196A/588
2cB

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

DONNA LYNNE BLAIR,
Complainant

vs.

MICHAEL WAYNE BLAIR,
Defendant

No. 89D-392

Davidson County DEEDDIV
Recvd: 09/13/02 16:06 7pgs
Fees:37.00 Taxes:0.00
20020913-0111957

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 12th day of March, 1991, before the Honorable Muriel Robinson Rice, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the original pleadings filed herein, Answer and Counter-Complaint thereto, stipulation of the parties pursuant to T.C.A. 36-4-129, that the complainant was entitled to a divorce on the grounds of inappropriate marital conduct, testimony of the parties in open Court, testimony of witnesses submitted to the Court, exhibits presented in Court and statement of counsel, from all of which the Court finds as follows:

That the complainant should be awarded a divorce on the grounds of inappropriate marital conduct.

That the Counter-Complaint of the defendant should be dismissed.

That both of the parties are responsible persons to have custody of the minor child but that it is in the best interest of the minor child that the complainant be awarded the absolute custody, care and control of the parties' minor child. That the defendant should be awarded the Court's standard visitation including every other weekend from Friday evening until Sunday evening, every Wednesday night, one (1) month in the summer, alternate major holidays, and one (1) week at Christmas time.

That the marital residence located at 809 Bay Cove Court, Nashville, TN should be awarded to the complainant.

That the Mikwel stock representing the parties' ownership in the business known as the Bellevue Restaurant and Pub, should be awarded to the defendant.

That the defendant should be awarded the Chevrolet Suburban

truck now in his possession, the fishing boat, motor and trailer, the smaller boat, the Harley Davidson motorcycle, the Odyssey four (4) wheeler and trailer, and the four (4) wheeler belonging to the minor child.

That the complainant should be awarded the Chevrolet Blazer automobile now in her possession, the riding lawn mower, the push mower, the artwork, the household furniture and furnishings listed on the complainant's exhibit as marital property and all items listed on the complainant's exhibit listed as separate property except the defendant shall be awarded the following items: Camcorder; roll top desk; four (4) Rose chairs; new stereo system; glass coffee table; 1988 Astroglass boat, motor and trailer; two (2) man trolling boat; Odyssey four (4) wheeler and trailer; and the 1989 Harley Davidson motorcycle.

That the complainant should be awarded all savings accounts and checking accounts now in her name as well as all jewelry presently in her possession.

That the defendant should be awarded his savings accounts as well as his jewelry and his gun collections.

That the defendant should furnish medical and hospitalization and dental insurance on the parties' minor child and shall pay all expenses not covered by insurance. In addition, the defendant shall make available major medical insurance for the complainant pursuant to the COBRA conversions statute for a period of three (3) years and shall be responsible for one-half (1/2) of the cost of the premiums. The complainant shall be responsible for the remaining one-half (1/2) of the premium.

That the defendant shall pay the sum of $900.00 per month as reasonable child support directly to the complainant.

That the complainant should be awarded alimony for a period of eighteen (18) months to be paid by the defendant in the amount of $1,000.00 per month.

That as additional marital property, the defendant should pay to the complainant the sum of $12,500.00 which will be paid to her within six (6) months of the entry of this Order. After this

Decree is thirty (30) days old, the legal rate of interest will apply.

That the defendant should pay the costs of this cause.

That attorney Phillip Robinson should be awarded an attorney's fee in the amount of $5,695.00 to be paid by the defendant and should be a judgment in favor of Mr. Robinson which shall be considered alimony and non-dischargeable in federal bankruptcy court.

That the parties should file a joint tax return for the year 1990.

It is therefore **ORDERED, ADJUDGED and DECREED** that the complainant Donna Lynne Blair is hereby awarded an absolute divorce on the grounds of inappropriate marital conduct.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant Donna Lynne Blair is hereby awarded the absolute custody, care and control of the parties' minor child to wit: Canaan Michael Blair.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant Michael Wayne Blair is hereby awarded visitation with the parties' minor child every other weekend from Friday evening at 6:00 p.m. until Sunday evening at 6:00 p.m., every Wednesday evening from after school until school time the next morning, alternate major holidays which are New Year's Day, Easter Day, Fourth of July, Labor Day and Thanksgiving, one (1) week at Christmas time from December 17th at 6:00 p.m. until December 24th at 9:00 p.m. in even numbered years and in odd numbered years, from December 24th at 9:00 p.m. until December 31st at 6:00 p.m., and one (1) month during the summer, the specific times to be agreed upon by the parties.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall pay as child support directly to the complainant the sum of $900.00 per month with said payments to be due and payable on or before the 5th day of each month.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall keep in full force and effect major medical and

hospitalization and dental insurance on the parties' minor child and pay any and all medical and dental expenses not covered by said insurance.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall pay to the complainant the sum of $1,000.00 per month as alimony for a period of eighteen (18) months with the first payment to be due and payable on the 10th day of March, 1991, and every month thereafter until he has made eighteen (18) consecutive payments.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant shall be entitled to major medical insurance coverage pursuant to the COBRA conversion and statue that the defendant shall pay one-half (1/2) of the cost of said premiums and the complainant shall be responsible for the remaining one-half (1/2) for a period not to exceed thirty-six (36) months.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant shall be awarded the parties' marital residence located at 809 Bay Cove Court, Nashville, TN, and more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 160 Rolling River Estates, Phase 4, as of record in Book 5200, Pages 184 and 185, Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 160 fronts 32.52 feet on the easterly side of Bay Cove Court and extends back 175.2 feet on the northerly line and 232.61 feet on the southerly line to a rear line measuring 199.98 feet thereon.
>
> BEING the same property conveyed to Michael W. Blair and wife Donna L. Blair from Matthew P. Ashwood and wife Gail B. Ashwood by deed of record in Book 6786, Page 210, Register's Office for Davidson County, Tennessee.

It is further **ORDERED** that the defendant shall be divested of any right, title or interest in the above described real property and all interest shall vest solely in the complainant Donna Lynne Blair who shall be responsible for the outstanding indebtedness owed on said property and hold the defendant harmless thereon.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant Michael Wayne Blair shall be awarded all right, title and interest to the parties' stock in Mikwel Corporation and the complainant is

hereby divested of any right, title or interest herein.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant be awarded her Chevrolet Blazer automobile now in her possession and shall be responsible for the outstanding indebtedness owed thereon and shall hold the defendant harmless thereon.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall be awarded the Chevrolet Suburban truck now in his possession and shall be responsible for the outstanding indebtedness owed thereon and the complainant shall be held harmless thereon.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall be awarded the fishing boat, motor and trailer, the small boat, the Harley Davidson motorcycle, the Odyssey four (4) wheeler and trailer as well as the four (4) wheeler belonging to the parties' minor child and he shall be responsible for any outstanding indebtedness owed on any of the foregoing property and hold the complainant harmless thereon.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant is awarded the riding lawn mower now in her possession, the push mower, the artwork in her possession as well as the household furniture and furnishings listed on her exhibit as marital property and her sole and separate property listed on her exhibits with the exception of the following items which shall be awarded to the defendant: camcorder; roll top desk; four (4) Rose chairs; new stereo system; glass coffee table; 1988 Astroglass boat, motor and trailer; two (2) man trolling boat; Odyssey four (4) wheeler and trailer and the 1989 Harley Davidson motorcycle.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant shall be awarded all checking and savings accounts or other bank accounts now in her possession as well as her jewelry.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall be awarded all savings or checking accounts or other bank accounts now in his possession as well as his jewelry and gun collection.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant

shall pay directly to the complainant the sum of $12,500.00 as additional marital property within six (6) months of the entry of this Decree with said amount to be a judgment in favor of the complainant and to accrue interest after the Decree is thirty (30) days old at the legal rate.

It is further **ORDERED, ADJUDGED and DECREED** that the parties shall file a joint federal income tax return for the tax year 1990.

It is further **ORDERED, ADJUDGED and DECREED** that the complainant, as additional alimony should be awarded her reasonable attorney's fees and that attorney Phillip Robinson is therefore awarded a judgment against the defendant in the amount of $5,695.00 which the Court finds is a support obligation and is not dischargeable in federal bankruptcy court.

It is further **ORDERED, ADJUDGED and DECREED** that the defendant shall pay the costs of this cause for which let execution issue if necessary.

This the 29th day of April, 1991.

Russell Robinson Rice
JUDGE

APPROVED FOR ENTRY:

Phillip Robinson #3023
Attorney for Complainant
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Nashville, TN 37201
615/242-5453

Rose Palermo
Rose Palermo #3330
Attorney for Defendant
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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 29 day of APRIL , 1991 , in the Case Number 89D392 between BLAIR, DONNA LYNNE Plaintiff, and BLAIR, MICHAEL WAYNE Defendant, as same remains of record in Vol. 196A , Page 00588 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 27 day of AUGUST in the year two thousand two and in the 226th year of American Independence.

RICHARD R. ROOKER, Clerk,

SEAL



By _____
Deputy Clerk