LODGED 10/3/03

FILED

IN THE CHANCERY COURT FOR RUTHERFORD COUNTY, TENNESSEE
AT MURFREESBORO

2003 OCT -9 PM 4:07

JOHN A.W. SKATCHER
CLERK AND MASTER

STAN JEROME CAFFY

Plaintiff,

VS.

Davidson County DEEDDIV
Recvd: 10/21/03 12:58 7pgs
Fees:37.00 Taxes:0.00
20031021-0155456

NO. 02-5298DR

NETTIE LORENE CAFFY

Defendant,

FINAL JUDGMENT OF DIVORCE

This matter came before the Court, The Honorable Royce Taylor, Circuit Court Judge, on the 31st day of July 2003, upon the Husband's complaint for absolute divorce and the Wife's answer thereto. The parties each appeared with counsel and announced that they had reached an agreement with respect to all matters relating to the parties' marriage with the exception of an issue concerning the Wife's wedding rings. The Court ordered an on site inspection of the safe at the Wife's home to determine whether the ring in question was in said safe. The parties having announced after said on site inspection that the ring in question could not be located in the safe, the Court proceeded with a hearing on that singular unresolved issue. Upon the parties' announced agreement in open court, testimony of the parties, argument of counsel and the entire record herein, the Court finds and accordingly 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.

MINUTE BOOK 274 P. 109-115
DATE: October 9, 2003

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Wife shall be awarded all right, title and interest in and to the parties' marital home consisting of a home and lot located at 875 Libby Street, Smyrna, Rutherford County, Tennessee 37167 and the Husband is hereby divested of all right, title and interest in said real property and the same is reinvested solely in the Wife. The legal description of said real is as follows:

> Being Lot No. 130 on the Plan of Hunter's Run, Section 3A, as of record in Plat Book 15, Page 98, Register's Office for Rutherford County, Tennessee, to which plan reference is hereby made for a more complete legal description thereof.
>
> Being the same property conveyed to Stan J. Caffy and Wife, Nettie J. Caffy, by deed from Mark William Jarrett and Majorie Ellen Jarrett, Husband and Wife, of record in Record Book 81, Page 745, Register's Office for Rutherford County, Tennessee.
>
> Being the same improved real property commonly known as 875 Libby Street, Smyrna, Tennessee 37167.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Wife shall assume full responsibility for the payment of the mortgage, taxes and any other expenses associated with said real property and she shall indemnify and hold harmless the Husband from any liability arising from her failure to pay any such indebtedness or expense when due, with the exception of the six (6) month period during which the Husband shall pay the mortgage payment thereon as indicated hereafter. Pursuant thereto the Wife shall make arrangements to refinance the mortgage on said marital home in her individual name within six (6) months.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall be awarded all right, title and interest in and to the parties' marital home consisting of a home and lot located at 2912 Steamboat Drive, Nashville, Davidson County, Tennessee 37214 and the Wife is hereby divested of all right, title and interest in said real property

and the same is reinvested solely in the Husband. The legal description of said real property is as follows:

> Land in Davidson County, Tennessee, being Lot No. 106, on the Plan of River Trace Estates, Phase I, Section, II, as of record in Plat Book 6900, pages 158-159, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete Description.
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> Being the same property conveyed to Nettie Jernigan by deed from United Cerebral Palsy of Middle Tennessee, of record in Deed Book 7964, Page 903, Register's Office for Davidson County, Tennessee.
>
> Being the same improved real property commonly known as 2912 Steamboat Drive, Nashville, Tennessee 37214.

The Husband shall assume full responsibility for the payment of the mortgage, taxes and any other expenses associated with said real property and he shall indemnify and hold harmless the Wife from any liability arising from his failure to pay any such indebtedness or expense when due.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that in consideration of the Wife's interest in the marital real property located at 2912 Steamboat Drive, Nashville, Tennessee, the Husband shall refinance the mortgage on said real property in his individual name and shall pay directly to the Wife the sum of thirty-four thousand dollars ($34,000.00) within sixty (60) days, said sum representing the Wife's interest in the equity therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that all furniture, furnishings and personal property presently in the possession of the Husband shall be vested in the Husband as his sole and separate property, free and clear of any interest of

the Wife in same, with the exception of the miter saw, which shall be vested in the Wife as her sole and separate property, free and clear of any interest of the Husband in same.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that all furniture, furnishings and personal property presently in the possession of the Wife shall be vested in the Wife as her sole and separate property, free and clear of any interest of the Husband in same, with the exception of the following items of listed property, which shall be vested in the Husband as his sole and separate property, free and clear of any interest of the Wife in same; Husband's "Love Is" books and other books and literature; the safe and Husband's personal items therein; entertainment center; Husband's personal papers and photographs; radio and electronic equipment; tools (except miter saw); fire hydrant; small refrigerator; all tools and industrial supplies and equipment stored for Husband's employer; cedar chest from yard sale; Husband's record and album collection and container; Husband's cassette tapes; Dr. Pepper clock; "poppytrail" dishes; Husband's fishing, hunting and other sporting good equipment; Olympus camera and accessories; fan in garage; box of reel to reel tapes and Husband's clothing and personal belongings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall pick up his personal property from the home on Libby Street at noon on Saturday, August 2, 2003, unless otherwise agreed between the parties. The Husband shall return the garage door opener to the home on Libby Street to the Wife at the time that he picks up his personal property from said residence.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the 1995 Dodge Intrepid automobile, which is presently titled jointly in the names of the parties, shall be

awarded to the Wife as her sole and separate property, free and clear of any interest of the Husband therein and the Wife shall assume full responsibility for the payment of any indebtedness or expense associated with said vehicle.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the 1995 Chevrolet S-10 truck, which is presently 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 of the Wife in same and the Husband shall assume full responsibility for the payment of any indebtedness or expense associated with said vehicle.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that in the event that the Wife's wedding rings are located, said rings shall be vested in the Wife as her sole and separate property, free and clear of any interest of the Husband in same. There is insufficient evidence before the Court to make any other order or provision concerning the Wife's missing wedding rings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Wife shall be awarded an interest in the Husband's pension and/or retirement benefits through his employer in the amount of twenty-one thousand eight hundred dollars ($21,800.00). Said interest in the Husband's said pension and/or retirement benefits shall be paid directly to the Wife by the plan administrator pursuant to a qualified domestic relations order to be entered separately herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Husband shall pay the monthly mortgage payment on the Wife's home at 875 Libby Street, Smyrna, Tennessee for a period of six (6) months through January 2004. Pursuant thereto the Husband shall pay said mortgage payment directly to the mortgage company in a timely

manner each month for said six (6) month period thorough January 2004. Pursuant to the parties' announced agreement, said payments shall be deemed in the nature of further property division rather than support.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the parties shall each be awarded as their sole and separate property, free and clear of any interest of the other party in same, any other interest in any bank accounts, life insurance policies and any other assets or investments that they may each have in their individual names.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the parties shall each pay their own attorney fees incurred in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the court costs incurred herein shall be taxed to the Husband for which execution may issue if necessary.

The parties' addresses are as follows: The Husband resides at 2912 Steamboat Drive, Nashville, Tennessee 37214. The Wife resides at 875 Libby Street, Smyrna, Tennessee 37167.

Enter this the 9th day of October 2003.

Royce Taylor
Circuit Court Judge

APPROVED FOR ENTRY:

Jeffrey S. Pulley, #13923
Attorney for the Husband
107 Music City Circle, STE 346
Nashville, Tennessee 37214
(615) 871-4777

Mark A. Nobles, # 20509
Attorney for the Wife
120 East Main Street, 3rd Floor
P.O. Box 5053 Uptown Station
Murfreesboro, Tennessee 37133-5053
(615) 907-8464

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing final decree of divorce has been mailed to Mr. Mark A. Nobles, Attorney for the Wife, 120 E. Main Street, 3rd Floor, P.O. Box 5053 Uptown Station, Murfreesboro, Tennessee 37133-5053 on this the 3 day of October 2003.

Jeffrey S. Pulley

STATE OF TENNESSEE RUTHERFORD COUNTY

THE UNDERSIGNED CLERK AND MASTER OF THE SAID COUNTY AND STATE HEREBY CERTIFIES THAT THE FOREGOING IS A CORRECT COPY OF THIS Divorce Judgment AS FILED IN THE FOREGOING CAUSE IN THE CHANCERY COURT OF MURFREESBORO, TENNESSEE.

THIS 21st DAY OF October 2003

JOHN A.W. BRATCHER, CLERK & MASTER