MINUTES

IN THE CHANCERY COURT FOR SUMNER COUNTY, TENNESSEE
AT GALLATIN

JUN 06 2002

CHANCERY COURT

VESUVIE J.E. MITCHELL,)
)
Plaintiff,) NO. 2001D-608
)
vs.)
)
GLADYS M. BENTON MITCHELL,)
)
Defendant.)

FILED 6-6-02 REC
SUMNER CO. CHANCERY COURT
MAY 31 2002
BY: CIVIL COMES TO DIV. BRENDA M. PAGE, C&M
DEPUTY CLERK & MASTER

ORDER

This matter came on to be heard on the 23rd day of May, 2002, before the Honorable Tom E. Gray, Chancellor for the Chancery Court for Sumner County, Tennessee. The Plaintiff was represented by Nathan Harsh and the Defendant was represented by Joel Jordan. After hearing the testimony of Vesuvie Mitchell, Deborah Mitchell, Gladys M. Benton Mitchell and Hazel Corbin, the Court found as follows:

1. The marriage between the parties was declared void ab initio and an annulment was granted to Gladys Benton Mitchell on May 8, 2002, which restored her to her previous name of Gladys M. Benton.

2. The Plaintiff, Vesuvie J.E. Mitchell, shall retain possession of 124 Foxall Street in Hartsville, Tennessee, free and clear from any claims of the Defendant, Gladys M. Benton Mitchell. The Court finds that the Plaintiff owned this property prior to the marriage.

3. The Defendant, Gladys M. Benton Mitchell, shall retain possession of 708 Hart Avenue in Nashville, Tennessee, free and clear from any claims of the Defendant, Vesuvie J.E. Mitchell. The Court finds that the Defendant owned this property prior to the marriage.

4. Any and all right, title, interest and claim the Defendant, Gladys M. Benton Mitchell, has in the property located at 704 Hart Avenue in Nashville, Tennessee shall be divested out of her and vested in and to Vesuvie J.E. Mitchell. Vesuvie J.E. Mitchell shall assume responsibility for paying the mortgage upon said property and shall indemnify and hold Gladys M. Benton Mitchell harmless.

5. The property located at 120 Shawnee Drive shall be placed on the market and sold with the net proceeds derived from the sale ~~of the property~~ being divided as follows:

PICK-UP

Davidson County ORDER
Recvd: 04/23/03 14:08 3pgs
Fees:17.00 Taxes:0.00
20030423-0054247

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a. The outstanding balance on the mortgage against said property at the time of the sale shall be paid in full.

b. Vesuvie J.E. Mitchell shall receive $3,800.00 as reimbursement for the heating and air conditioning unit which he purchased for the Shawnee Drive residence.

a. The remaining net proceeds from the sale shall be split equally between the parties.

The Defendant, Gladys M. Benton Mitchell, shall be responsible for payment of the mortgage until such time as the house is sold as she is living in the house.

6. The Plaintiff, Vesuvie J.E. Mitchell, shall retain possession of any interest in any acreage owned by him in Trousdale County, Tennessee, free and clear from any claims of the Defendant, Gladys M. Benton Mitchelll. The Court finds that the Defendant owned an interest this property prior to the marriage which interest passed down for generations through his family.

7. The Defendant, Gladys M. Benton Mitchell shall be awarded the 2000 Cadillac automobile in which there is no equity. Said vehicle was leased by the Defendant.

8. The Plaintiff, Vesuvie J.E. Mitchell shall be awarded the 1994 Dodge Ram. The Court found that there was approximately $1,000.00 of equity in said vehicle.

9. The Court found that the balance of the annuity which was created from the rental proceeds of 708 Hart Avenue should be awarded to the Defendant, Gladys M. Benton Mitchell.

10. The Defendant, Gladys M. Benton, shall be awarded her retirement from St. Thomas Hospital free and clear from any claims of the Plaintiff.

11. The Plaintiff, Vesuvie J.E. Mitchell, is awarded the IRA in the approximate amount of $675.00 free and clear from any claim of the Defendant.

12. The Plaintiff is awarded his retirement from the State of Tennessee free and clear from any claim of the Defendant.

13. The Plaintiff and Defendant shall be awarded all banking accounts presently held in their separate name.

14. The Plaintiff is awarded his personal clothing, jewelry, memorabilia and all household furnishings which were owned by him prior to the marriage. The Plaintiff

shall remove said property within thirty (30) days from the date of this Order.

15. The Defendant is awarded her personal clothing, jewelry, memorabilia and all household furnishings which were owned by her prior to the marriage.

16. The Defendant is not entitled to receive reimbursement of attorney fees from the Plaintiff.

17. Any unpaid costs of this cause are taxed to Vesuvie J.E. Mitchell.

All of the above is ORDERED, ADJUDGED AND DECREED on this 6 day of June, 2002.

TOM E. GRAY, CHANCELLOR

APPROVED FOR ENTRY:

NATHAN HARSH, NO. 2380
Attorney for Plaintiff
123 Public Square
Gallatin, TN 37066
(615) 452-4611

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been forwarded by U.S. Mail, postage prepaid, to Mr. Joel E. Jordan, Attorney at Law, 2002 Richard Jones Road, C-101, P.O. Box 150349, Nashville, TN 37215-0349 on this 31st day of May, 2002.

NATHAN HARSH

STATE OF TENNESSEE
SUMNER COUNTY

Brenda M. Page, Clerk & Master of said County, do hereby certify that the foregoing instrument contains a true and complete copy of Order as same appears of record or on the file in Book 219 Page 527 of the records of the Chancery Court of Sumner County, Tennessee. Given under my hand and seal this 31st day of May, 2002.

BRENDA M. PAGE, Clerk & Master

By _____

SEAL

CHANCERY COURT
GALLATIN, TENNESSEE

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