, hereinafter referred to as "Husband"; Answer and Counter-Complaint for Absolute Divorce filed by the Defendant, Lois L. Gregory Smith, hereinafter referred to as "Wife"; Answer to Counter-Complaint filed by Husband; announcement to the Court as to a stipulated divorce and property division settlement; testimony of the parties as to their agreement to the announced provisions; statements of counsel; statements of the Court; and the entire record in this cause, from all of which the Court is pleased to approve said agreement and make same the Order of the Court. It is accordingly:

ORDERED, ADJUDGED AND DECREED that pursuant to Tennessee Code Annotated §36-4-129, the Court shall declare the parties divorced, one from the other. The Court finds that the parties stipulated that had the Court heard the proof, each party would have presented grounds for divorce from which the Court could have granted a divorce in this cause. As such, the bonds of matrimony heretofore subsisting between the parties are hereby forever and perpetually dissolved, and each party is restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties have agreed that all right, title, and interest in and to their real property located at 1238 Ardee Street, in Nashville, Davidson County, Tennessee, shall be awarded to Husband and the parties' adult son, Ronald C. Smith, as tenants-in-common with right of survivorship, free and clear of any interest of the Wife, and

subject to any indebtedness thereon, indemnifying and holding Wife harmless from any liability thereon. Wife shall execute a Quitclaim Deed divesting herself of any interest in said property on or before the granting of a divorce in this cause. Husband shall indemnify and hold Wife harmless as it pertains to any outstanding indebtedness against said property should he and their son, Ronald C. Smith, default on the mortgage and the mortgage company attempt to litigate against Wife.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wife shall be awarded all right, title, and interest in and to the real estate located at 8303 Mulberry Street, Tampa, Florida, free and clear of any interest of Husband, and subject to any indebtedness therein, indemnifying and holding Husband harmless from any liability thereon. Wife shall be responsible for paying the mortgage on said property, indemnifying and holding Husband harmless from any liability thereon. Husband shall execute a Quitclaim Deed, if one is needed, divesting himself of any interest in said property on or before the granting of a divorce in this cause. However, Husband shall retain a lien on said property until Wife pays off the outstanding indebtedness on the joint SunTrust Bank Visa credit card (account number 4229-4230-0022-6895) set forth under other provisions of this Final Decree. Upon Wife's paying the balance owed on the joint SunTrust Bank Visa credit card, Husband shall execute a Release releasing his lien on said property. Should Wife predecease Husband and the property is sold, only that portion of the equity required to pay off the joint SunTrust Bank Visa account will be paid to Husband for the expense of paying off the SunTrust Bank Visa outstanding indebtedness. The legal description of the 8303 Mulberry Street property is as follows:

> Certain land situated in Hillsborough County, Florida and described as:
>
> Lot 8, Block 29 of Sulphur Springs addition to Tampa, according to map or plat thereof as recorded in Plat Book 6, page 5 of the Public Records of Hillsborough County, Florida, together with the west half of alley abutting said property on the east.
>
> Folio No. 146508.0000
>
> Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties owned real property located at 1223 Wild Feather Lane, Sun City Center, Florida which was foreclosed upon in December of 1999. Wife shall be responsible for paying any outstanding indebtedness against said property, indemnifying and holding Husband harmless from any liability thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Husband shall be solely responsible for paying the outstanding indebtedness on the joint Discover credit card (account number 6011006737004326), indemnifying and holding Wife harmless from any liability thereon. Wife shall be solely responsible for paying off the outstanding indebtedness owed to the joint SunTrust Bank Visa credit card (account number 4229-4230-0022-6895), indemnifying and holding Husband harmless from any liability thereon. In the event Wife fails to pay the SunTrust Bank Visa credit card indebtedness according to the terms under the provisions of this Final Decree of Divorce, and if SunTrust Bank Visa seeks to collect said debt from Husband, then Husband shall be entitled to enforce his lien on said real estate pursuant to the state law of Florida, and that his costs of collection of the lien shall be paid by Wife.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that if either party fails to pay a debt which they are assuming under the provisions of this Final Decree of Divorce, and in the event it becomes necessary to seek reimbursement of the other party pursuant to the hold harmless provisions set forth herein, then the other party shall pay the attorney's fees and costs of collection incurred in collecting pursuant to the hold harmless provisions.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall be awarded all items of personal property, not specifically mentioned under other provisions of this Final Decree, presently in their respective possession, free and clear of any interest of the other party, and subject to any indebtedness thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall be responsible for paying any other outstanding indebtedness listed in their separate name, except as otherwise mentioned under the provisions of this Final Decree, indemnifying and holding the

other party harmless from any liability thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wife shall retain full rights to the tort claim that she filed in the Circuit Court for Davidson County, Tennessee, and Husband hereby waives, relinquishes, and is divested of any interest which he may have, if any, in Wife's tort action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wife shall be allowed coverage under Husband's health insurance policy for the maximum amount of COBRA coverage time as allowed by federal law or by any other provisions under the health insurance policy. Wife shall be responsible for the payment of her premiums and any uncovered medical expenses incurred by her which are not covered by Husband's health insurance provider. Husband and his counsel shall cooperate with Wife and her counsel in obtaining any information necessary to obtain said coverage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wife shall be awarded the burial crypts located at Woodlawn Cemetery, free and clear of any interest of Husband. If Wife sells one or more of the burial crypts during her lifetime, she shall pay to Husband the sum received for the sell of one of the lots. Husband shall retain a lien on one of the lots to secure said payment in the event of sale during his lifetime. The legal description of the burial lots is as follows:

> Burial crypts in Davidson County, Tennessee described as:
>
> Woodlawn Funeral Home and Memorial Park, 660 Thompson Lane, Nashville, TN 37204, Mausoleum Crypt, East Cross Building, Floor 4, No. 170 and 171, Level B.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wife is awarded the 1992 Cadillac and the 1976 Pontiac vehicle presently in her possession, free and clear of any interest of Husband, and subject to any indebtedness thereon, indemnifying and holding Husband harmless from any liability thereon. Husband shall be awarded the 1989 GMC truck presently in his possession, free and clear of any interest of Wife, and subject to any indebtedness thereon, indemnifying and holding Wife harmless from any liability thereon.

THE COMPLAINT IS AMENDED TO REFLECT THAT THE WIFE'S PLACE OF BIRTH WAS PORTLAND, SUMNER COUNTY, TENNESSEE. PMJ PMJ

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall be responsible for the payment of their own respective attorney's fees incurred in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any and all Court costs assessed in this cause shall be equally divided between the parties, for all of which let execution issue if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the present addresses of the parties are as follows:

Wife:

Lois Louise Gregory Smith
4164 Brick Church Pike
Whites Creek, TN

Husband:

John Calvin Smith
1238 Ardee Street
Nashville, TN

IT IS SO ORDERED.

ENTERED on this the 12th day of January, 2000.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

JACKSON LAW OFFICE

ROBERT TODD JACKSON, #13566
Counsel for Defendant/Wife
222 Second Avenue North
Suite 419
Nashville, TN 37201
(615) 248-0051

MARTIN SIR, #7173
Counsel for Plaintiff/Husband
221 Fourth Avenue North
5th Floor
Nashville, TN 37219
(615) 254-6405

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 JANUARY , 2000 , in the Case Number 98D324 between SMITH, JOHN CALVIN Plaintiff, and SMITH, LOIS L. GREGORY Defendant, as same remains of record in Vol. 992 , Page 181962 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 two thousand and in the 224th year of American Independence.

RICHARD R. ROOKER, Clerk,

By Christy Allen
Deputy Clerk

SEAL

