PICK-UP

FILED

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

2005 MAY 23 PM 3:52

RICHARD R. ROOKER, CLERK

NANCY A. MORGAN,	)	
	)	
Plaintiff,	)	
vs.	)	**Docket No. 04D-39** D.C.
	)	
A. ALLEN MORGAN, JR.,	)	***NOTICE OF ENTRY REQUESTED***
	)	
Defendant.	)	

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 27th day of April, 2005 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the original Complaint for Divorce filed herein, Answer and Counter-Complaint, Amended Counter-Complaint, stipulations of the parties as to grounds, testimony of the parties and witnesses in open Court, statement of counsel and the entire record, from all of which finds that the parties have compromised and settled all issues in controversy in this cause and announced the following agreement to the Court:

That pursuant to T.C.A. §36-4-129, if the Court heard all evidence in this cause, the Court would find that the parties have lived separate and apart for more than two years and have not cohabited as husband and wife during that period of time, and the parties have no minor children and therefore, the Court shall declare the parties divorced, and each of the parties shall be restored to all of the rights and privileges of unmarried persons.

That the Plaintiff, Nancy A. Morgan, shall be awarded all right, title and interest in and to the real property located at 4840 Adgent Road, Chapel Hill, Marshall County, Tennessee, currently titled in her name and consisting of approximately 128 acres, more or less, as well as all

Davidson County DEEDDIV
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livestock, farming equipment and implements located thereon free and clear of any claim of the Defendant, and the Plaintiff shall be responsible for any indebtedness associated with said real property and shall indemnify and hold the Defendant harmless thereon.

That the Defendant, A. Allen Morgan, Jr., shall be awarded all right, title and interest to the real property located at 258 Hillsboro Place, Nashville, Davidson County, Tennessee, and the Plaintiff shall be divested of any right, title or interest therein, and all interest shall vest solely in the Defendant, and the Defendant shall be responsible for any indebtedness associated with said property and shall indemnify and hold the Plaintiff harmless thereon.

That the Plaintiff shall be awarded the 2000 Toyota Camry automobile as well as the 1991 Toyota Tacoma truck now in her possession free and clear of any claim of the Defendant.

That the Defendant shall be awarded the 1994 Ford Ranger pickup truck now in his possession free and clear of any claim of the Plaintiff.

That the Plaintiff shall be awarded the contents of all retirement accounts, investment accounts, deferred compensation accounts, individual retirement accounts, bank accounts, certificates of deposit or any other financial accounts titled in her name free and clear of any claim of the Defendant.

That the Defendant shall be awarded the contents of all retirement accounts, investment accounts, deferred compensation accounts, individual retirement accounts, bank accounts, certificates of deposit or any other financial accounts titled in his name free and clear of any claim of the Plaintiff.

That the Plaintiff shall be awarded all household furniture, furnishings, appliances, or other personal property including clothing, jewelry and personal documentation now in her

possession free and clear of any claim of the Defendant.

That the Defendant shall be awarded all household furniture, furnishings, appliances or other personal property including clothing, jewelry and personal documentation now in his possession free and clear of any claim of the Plaintiff.

That each of the parties shall be responsible for any financial obligations, credit cards or other debts listed in his or her name individually and shall indemnify and hold the other party harmless thereon.

That the Defendant shall pay to the Plaintiff as transitional alimony the sum of $1200 per month for a period of twenty-four consecutive months, commencing May 1, 2005 and the first of each and every month thereafter until paid in full. Further, commencing May 1, 2007, the Defendant shall pay as additional transitional alimony the sum of $1,000 per month for thirty-six consecutive months. The aforesaid transitional alimony shall terminate upon the death or remarriage of the Plaintiff, the death of the Defendant or pursuant to T.C.A. §36-5-101, *et seq.* but is not otherwise modifiable. The foregoing alimony award shall be includable in the Plaintiff's income and deductible to the Defendant for federal income tax purposes.

That to secure the aforesaid alimony in the event of the death of the Defendant, the Plaintiff shall be awarded a lien against the real property awarded to the Defendant herein in an amount equal to the unpaid balance owed thereon until the alimony is paid in full or otherwise terminated under the terms of this Order at which time the Plaintiff shall execute a release of lien.

That the parties' joint federal income tax refund currently held in escrow by attorney for the Plaintiff shall be divided equally between the parties.

That as an additional division of marital property, the Defendant shall pay to the Plaintiff

the sum of $5,000 within thirty (30) days of the entry of this Final Decree of Divorce.

That the Plaintiff shall be restored her maiden name.

That each of the parties shall pay their own attorneys' fees.

That the Defendant shall pay the cost of this cause.

It is therefore **ORDERED, ADJUDGED AND DECREED** that pursuant to T.C.A. §36-4-129, the parties hereto are hereby declared divorced, and each of the parties is restored to all of the rights and privileges of an unmarried person.

It is further **ORDERED** that the Plaintiff, Nancy A. Morgan, is awarded as her sole and separate property the real estate located at 4840 Adgent Road, Chapel Hill, Marshall County, Tennessee currently titled in her name and consisting of approximately 128 acres, more or less, as well as all livestock, farm equipment and implements located thereon free and clear of any claim of the Defendant, and the Defendant is divested of any right, title or interest therein, and all interest shall vest solely in the Plaintiff. Further, the Plaintiff shall be responsible for any indebtedness associated with said real property and shall indemnify and hold the Defendant, A. Allen Morgan, Jr., harmless thereon.

It is further **ORDERED** that the Defendant is awarded the real estate located at 258 Hillsboro Place, Nashville, Davidson County, Tennessee, now titled in his name free and clear of any claim of the Plaintiff, and the Plaintiff is divested of any right, title or interest therein, and all interest shall vest solely in the Defendant. Further, the Defendant shall be responsible for any indebtedness associated with said real property and shall indemnify and hold the Plaintiff, Nancy A. Morgan, harmless thereon.

It is further **ORDERED** that the Plaintiff shall be awarded the 2000 Toyota Camry

automobile as well as the 1991 Toyota Tacoma truck now in her possession free and clear of any claim of the Defendant and shall hold the Defendant harmless thereon.

It is further **ORDERED** that the Defendant shall be awarded the 1994 Ford Ranger pickup truck now in his possession free and clear of any claim of the Plaintiff and shall hold the Plaintiff harmless thereon.

It is further **ORDERED** that the Plaintiff shall be awarded the contents of all retirement accounts, investment accounts, deferred compensation accounts, bank accounts, certificates of deposit or any other financial accounts titled in her name free and clear of any claim of the Defendant.

It is further **ORDERED** that the Defendant shall be awarded the contents of all retirement accounts, investment accounts, deferred compensation accounts, bank accounts, certificates of deposit or any other financial accounts titled in his name free and clear of any claim of the Plaintiff.

It is further **ORDERED** that the Plaintiff shall be awarded all household furniture, furnishings, appliances or other personal property including clothing, jewelry and personal documentation now in her possession free and clear of any claim of the Defendant.

It is further **ORDERED** that the Defendant shall be awarded all household furniture, furnishings, appliances or other personal property including clothing, jewelry and personal documentation now in his possession free and clear of any claim of the Plaintiff.

It is further **ORDERED** that each of the parties shall be responsible for any financial obligation, credit cards or other debts listed in his or her name individually and shall indemnify and hold the other party harmless thereon.

It is further **ORDERED** that the Plaintiff, Nancy A. Morgan, is awarded transitional alimony to be paid by the Defendant in the amount of $1200 per month for twenty-four consecutive months commencing May 1, 2005 and the first day of each month thereafter until paid in full and then an additional $1,000 per month for a period of thirty-six months commencing May 1, 2007. The aforesaid alimony shall terminate when paid in full or upon the death or remarriage of the Plaintiff, the death of the Defendant or pursuant to T.C.A. §36-5-101, *et seq.* whichever event is the first to occur but otherwise shall not be modifiable. Said alimony shall be included in the Plaintiff's income and deductible to the Defendant for federal income tax purposes.

It is further **ORDERED** that to secure the payment of the aforesaid transitional alimony in the event of the Defendant's death, the Plaintiff is awarded a lien against the Defendant's real property located at 258 Hillsboro Place, Nashville, TN in an amount equal to the outstanding alimony obligation until said alimony obligation is paid in full or otherwise terminated under the terms of this Order. Said property is more particularly described as follows:

> *Situated in Davidson County, Tennessee, being Unit No. 258 on the Plan of Hillsboro Station Condominiums of record in Plat Book 6250, Pages 751-753, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate description thereof.*
>
> *Being the same property conveyed to Allen Morgan by Aimee L. Williams, Unmarried, by Warranty Deed bearing Instrument No. 20010801-0081544 of record in the Register's Office for Davidson County, Tennessee.*
>
> *This conveyance is subject to any and all existing restrictions, setbacks, zoning regulations, covenants, conditions and easements of record as may affect the afore described tract of land.*

It is further **ORDERED** that when the alimony obligation is paid in full or otherwise terminated by operation of this Order, the Plaintiff shall sign a release of lien evidencing that the lien has been satisfied or otherwise extinguished.

It is further **ORDERED** that the tax refund check currently held in escrow by attorney for the Plaintiff in the amount of $386.61 be divided equally between the parties so that each party receives the sum of $193.30.

It is further **ORDERED** that the Defendant shall pay to the Plaintiff the sum of $5,000 within thirty (30) days of the entry of this Final Decree of Divorce.

It is further **ORDERED** that the Plaintiff is restored to her maiden name, to wit, ***Nancy Laurene Adgent.***

It is further **ORDERED** that each of the parties shall pay his or her own attorneys' fees.

It is further **ORDERED** that the Defendant shall pay the cost of this cause for which execution may issue if necessary.

This the 23rd day of May, 2005.

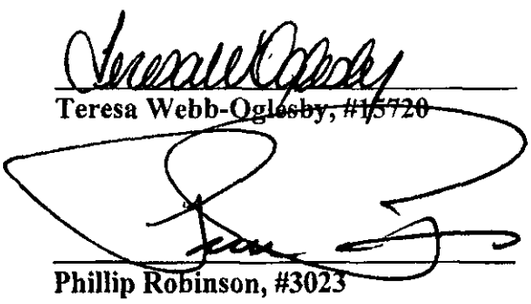
JUDGE

APPROVED FOR ENTRY:

WITH PERMISSION BY [illegible] ROBINSON

Dot Dobbins, #002510
Dobbins & Venick
Parkview Towers
Suite 1010, 210 25th Avenue, North
Nashville, TN 37203
(615) 321-5659

Attorney for ***Plaintiff***



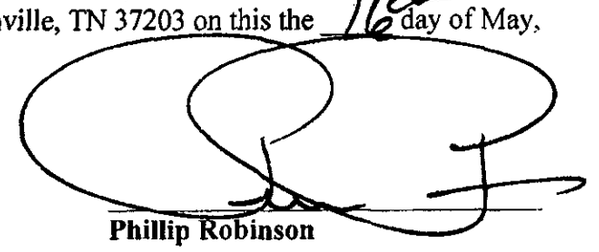
Teresa Webb-Oglesby, #15720

Phillip Robinson, #3023
Suite 2400, L&C Tower
401 Church Street
Nashville, TN 27219
(615) 467-1801

Attorneys for ***Defendant***

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Decree of Divorce has been mailed U.S. Mail to Dot Dobbins, Attorney for Plaintiff, *Dobbins & Venick*, Parkview Towers, Suite 1010, 210 25th Avenue, North, Nashville, TN 37203 on this the 16 day of May, 2005.



Phillip Robinson

CERTIFICATE OF SERVICE

DOCKET NO. 04D39

Pursuant to Rule 58(3) of the Tennessee Rules of Civil Procedure, I hereby certify that I have mailed a copy of the foregoing Judgment to the parties/counsel listed below, on this 24th day of May, 2005.

RICHARD R. ROOKER, Circuit Court Clerk

By: _____
Deputy Clerk

Dot Dobbins, Attorney
Park View Towers
Suite 1010, 210 25th Ave., North
Nashville, TN 37203

Teresa Webb-Oglesby, Attorney
Suite 2400, L&C Tower
401 Church St.
Nashville, TN 27219

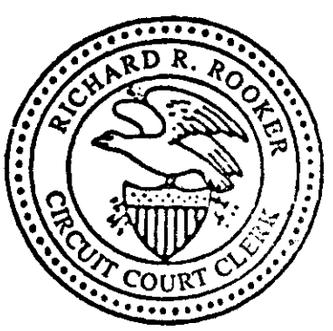
Phillip Robinson, Attorney
Suite 2400, L&C Tower
401 Church St.
Nashville, TN 37219

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 23 day of MAY , 2005 , in the Case Number 04D39 between MORGAN, NANCY A Plaintiff, and MORGAN, A ALLEN JR Defendant, as same remains of record in Vol. 5828 , Page 1911902 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 21 day of JULY in the year two thousand five and in the 229th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk