IN THE EIGHTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED

2008 APR 22 PM 3:19

RICHARD R. ROOKER, CLERK

D.C.

ROBERT LYLE KAATRUDE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Docket No. 07D-2456**
	)	
DAWN LEE KAATRUDE,	)	
	)	
Defendant.	)	

Davidson County DEEDDIV
Recvd: 05/12/08 14:04 6 pg
Fees:32.00 Taxes:0.00

20080512-0048839

AMENDED FINAL DECREE

This cause was heard on the 25th day of March, 2008 before the Honorable Judge Carol Soloman, upon the Complaint for Absolute Divorce filed by the Plaintiff, Counter-Claim for Legal Separation filed by the Defendant, statements of counsel, testimony of the parties and the entire record in this cause, from all which it appears to the Court that the Counter-Claim for Legal Separation should be granted pursuant to T.C.A. §36-4-102, the Court therefore makes the following rulings:

ORDERED, ADJUDGED AND DECREED that the Defendant is granted a legal separation from the Plaintiff pursuant to T.C.A. §36-4-102 and the Plaintiff's Complaint for Absolute Divorce is denied. On January 20, 2009, the ten (10) year anniversary of the parties' marriage, Plaintiff, Robert L. Kaatrude, may file a motion requesting the Court to grant an absolute divorce to the parties. A divorce shall be granted to the Plaintiff upon said motion.

It is further **ORDERED, ADJUDGED AND DECREED** that the Plaintiff, Robert L. Kaatrude is awarded all funds on deposit with the Circuit Court Clerk as his separate property from proceeds of the sale of his residence at 1516 Otter Creek Road, Davidson County, Tennessee after payment of property taxes as previously ordered with the exception of Ten Thousand Dollars

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($10,000) which shall be left on deposit with the Circuit Court Clerk and awarded to the Defendant Dawn Lee Kaatrude as alimony *in solido* to be paid to her each month by the Clerk's office at the rate of One Thousand Dollars ($1,000) per month on the first (1st) day of each month. Said payments shall be sent to Dawn Kaatrude by the Clerk at her address at 801 General George Patton Road, Davidson County, Nashville, Tennessee 37221.

It is further **ORDERED, ADJUDGED AND DECREED** that the Defendant, Dawn Lee Kaatrude, shall apply for Social Security Income (SSI).

It is further **ORDERED, ADJUDGED AND DECREED** that the condominium residence at 801 General George Patton Road, Nashville, Davidson County, Tennessee 37221 shall be and is hereby vested jointly in Robert Lyle Kaatrude and Dawn Lee Kaatrude as tenants in common. Said property located in Davidson County, Tennessee is described more particularly as follows:

> Being Lot No. 801, Building No. 1, as shown on a map entitled River Plantation Condominiums Section 5, Phase 1, Lot 1, of record in Book 5200, Pages 145 and 146. Register's Office for Davidson County, Tennessee and described in a master's deed in Book 5410, Page 248, Register's Office of Davidson County, Tennessee.
>
> Being the same property conveyed to Robert L. Kaatrude and Dawn L. Kaatrude by deed from Darrell G. Hewston on February 20, 2007 recorded by Instrument Number 200702200020986 and vested jointly in the parties, Robert L. Kaatrude and Dawn L. Kaatrude pursuant to the provisions of this final decree.

It is further **ORDERED, ADJUDGED AND DECREED** that the Plaintiff, Robert L. Kaatrude is hereby awarded judgment against the Defendant Dawn Lee Kaatrude in the amount of Thirty-Three Thousand Dollars ($33,000) for which a lien is hereby granted against the condominium located at 801 General George Patton Road, Nashville, Davidson County, Tennessee 37221 described more particularly herein above.

It is further **ORDERED, ADJUDGED AND DECREED** that Defendant, Dawn Lee Kaatrude shall be solely responsible for making the monthly mortgage payments on the condominium at 801 General George Patton Road, Nashville, Davidson County, Tennessee and shall hold the Plaintiff, Robert Lyle Kaatrude harmless against any liability for the mortgage debt.

It is further **ORDERED, ADJUDGED AND DECREED** that each party shall retain their own household furnishings and personal property located in the storage units at Bellevue Stor-&-Lok, 765 Highway 70 South, Nashville, Tennessee. Accordingly, Plaintiff, Robert Kaatrude, shall retain as his personal property the items in Unit A-60 and Defendant, Dawn L. Kaatrude, shall retain as her own personal property items in Units B-91, B-122 and I-656.

It is further **ORDERED, ADJUDGED AND DECREED** that Plaintiff, Robert L. Kaatrude, shall be awarded the following items of household furnishings located in the condominium on General George Patton Road:

> 1 Organ, 1 Dresser and Chest of Drawers in the bedroom, Dining Room Table and Chairs and China, 3 End Tables, 1 Chandelier and Lamps.

The remaining items of household furnishings in the condominium are hereby awarded to the Defendant, Dawn Lee Kaatrude.

It is further **ORDERED, ADJUDGED AND DECREED** that Defendant, Dawn Lee Kaatrude, shall not be eligible to elect against an intestate share as a surviving spouse or elect against the Decedent's Will as a surviving spouse under the provisions of T.C.A. §31-4-101, in the event of the death of Plaintiff, Robert Lyle Kaatrude, during the period of their lawful separation.

It is further **ORDERED, ADJUDGED AND DECREED** that the parties shall disclose all bank accounts and provide copies of bank statements, annuities and certificates of deposit maintained in the name of either party for the years 2004 through 2008. Plaintiff, Robert L. Kaatrude, is granted a lien upon any annuities, certificates of deposit or funds held or owned by Defendant/Wife representing the proceeds of the sale of his separate reality. The parties may request by post-judgment motion to the Court a distribution of any additional funds or investments held by the parties which were not previously identified or disclosed.

It is further **ORDERED, ADJUDGED AND DECREED** that the Defendant, Dawn L. Kaatrude, shall retain as her separate property all funds on deposit representing the inheritance received from her mother.

It is further **ORDERED, ADJUDGED AND DECREED** that each party shall pay their own attorneys fees.

It is further **ORDERED, ADJUDGED AND DECREED** that the cost of this cause are assessed equally to the parties for which execution may issue if necessary.

Entered this 22nd day of April, 2008.

CAROL SOLOMAN, J U D G E

APPROVED FOR ENTRY BY:

Robert E. Kolarich

ROBERT E. KOLARICH, #5528
Attorney for Plaintiff/Husband
201 Fourth Avenue North, Suite 1800
Nashville, TN 37219
(615) 244-5772

Nathaniel Koenig by Robert Kolarich w/permission

Nathaniel Koenig, #10252
Attorney for Defendant/Wife
212 Third Avenue North, Suite 300
Nashville, TN 37201

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been sent via U.S. Mail, postage prepaid, to:

Nathaniel Koenig
Attorney for Defendant/Wife
212 Third Avenue North, Suite 300
Nashville, TN 37201

on this the 16 day of April, 2008.

Robert E. Kolarich

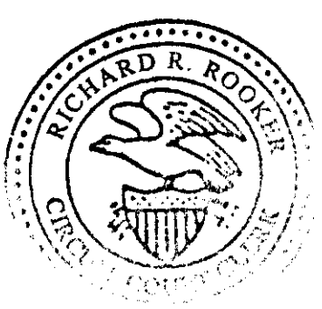
ROBERT E. KOLARICH

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 22 day of APRIL , 2008 , in the Case Number 07D2456 between KAATRUDE, ROBERT LYLE Plaintiff, and KAATRUDE, DAWN LEE 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 08 day of MAY in the year two thousand eight and in the 231st year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk