FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

2002 JAN 30 PM 4:10

RICHARD R. ROOKER, CLERK

B. Rooker D.C.

DIANNA LYNN MUNCRIEF,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Docket No.: 01D-162**
	)	**NOTICE OF ENTRY**
DION B. MUNCRIEF,	)	**REQUIRED**
	)	
Defendant.	)	

FINAL DECREE OF DIVORCE

This cause came to be heard on January 9, 2002 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Wife's Complaint for Legal Separation, the Husband's Answer and Counter-Complaint for Absolute Divorce and the Wife's answer thereto. The Court finds, based on the statement of counsel, the testimony of the parties and the record as a whole that the parties have announced a settlement and the settlement as set forth below is approved and made the Order of this Court. The Court further finds that the Wife should be allowed to amend her complaint for legal separation to reflect a request for absolute divorce.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Wife's complaint for legal separation is amended to request an absolute divorce.

IT IS FURTHER ORDERED that the parties have stipulated that the Husband has been guilty of such inappropriate marital conduct as to justify an award of absolute divorce to the Wife.

IT IS FURTHER ORDERED that the Wife is granted a divorce on the grounds of inappropriate marital conduct and is restored to all rights and privileges of an unmarried person.

IT IS FURTHER ORDERED that the Wife shall be awarded all right, title and interest in the real property located at 1306 Ardee Avenue, Nashville, Tennessee 37216 and described herein more particularly as follows:

> Being Lot No. 31, Block "D", Re-Subdivision of Sunnymeade Unit No. 1 and Subdivision of Sunnymeade Unit No. 2 as of record in Book 974 at pages 56 & 57, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete description.

Davidson County DEEDDIV
Recvd: 05/07/02 14:32 5pgs
Fees:27.00 Taxes:0.00
20020507-0056253

Being the same property conveyed to Tommy Warner and Wife, Linda A. Warner by deed of record in Book 6058 at page 264, said Register's Office.

Being the same property conveyed to Dion B. Muncrief and Wife, Dianna Lynn Muncrief by deed of record in Book 7898 at page 617, said Register's Office.

This conveyance is made subject to taxes for the year of 1989 and subsequent years, any and all easements, restrictions and conditions of record.

IT IS FURTHER ORDERED that the Wife shall be responsible for all debt associated with the homeplace and agrees to hold the Husband harmless on the same.

IT IS FURTHER ORDERED that the Husband shall be awarded the shed that is currently on the back of the lot at 1306 Ardee Avenue, Nashville, Tennessee 37216. **IT IS FURTHER ORDERED** that the Husband shall remove the shed within forty-five (45) days of entry of the Final Decree of Divorce.

IT IS FURTHER ORDERED that the Wife shall receive all household furniture and furnishings and other personal property either in her possession or that remains at the homeplace, free and clear of any claim from the Husband.

IT IS FURTHER ORDERED that the Wife shall be awarded the parties dog.

IT IS FURTHER ORDERED that the Husband shall be awarded all right, title and interest in the furniture, furnishings and personal property that is currently in his possession.

IT IS FURTHER ORDERED that the Husband shall be awarded the plumbing tools.

IT IS FURTHER ORDERED that the Wife shall receive all right, title and interest to the 1997 Ford F-150 truck free and clear of any claim from the Husband. **IT IS FURTHER ORDERED** that the Husband shall be divested of any and all ownership interest he has in the truck with the same vesting in the Wife.

IT IS FURTHER ORDERED that the Husband shall receive all right, title and interest to the 1984 Ford Escort automobile free and clear of any claim from the Wife. **IT IS FURTHER ORDERED** that the Wife shall be divested of any and all ownership interest in said automobile with the same vesting in the Husband.

IT IS FURTHER ORDERED that the Wife shall be responsible for the CitiBank VISA debt (approximately eight-thousand five-hundred eighty-seven and sixty-nine/one-hundredths

[$8,587.69] dollars), Direct Merchants VISA debt and the balance of the loan to Adam Kelly. The Wife agrees to hold the Husband harmless on these debts.

IT IS FURTHER ORDERED that the Husband shall be responsible for the CitiBank VISA debt in his name, the Bank of America MasterCard debt, the AEDC Credit Union VISA debt and the Associates VISA debt. The Husband agrees to hold the Wife harmless on these debts.

IT IS FURTHER ORDERED that the Husband shall be awarded the bank accounts at AEDC Federal Credit Union, Oklahoma Central Credit Union and League Central Credit Union.

IT IS FURTHER ORDERED that the Husband shall receive all right, title and interest to the TESPHE account through Ford with an approximate balance of thirty-three-thousand ($33,000.00) dollars.

IT IS FURTHER ORDERED that the Husband shall receive all right, title and interest to the vested pension benefits that he has through the UAW-Ford Retirement plan.

IT IS FURTHER ORDERED that the Husband shall be awarded the life insurance policy through his employer in the face amount of two-hundred-thousand ($200,000.00) dollars.

IT IS FURTHER ORDERED that the Wife is entitled to alimony *in futuro,* which shall continue until her death or remarriage, in the amount of one-thousand one-hundred ($1,100.00) dollars per month which shall be paid by the Husband in two (2) equal installments on the first (1st) and fifteenth (15th) of each month beginning on February 1st, 2002. **IT IS FURTHER ORDERED** that so long as the Husband has a financial obligation to the Wife he will maintain a life insurance policy on his life in the face amount of one-hundred-thousand ($100,000.00) dollars with the Wife listed as beneficiary.

IT IS FURTHER ORDERED that the Husband shall provide COBRA conversion insurance coverage through his employer to the Wife. **IT IS FURTHER ORDERED** that the Husband shall pay the cost of the COBRA conversion coverage in the approximate amount of four-hundred seventy-six and twenty-two / one-hundredths ($476.22) dollars for thirty-six (36) months.

IT IS FURTHER ORDERED that the Husband verifies that the housenote is current.

IT IS FURTHER ORDERED that the parties shall remain under the *pendente lite* Order entered earlier herein until February 1, 2002.

IT IS FURTHER ORDERED that the Wife shall be awarded the additional sum of one-thousand three-hundred-fifty ($1,350.00) dollars within thirty (30) days.

IT IS FURTHER ORDERED that Philip E. Smith, attorney for the Wife, is awarded a judgment in the amount of two-thousand six-hundred ($2,600.00) dollars against the Husband for his reasonable attorneys fees. **IT IS FURTHER ORDERED** that this amount shall be paid by the Husband forthwith.

IT IS FURTHER ORDERED that all costs, after application of the filing fee, is taxed to the Husband for which execution may issue, if necessary.

ENTERED THIS THE 30th **DAY OF** January **2001.**

MURIEL ROBINSON, JUDGE

Approved for entry:

PHILIP E. SMITH #13421
Attorney for the Petitioner
Suite 2400 — L&C Tower
401 Church Street
Nashville, Tennessee 37219
(615) 467-1801

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Final Decree of Divorce has been forwarded to the following on this the 17th day of January, 2002:

Larry H. Hagar, Esq.
214 Third Avenue North
Nashville, Tennessee 37201

PHILIP E. SMITH

Return to:

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 JANUARY , 2002 , in the Case Number 01D162 between MUNCRIEF, DIANNA LYNN KELLEY Plaintiff, and MUNCRIEF, DION B. Defendant, as same remains of record in Vol. 3350 , Page 616712 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 11 day of APRIL in the year two thousand two and in the 225th year of American Independence.

RICHARD R. ROOKER, Clerk,

By C Strassner
Deputy Clerk

SEAL

