FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

2006 JUN 29 AM 9:23

RICHARD R. ROOKER, CLERK

JOHN N. KAWINZI, **Petitioner,**	)	
vs.	)	**Docket No. 91D-~~1817~~** D.C.
STEPHANIE HORTON KAWINZI, **Respondent.**	)	

Davidson County ORDER
Recvd: 07/05/06 15:33 4 pgs
Fees:22.00 Taxes:0.00

20060705-0080414

ORDER

This cause came to be heard on the 29th day of June, 2006, before the Honorable Muriel Robinson Judge of the Fourth Circuit Court for Davidson County, Tennessee upon the motion filed by John N. Kawinzi ("Mr. Kawinzi") requesting this Court for an Order correcting or amending the Final Decree of Divorce pursuant to Tennessee Rules of Civil Procedure 60.01. On August 19, 1991, a Final Decree of Divorce was entered in the Probate Court for Davidson County, Tennessee. As per the marital dissolution agreement incorporated into the Final Decree of Divorce, Mr. Kawinzi was awarded in paragraph 8 the marital residential real property known as 1408 Lischey Avenue, Nashville, Tennessee 37207. However, the marital dissolution agreement fails to require Stephanie Horton Kawinzi ("Ms. Kawinzi") to execute a quitclaim deed transferring her interest in said real property to Mr. Kawinzi, and Ms. Kawinzi refuses to execute same. Further, the marital dissolution agreement fails to contain a legal description of the property. After statements of counsel for John N. Kawinzi, and the entire record herein, the Court finds that good cause is shown, and it is appropriate to grant Mr. Kawinzi's relief. Ms Kawinzi was duly noticed and failed to appear at this hearing.

It is, therefore, **ORDERED, ADJUDGED** and **DECREED** that Stephanie Horton Kawinzi's (a.k.a. Stephanie C. Kawinzi) right, title and interest in and to the 1408 Lischey Avenue, Nashville, Tennessee 37207 property is hereby divested from her and conveyed unto John N.

Kawinzi, to his heirs, successors and assigns in and to said real property more specifically described in Deed Book 6597, Page 21, of the Davidson County Tennessee Register of Deeds Office, as follows:

Being Lot Nos. 53, 54 and 55 on the Plan of Highland Land Co's Subdivision of record in Plan Book 421, Page 14, Register's Office for said County.

Said Lot Nos. 53, 54 and 55 together front 75 feet ¾ inch on the westerly margin of Lischey Avenue and extends back 200 feet more of less on the northerly line and 200 feet more of less on the southerly line to a 15 foot alley in the rear, measuring 75 feet thereon.

Being the same property conveyed to John N. Kawinzi and wife, Stephanie C. Kawinzi by Warranty Deed from Richard Dean Feller and wife, Gayle Gilford Feller dated June 18, 1985, recorded July 2, 1985, in Book 6597, page 21, Register's Office for Davidson County, Tennessee.

This conveyance is made subject to any and all zoning regulations, building restrictions, setback lines, if any, easements and rights for public utilities applicable to this property. Taxes for the current year have been prorated and are assumed by the Grantee(s) herein.

This conveyance is a further division of the marital estate pursuant to the terms of a marital dissolution agreement entered in to between John N. Kawinzi and Stephanie Horton Kawinzi, docket no. 91D-1817 (Stephanie C. Kawinzi).

Costs are taxed to the Petitioner.

It is so Ordered that the Final Decree is amended to reflect this real property provision.

Entered this the 21st day of June, 2006.

JUDGE

APPROVED FOR ENTRY:

James G. King BPR #13439
Attorney for Mr. Kawinzi
530 Church Street, Suite 202
Nashville, Tennessee 37219
(615) 244-8026

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order has been mailed to Stephanie Horton Kavinzi, 410 W. Oimsby Avenue, Apartment #11, Louisville, KY 40203 on this the 29th day of June, 2006.

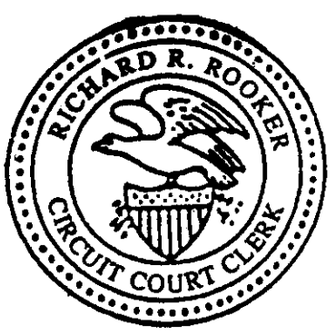
James G. King

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 JUNE , 2006 , in the Case Number 91D1817 between KAWINZI, JOHN N Plaintiff, and KAWINZI, STEPHANIE HORTON Defendant, as same remains of record in 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 05 day of JULY in the year two thousand six and in the 230th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk