FILED

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

2006 JUN 22 PM 4:21

RICHARD R. ROOKER, CLERK

D.C.

CHARLES RUTHERFORD GUNDLACH, **Husband**	)	
VS.	)	**NO.: 05D-3287**
	)	**PROOF OF ENTRY REQUESTED**
JEANETTE LOUISE PARKER GUNDLACH, **Wife**	)	

FINAL DECREE OF DIVORCE

This cause came on to be heard this 7th day of June, 2006, before the Honorable Muriel Robinson, Judge, upon the Complaint for Absolute Divorce filed by the Husband, Answer and Counter-Complaint filed by the Wife, Answer to the Counter-Complaint, and failure of the Wife to appear in Court but being represented by counsel, testimony of the Husband and his witnesses all heard in open court. From all of the above, the Court is of the opinion that the Counter-Complaint filed by the Wife should be dismissed for failure to prosecute, and the Husband is entitled to an absolute divorce on the ground of inappropriate marital conduct. The Court is further of the opinion that the Husband shall be entitled to the relief sought with the exception of the two (2) parcels of unimproved real property, and the Husband shall pay the sum of Twenty-Five Thousand Dollars and .00/100 ($25,000.00) to the Wife for the marital interest of the Wife in these two (2) parcels of unimproved real property. The Court further finds that there has been no proof that the Wife did anything to enhance the value of the real property at 4010 Blueberry Hill Road and the Wife shall not be awarded any interest in said real property.

It is therefore ORDERED, ADJUDGED AND DECREED that the Husband, Charles Rutherford Gundlach, be and is hereby awarded an absolute divorce from the Wife, Jeanette Louise Parker Gundlach, on the ground of inappropriate marital conduct pursuant to Tennessee Code

Davidson County DEEDDIV
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Fees:37.00 Taxes:0.00
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Annotated 36-4-101(11), and both parties are hereby restored to all the rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED AND DECREED that all of the Wife's right, title and interest in and to the real property, which belonged to the Husband prior to the marriage, and which is located at 4010 Blueberry Hill Road, Nashville, Davidson County, Tennessee 37218, shall be and is hereby divested out of the Wife, Jeanette Louise Parker Gundlach, and is hereby reinvested in the Husband, Charles Rutherford Gundlach, in fee simple absolute, and he shall assume all indebtedness owed thereon and shall hold the Husband harmless. Said real property is more particularly described as follows:

> A certain tract or parcel of land in the 13th Civil District of Davidson County, Tennessee, described as follows, to wit:
>
> BEGINNING at a stone at W. S. Holt's northeast corner in Jim McClendon's south line; thence with his line S 89 ½ degrees E 252 feet to the center line of Old Hickory Boulevard; thence with Old Hickory Boulevard, S 40 degrees E 206 feet; thence S 20 degrees W 200 feet; thence N 7 degrees W 300 feet to the beginning, containing 1 acre, more or less.
>
> Being the same property conveyed, by deed from Daniel R. Radford to Charles R. Gundlach, of record in Book 9264, Page 440, Register's Office for Davidson County, Tennessee.
>
> Charles R. Gundlach and Charles Rutherford Gundlach are one and the same person.

It is further ORDERED, ADJUDGED AND DECREED that all of the Wife's right, title and interest in the unimproved real property located at Lot No. 9, Steven Springs Court, Joelton, Tennessee, shall be and is hereby divested out of the Wife, Jeanette Louise Parker Gundlach, and is hereby reinvested in the Husband, Charles Rutherford Gundlach, in fee simple absolute, and he shall

assume all indebtedness owed thereon and shall hold the Wife harmless. Said real property is more particularly described as follows:

> LAND in the 2nd Civil District of Cheatham County, Tennessee, being Lot No. 9 and on the Plan of The Crossings at New Hope, Section III, as of record in Plat Book 9, Page 84, File Cabinet 373B, Register's Office for Cheatham County, Tennessee, to which said plan reference is hereby made for a more complete and accurate legal description thereof.
>
> BEING the same property conveyed to Charles R. Gundlach and Jeanette P. Gundlach, by deed from Anderson Brothers Investments, a Tennessee Partnership, of record in Deed Book 578, Page 812, Register's Office for Cheatham County, Tennessee.
>
> Charles R. Gundlach and Charles Rutherford Gundlach are one and the same person. Jeanette P. Gundlach and Jeanette Louise Parker Gundlach are one and the same person.

It is further ORDERED, ADJUDGED AND DECREED that all of the Wife's right, title and interest in and to the unimproved real property located at 115 Butler Hollow Road in Ashland City, Cheatham County, Tennessee, shall be and is hereby divested out of the Wife, Jeanette Louise Parker Gundlach, and is hereby reinvested in the Husband, Charles Rutherford Gundlach, in fee simple absolute, and he shall assume all indebtedness owed thereon and shall hold the Wife harmless.

Said real property is more particularly described as follows:

> Land in Cheatham County, Tennessee, being Lot No. 109 on the unrecorded plat of Cheatham Acres described as follows:
>
> Beginning at a concrete monument at the east terminus of Butler Hollow Road; thence North 6 deg. 42' West with the east line of Lot 126, 364 feet to an iron pin; thence South 86 deg. 00' East 1047.5 feet to an iron pin; thence with the northwest line of Lot Numbers 1 and 111, South 37 deg. 15' West 1000 feet to an iron pin; thence with the northwest line of Lot Number 110, South 44 deg. 33' West 392 feet to an iron pin in the northwest line of Lot 107; thence with said Lot 107, North 32 deg. 26' West 295 feet to an iron pin in the southeast line of Lot 108; thence, with the margin of the same, North 69 deg. 03' East 99 feet to an iron pin; thence, North 6 deg. 42' West 453.5

feet to a concrete monument in the south margin of Butler Hollow Road; thence North 6 deg. 42' West 50 feet to the point of beginning, containing 14.88 acres, more or less, according to a 1972 survey by Jack Underwood, RLS Number 420, address unknown.

Being the same property conveyed to Charles R. Gundlach and wife, Jeanette P. Gundlach, by deed from Conseco Finance Servicing Corporation, to Charles R. Gundlach and wife, Jeanette P. Gundlach, of record in Deed Book 578, Page 721, Register's Office for Cheatham County, Tennessee.

Charles R. Gundlach and Charles Rutherford Gundlach are one and the same person. Jeanette P. Gundlach and Jeanette Louise Parker Gundlach are one and the same person.

It is further ORDERED, ADJUDGED and DECREED that the Husband shall pay the sum of Twenty-Five Thousand Dollars and .00/100 ($25,000.00) for the Wife's marital interest in the unimproved real property at 115 Butler Hollow Road and Lot 9, Steven Springs Court, and he shall deliver a check in this amount to the attorney of record for the Wife immediately upon the divorce becoming final. The Wife shall have a lien on said real property until this amount is paid.

It is further ORDERED, ADJUDGED and DECREED that the Husband shall receive all of the Wife's right, title and interest in and to the 1996 GMC Topkick and the 2005 Dodge Truck and he shall assume all indebtedness owed thereon and shall hold the Wife harmless. The Wife shall receive all the Husband's right, title and interest in and to the 1987 Saab automobile and she shall assume all indebtedness owed thereon and shall hold the Husband harmless.

It is further ORDERED, ADJUDGED and DECREED that the Husband shall keep as his sole and separate property all items of furniture and personal property that were his prior to the marriage and that are in his possession. The Wife shall be entitled to her furniture and personal property which was hers prior to the marriage and which she accumulated during the marriage. The

counsel for both parties shall facilitate delivery of the Wife's furniture and personal property from the Husband's residence to the Wife.

It is further ORDERED, ADJUDGED and DECREED that all of the Wife's right, title and interest in and to the 2002 Mazda Tribute, VIN # 4F2YU08192KM40021, shall be and is hereby divested out the Wife and is reinvested in the Husband and he shall assume all indebtedness owed thereon and shall hold the Wife harmless.

It is further ORDERED, ADJUDGED and DECREED that the Wife shall receive the use of her former name, Jeanette Louise Parker.

The costs shall be divided equally between the parties for all of which execution may issue if necessary.

ENTER this 22nd day of June, 2006.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

L. R. DeMARCO #2652
Attorney for Husband
Suite 400, Washington Square
214 Second Avenue North
Nashville, TN 37201
(615) 256-6681

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree has been mailed to Mr. Nat Koenig, Attorney at Law, Suite 102, 303 Church Street, Nashville, TN 37201-1713, this 8th day of June, 2006.

L. R. DeMARCO

CERTIFICATE OF SERVICE

DOCKET NO. 05D3287

Pursuant to Rule 58(3) of the *Tennessee* rules of Civil Procedure, I hereby certify I have mailed a copy of the foregoing Judgment to the parties/counsel listed below, on this 28TH day of JUNE, 2006.

RICHARD R. ROOKER, Circuit Court Clerk

BY: _____

Deputy Clerk

L.R. DEMARCO, ATTORNEY
SUITE 400, WASHINGTON SQUARE
214 SECOND AVE. NORTH
NASHVILLE, TN 37201

NAT KOENIG, ATTORNEY
303 CHURCH ST., SUITE 102
NASHVILLE, TN 37201-1713

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 JUNE , 2006 , in the Case Number 05D3287 between GUNDLACH, CHARLES RUTHERFORD Plaintiff, and GUNDLACH, JEANETTE LOUISE PARKER 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 18 day of AUGUST in the year two thousand six and in the 230th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

