Davidson County ORDER
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RICHARD ROGERS, CLERK
B.C.

IN THE EIGHTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JULIE K. GILMORE,
Plaintiff/Wife,

vs.

No.: ~~04D-2050~~ 04D-3703

JOSEPH HOWARD GILMORE, III,
Defendant/Husband,

NOTICE OF ENTRY REQUESTED.

PICK-UP

ORDER

This cause came on to be heard on this the 26th day of August 2005, before the Honorable Carol Soloman, Judge of the Eighth Circuit Court for Davidson County, Tennessee, upon the Motion of Counsel for the Plaintiff, Julie K. Gilmore, to enter an order transferring the Defendant's interest in the property, which was awarded to the Plaintiff Julie K. Gilmore in the marital dissolution agreement, to the Plaintiff Julie K. Gilmore and to allow the undersigned counsel to withdraw as counsel of record in this action.

Upon statement of counsel and the entire record herein, the court finds as follows:

The parties executed a Marital Dissolution Agreement that was approved by the court and made an order of the Court on May 9, 2005. Julie K. Gilmore executed the Marital Dissolution Agreement on April 7, 2005, and Joseph Howard Gilmore, III executed the Marital Dissolution Agreement on April 16, 2005. The Marital Dissolution Agreement entered in this action provided as follows:

> 3. Real Estate. The parties are in the process of purchasing, and have been making payments toward the purchase of, certain real property located at 955 Strand Fleet Drive, Antioch, Davidson County, Tennessee.
>
> The Husband and Wife agree that the real property located at 955 Strand Fleet Drive, Antioch, Davidson County, Tennessee will be awarded to Wife, subject to the secured indebtedness thereon, which will be the responsibility of the Wife to pay, and she agrees to indemnify and hold Husband harmless from any liability thereon. Husband agrees to sign whatever documents are necessary and required to title said property to Wife. Husband agrees that in addition to those

documents necessary to title the property to Wife, he will sign a quitclaim deed to said property conveying any interest that he may have in said property to Wife, reserving a lien payable to him in the amount of $11,000.00, which is due as set forth below.

As a further division of real property, wife agrees to pay to Husband the sum of Eleven Thousand Dollars ($11,000.00) payable, without interest, to Husband upon the first to occur of the following events:

a) Wife refinances the property;
b) Wife's death;
c) Wife's remarriage;
d) Wife sells the property;
e) Wife no longer resides in the residence nor uses it as her primary residence;
f) Wife allows her paramour to reside at the residence; or
g) Sixty (60) months from the date of the execution of this marital dissolution agreement.

Notwithstanding the foregoing, in the event that Wife is ninety (90) days delinquent on any payments or takes any other action which adversely affects the husband's credit with respect to the mortgage indebtedness, the Court shall, upon proper motion filed by the Husband, order the sale of the property in order to pay the joint mortgage indebtedness.

The Court further finds that a Quitclaim Deed has not been executed by the Defendant as required by the Final Decree and that it is proper for the Court to enter an order transferring the Defendant's interest in said property to the Plaintiff as requested.

The Court further finds that Jon S. Jablonski shall be granted leave to withdraw as Counsel of Record for Julie K. Gilmore.

It is therefore **ORDERED, ADJUDGED,** and **DECREED** that any interest that Joseph Howard Gilmore, III has in and to the following described property is divested of him and fully vested in Julie Hart Gilmore, her heirs, successors, and assigns:

Land situated in Davidson County, State of Tennessee, described as follows:

Being Lot No. 190 B on the Plan of Zone Lot Division Lots 187 and 191 and 193 through 195 Piccadilly Square, Phase II, of record in Book 6900, page 106, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete description.

Being the same property conveyed to Joseph Howard Gilmore, III and wife, Julie Hart Gilmore, by deed from Leigh Sanders Smith (formerly Leigh S. Felzien) and husband Bret Y. Smith and Mary Jo Sanders and husband Rudy E. Sanders of record in Book 9893, page 107, Register's Office for Davidson County, Tennessee.

This conveyance is subject to the lien of the Husband in the amount of Eleven Thousand Dollars ($11,000.00) as referenced above.

This is improved property, known as 955 Strand Fleet Drive, Antioch, TN 37013.

It is further **ORDERED** that Jon S. Jablonski be, and he hereby is granted permission to withdraw as counsel of record for Julie K. Gilmore.

ENTER this the 2nd day of Sept., 2005.

CAROL SOLOMAN, JUDGE

APPROVED FOR ENTRY:

JON S. JABLONSKI, #10003
Attorney for Julie K. Gilmore
2400 Crestmoor Road, Suite 315
Nashville, TN 37215
(615) 386-7164

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order was mailed to Joseph Howard Gilmore, III, 5700 Cane Ridge Road, Antioch, TN 37013 and to Julie Gilmore, 955 Strand Fleet Drive, Antioch, TN 37013, on this the 26 day of August 2005.

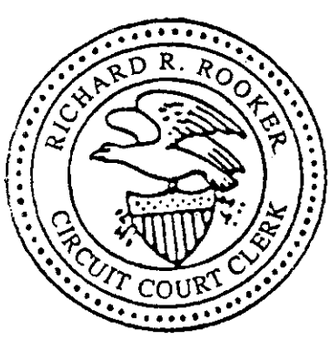
Jon S. Jablonski

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 EIGHTH Circuit Court for Davidson County, Tennessee, on the _ day of _ , _ , in the Case Number 04D3803 between GILMORE, JULIE K. Plaintiff, and GILMORE, JOSEPH HOWARD III Defendant, as same remains of record in Vol. 5746 , Page 1744193 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 08 day of SEPTEMBER in the year two thousand five and in the 229th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk