PICK-UP

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
2003 SEP 22 PM 4:06
RICHARD R. ROOKER, CLERK
B. Rawls D.C.

DAVID ROBERT PRICE, JR.
Plaintiff/Husband

vs.

PATRICIA ANN PRICE
Defendant/Wife

Docket No. 03D-109

Davidson County DEEDDIV
Recvd: 11/05/03 13:46 8pgs
Fees:42.00 Taxes:0.00
20031105-0162432

FINAL DECREE OF DIVORCE

This cause came on to be heard upon the 20th day of August, 2003, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon the pleadings heretofore filed in this cause, stipulation of the parties pursuant to TCA § 36-4-129, testimony of the parties in open Court, exhibits to the testimony, statement of counsel for the parties, and the entire record. From all of which the Court finds, pursuant to the parties' stipulation, that if the Court heard the proof, the Court would find that both parties had grounds for divorce against each other and that therefore the Court should declare them divorced. The Court further finds that both parties signed the refinancing of the mortgages on the marital residence and that the Wife contributed money to the household and the Husband paid off the notes thereon. The Court finds that both parties made monetary and other contributions to the appreciation and value of the marital residence. The Court further finds that the other property and debts of the parties should be divided and that they should each pay their own attorney fees.

It is, therefore, ORDERED, ADJUDGED AND DECREED, pursuant to TCA § 36-4-129, that the parties, Patricia Ann Price and David Robert Price, Jr., should be and are hereby declared

divorced and the parties should be and are hereby each restored to all of the rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED and DECREED that the Husband, David Robert Price, Jr., should be and is hereby awarded the former marital residence located at 4011 Meadow Road, Nashville, Davidson County, Tennessee 37218, and any interest of the Wife therein should be and is hereby divested from her and reinvested in the Husband so that he shall own this property free and clear of any right, title or interest of the Wife. The said property is more particularly described as follows:

> LAND in Davidson County, Tennessee,
>
> BEING part of Lot No. 6 of Block "CC" on the Revised Map of Fairview Subdivision, of record in Book 1130, page 54, Register's Office for said County, as follows:
>
> SAID part of Lot No. 6 is the southerly 90 feet of said Lot No. 6 and fronts on the westerly side of Meadow Road and extends back between parallel lines 225 feet to a dead line.
>
> BEING the same property conveyed to David Robert Price, Jr. by Quitclaim Deed from David Price of record in Book 5621, page 97, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the Wife, Patricia Ann Price, should be and is hereby awarded a judgment against the Husband in the amount of Nine Thousand ($9,000.00) Dollars for her share of the appreciation in the value of the aforesaid Meadow Road residence during the marriage.

It is further ORDERED, ADJUDGED and DECREED that the parties' joint savings account at AmSouth Bank, account number 37164767, having a balance of approximately Four Thousand ($4,000.00) Dollars, should be and is hereby Ordered to be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Husband's Primerica IRA account number 115702837 in the approximate amount of Nine Thousand Eight Hundred Ninety-Seven and 02/100 ($9,897.02) Dollars or the balance therein on August 20, 2003, if different, should be and is hereby Ordered to be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Husband's 401(k) Retirement Plan, as a result of his employment at Tom Bannon Chevrolet, account #320061/#40-32409-01, in the approximate amount of Thirty-Five Thousand Eight Hundred Twenty and 43/100 ($35,820.43) Dollars or the balance therein on August 20, 2003, if different, should be and is hereby divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Wife should be and is hereby awarded her undivided one-half (1/2) interest in certain residential rental property located at 3606 Fairview Drive, Nashville, Tennessee 37218, and any interest of the Husband therein should be and is hereby divested from the Husband and reinvested in the Wife so that she shall own this property free and clear of any right, title or interest of the Husband. The said property is further described as follows:

> LAND IN DAVIDSON COUNTY, TENNESSEE,
>
> BEING Lot No. 24 of Block BB on the Map of Fairview Subdivision, of record in Book 1130, page 54, Register's Office for said County. Said Lot No. 24 fronts 100 feet on the northerly side of Fairview Drive and runs back between parallel lines, along the easterly margin of Meadow Road, 375 feet to the south line of Lot No. 23.
>
> Being the same property conveyed to Yohance T. Price and Patricia A. Price by warranty deed of record in Deed Book 11187 page 1, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the Husband should be and is hereby awarded a judgment against the Wife in the amount of Three Thousand Nine Hundred

Ninety-Four ($3,994.00) Dollars for his interest in the Wife's one-half (1/2) share of the aforesaid Fairview Drive property.

It is further ORDERED, ADJUDGED and DECREED that the balance held in the Wife's three (3) Metro Credit Union Share Accounts in the approximate total amount of Two Thousand Eight Hundred Thirty-Two ($2,832.00) Dollars, or the actual balance therein on August 20, 2003, if different, should be and is hereby Ordered to be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Wife's Primerica Roth IRA in the approximate amount of One Thousand Five Hundred Sixty-Nine and 75/100 ($1,569.75) Dollars, or the actual balance therein on August 20, 2003, if different, should be and is hereby Ordered to be divided equally between the parties.

It is further ORDERED, ADJUDGED AND DECREED that the Wife's Primerica IRA in the approximate amount of Ten Thousand Nine Hundred One and 42/100 ($10,901.42) Dollars, or the actual balance therein on August 20, 2003, if different, should be and is hereby Ordered to be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Wife should be and is hereby awarded a judgment against the Husband in the amount of Nine Thousand Seven Hundred Nineteen and 70/100 ($9,719.70) Dollars, representing her one-half (1/2) share of the Nineteen Thousand Four Hundred Thirty-Five and 80/100 ($19,435.80) Dollars which the Husband spent when the parties Primerica Mutual Fund was redeemed in full in November 2002.

It is further ORDERED, ADJUDGED and DECREED that the parties should be and are hereby Ordered to divide equally between them the sum of Sixteen Thousand Five Hundred Eighty-Seven and 45/100 ($16,587.45) Dollars or the actual balance on August 20, 2003, if different, held in the Husband's Regent Bank account #71-3245-7766 in his sole name.

It is further ORDERED, ADJUDGED and DECREED that the Wife's retirement benefits/pension through the Metropolitan Government of Nashville and Davidson County, Tennessee, as of August 20, 2003, should be and is hereby Ordered to be divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED that the Husband should be and is hereby awarded a judgment against the Wife in the sum of One Thousand Nineteen ($1,019.00) Dollars for the Husband's one-half (1/2) share in the 2002 Federal income tax refund which the Wife received as a result of her 2002 Form 1040 tax filing.

It is further ORDERED, ADJUDGED and DECREED that the parties, Patricia Ann Price and David Robert Price, Jr., should be and are hereby Ordered each to pay one-half (1/2) of the Four Thousand Five Hundred ($4,500.00) Dollar total sum owed to their adult son and they shall each indemnify and hold the other harmless for their respective one-half (1/2) shares thereof.

It is further ORDERED, ADJUDGED and DECREED that after the parties have divided their accounts and paid all sums due to each other as set forth herein, the Husband shall own the term policy of insurance on his life as his sole property, and he can terminate same or change the beneficiary thereof.

It is further ORDERED, ADJUDGED and DECREED that the Wife should be and is hereby awarded as her sole property the 2001 Chevrolet Impala automobile and the 1993 Chevrolet Lumina EuroSport van, both of which are unencumbered, free and clear of any right, title or interest of the Husband.

It is further ORDERED, ADJUDGED and DECREED that the Husband shall own as his sole property the 1993 Harley-Davidson motorcycle, the 1999 Chevrolet pick-up truck, the 1999

Logan Coach Trailer, and the 1990 van, all of which are unencumbered, as his sole property, free and clear of any right, title or interest of the Wife.

It is further ORDERED, ADJUDGED and DECREED that the Wife should be and is hereby awarded all household goods, furniture, fixtures and appliances, as well as her clothing, jewelry, and personal items, now in her possession or in the storage building, as well as the following items still located in the marital residence, all free and clear of any right, title of interest of the Husband. The items in the possession of the Husband awarded to the Wife are as follows: Wife's coin collection, flowered dishes in living room, mirror with two (2) sconces, "Last Supper" picture over table, turntable (stereo), pink Pyrex dish, and crock pot.

It is further ORDERED, ADJUDGED and DECREED that the Husband should be and is hereby awarded all remaining household furniture, fixtures and appliances located in the marital residence as well as all clothing, jewelry and personal items in his possession except as awarded to the Wife set forth hereinabove, free and clear of any right, title or interest of the Wife.

It is further ORDERED, ADJUDGED and DECREED that the parties should be and are hereby each Ordered to be solely and separately responsible for any debts that they have acquired in their respective names and not set forth specifically herein.

It is further ORDERED, ADJUDGED and DECREED that the parties should be and are hereby Ordered each to pay their own attorney fees in this cause.

It is further ORDERED, ADJUDGED and DECREED that the costs of this cause should be and are hereby taxed equally to the parties, for which let execution issue if necessary.

ENTER this 22nd day of September, 2003.

HON. MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

MARY ARLINE EVANS No. 12067
Attorney for the Wife, Patricia Ann Price
214 Third Avenue North
Nashville, TN 37201
Telephone : (615) 244-2070
Facsimile : (615) 254-5639

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Decree of Divorce has been placed in the United States mail, first-class, postage pre-paid addressed to: T. Gayle Dimmick at 222 Second Avenue North, Suite 360M, Nashville, Tennessee 37201 this the 3rd day of September, 2003.

MARY ARLINE EVANS

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 22 day of SEPTEMBER , 2003 , in the Case Number 03D109 between PRICE, DAVID ROBERT JR. Plaintiff, and PRICE, PATRICIA ANN Defendant, as same remains of record in Vol. 5501 , Page 1261986 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 07 day of OCTOBER in the year two thousand three and in the 227th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

