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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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RICHARD R. ROCHER, CLERK

B Murray D.C.

TRACY MARABLE

Plaintiff,

VS NO. 99D-1090

TRACEY ARLENE MARABLE

Defendant,

FINAL JUDGMENT OF DIVORCE

This matter came before the Court, The Honorable Muriel Robinson, Judge for the Fourth Circuit Court for Davidson County, Tennessee, on the 2nd day of August 2000, for trial upon the Husband's complaint for absolute divorce and the Wife's pro se answer thereto. The Husband appeared with undersigned counsel and the Wife appeared pro se. Upon the parties' statements in open Court the Court finds that the parties' stipulate that they are each guilty of marital misconduct and pursuant thereto stipulate that the parties shall be declared divorced pursuant to T.C.A. 36-4-129. The only remaining issues for the Court's determination involve disposition of certain real property purchased by the Husband prior to the parties' marriage, the mortgage on which was subsequently refinanced in the names of the parties jointly; disposition of a 1995 Mitsubishi Gallant automobile which is titled and financed solely in the name of the Husband; cash assets removed by the Wife from the parties' bank account at Educator's Credit Union near the time of the parties' separation and payment of a certain indebtedness with Marks and Morgan Jewelers. Upon the testimony of the parties, statement of counsel and the entire record herein the Court finds and orders as follows:

IT IS ORDERED, ADJUDGED AND DECREED, that the parties shall be declared divorced pursuant to the provisions of T.C.A. 36-4-129 and the parties are each restored to all of the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the real property consisting of a home and lot located 304 Garner Avenue, Madison, Tennessee, which is titled solely in the name of the Husband, shall be vested in the Husband as his sole and separate property free and clear of any interest that the Wife may have acquired therein by virtue of the parties' marriage. A complete legal description of the aforementioned real property is as follows;

> Land in Davidson County, Tennessee, being Tract No. 35, Block "B" of Overlook Estates, of record in Book 843, page 105, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete legal description.

Being the same property conveyed to Tracy Marable by deed from Kerri D. Eldridge Higgins, unmarried, of record in Book 10275, page 898, Register's Office for Davidson County, Tennessee, the same being improved property located at 304 Garner Avenue, Madison, Tennessee 37115.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall be solely responsible for the payment of the mortgage thereon and he shall indemnify and hold harmless the Wife from any liability arising as a result of his failure to pay said mortgage when due. Pursuant thereto the Husband shall pay the house note thereon on time each month. In the event that the Husband becomes three (3) months in arrears on said note the property shall immediately be sold and the proceeds awarded to the Husband.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall make arrangements to refinance the mortgage on the aforementioned real property in his individual name within one (1) year. In the event that the Husband fails to refinance the mortgage on said real property within said one (1) year period the property shall be sold in order to relieve the Wife of liability on the mortgage and the proceeds awarded to the Husband.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall be awarded all right and title in and to the 1995 Mitsubishi Gallant automobile as his sole and separate property, free and clear of the any interest that the Wife may have in same. It is however, ordered that the issue of any equity interest in said vehicle that the Wife may wish to assert is reserved pending the presentation by the Wife of proper expert testimony concerning the value of said automobile.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the cash assets previously removed by the Wife from the parties' bank account at Educator's Credit Union in the amount of three thousand six hundred forty-five dollars ($3,645.00) shall be equally divided between the parties. Pursuant thereto any equity interest that the Wife may assert in the 1995 Mitsubishi Gallant automobile shall be subject to a credit in favor of the Husband in the amount of one thousand eight hundred twenty-two dollars and fifty cents ($1,822.50), said sum representing the Husband's interest in the cash assets removed by the Wife from the parties' bank account at Educator's Credit Union.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the parties shall each be awarded all personal property which they each have in the present possession free and clear of any interest that the other party may have in same.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that no allocation shall be

ordered between the parties with respect to the payment of the indebtedness with Marks and Morgan Jewelers and the parties shall therefore each remain jointly and severally liable for said indebtedness.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, given the similarity of the parties' names, that neither party shall use the name or social security number of the other party to obtain credit, incur charges or otherwise defraud the other party.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the parties shall pay their own attorney fees incurred herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the court costs herein shall be and hereby are taxed equally to the parties for which execution may issue if necessary.

The parties addresses are as follows; The Husband resides at 304 Garner Avenue, Madison, Tennessee 37115. The Wife resides at 501 Heritage Drive, Apt. 2, Madison, Tennessee 37115.

Enter this the 31st day of August 2000.

Muriel Robinson
Circuit Court Judge

APPROVED FOR ENTRY:

Jeffrey S. Pulley, #13923
Attorney for the Husband
107 Music City Circle, STE 319
Nashville, Tennessee 37214
(615) 871-4777

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Judgment of Divorce has been mailed to the Defendant, Tracey Arlene Marable, at her last known address, 501 Heritage Drive, Apt. 2, Madison, Tennessee 37115 on this the 25th day of August 2000.

Jeffrey S. Pulley

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 31 day of AUGUST , 2000 , in the Case Number 99D1090 between MARABLE, TRACY Plaintiff, and MARABLE, TRACEY ARLENE Defendant, as same remains of record in Vol. 1377 , Page 252656 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 25 day of OCTOBER in the year two thousand and in the 225th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

