

MONTGOMERY COUNTY

CASE NUMBER 3/8/8/96-6/8/1-

MONTGOMERY COUNTY CIRCUIT COURT

CASE NUMBER 86-884

DOMESTIC	RELATIONS DIV	ISION		CIVI	LPEE	SHEE	T			
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IN RETHE MARRIAGE OF CAROLYN ELIZABETH KONRAD PATE) MONTGOMERY COUNTY, ALABAMA and RICHARD STEWART PATE, Husband and Wife. CASE NO. DR-86-884

) DOMESTIC RELATIONS DIVISION

PETITION FOR DIVORCE

The Wife respectfully represents and shows unto the Court as follows:

- 1. The Wife, Carolyn Elizabeth Konrad Pate, is over the age of 19 years and currently resides at 2059 Woodley Road, Montgomery, Alabama. She has resided at this address for more than six months preceding the filing of this petition for divorce.
- 2. The Husband, Richard Stewart Pate, is over the age of 19 years and a resident of Montgomery County, Alabama, presently residing in Montgomery County, Alabama and working out of the back shop at 2059 Woodley Road, Montgomery, Alabama.
- 3. The Husband and Wife were lawfully married on August 28, 1982 in Lowndesboro, Alabama.
- 41 There were no children born of the aforesaid marri-FILEDe.
- 5. The Wife avers that the parties jointly own certain JUN 1 0 1986 real and personal property.
- Deputy Resocer 6. The Wife avers that there exists such a complete state of incompatability of temperament between the parties that they can no longer live together as man and wife. Their disposi-

tions have become so widely divergent, there is only argument and disharmony in the marriage.

- 7. The Wife further avers that there has been an irretrievable breakdown of the marriage and that further attempts
 at reconciliation are impractical and futile and not in the
 best interests of the parties.
- 8. The Wife avers that the Husband has committed actual violence to her person and from his manner and conduct toward her, she is reasonably convinced that he will commit further violence upon her person, intended with danger to her life and health.

WHEREFORE THE PREMISES CONSIDERED, the Wife prays that the Court will take jurisdiction of this verified Petition for Divorce and cause a copy thereof to be served forthwith upon the Husband at the office of his attorney, Joe Espy, III, Melton & Espy, 339 Washington Avenue, Montgomery, Alabama, requiring him to plead and answer within the time required by law and the rules of this Honorable Court. Pending a final hearing of this cause, the Wife prays that the Court will award the Wife the exclusive use and occupancy of the home located at 2059 Woodley Road, Montgomery, Alabama, the exclusive use and control of the BMW automobile, and issue a restraining order strictly enjoining and restraining the said Husband from entering the resident premises at 2059 Woodley Road, Montgomery, Alabama, assaulting, threatening or intimidating the Wife in

any manner whatsoever, and on final hearing of this cause, the Wife prays for the following relief:

- 1. That the Court will grant her an absolute divorce of the marriage.
- 2. That the Court will order a division of the jointly owned real and personal property of the parties.
- 3. That the Court will grant the attorney for the Wife a reasonable fee for his services in this matter to be paid by the Husband.
 - 4. That the Wife be restored her maiden name.
- 5. That the Wife be granted all such other, further and different relief, both general and special, to which she may be entitled.

Carolyn Elizabeth Konrad Pate

STATE OF ALABAMA

MONTGOMERY COUNTY

BEFORE ME, the undersigned authority, in and for said State and County, personally appeared Carolyn Elizabeth Konrad Pate, who is known to me and who being by me first duly sworn, deposes and says that she has read this instrument, has been advised of and understands its nature and effects, and authorizes its filing with the Court.

Carolon Elizabeth Konrad Pate

SWORN TO and SUBSCRIBED before me on this the qual day of...

June, 1986.

Notary Public

Faul A. Brantley
Attorney for the Wife

OF COUNSEL:

BALCH & BINGHAM
P. O. Box 78
Montgomery, Alabama 36101
(205) 834-6500

IN RE THE MARRIAGE OF
CAROLYN ELIZABETH KONRAD PATE
and RICHARD STEWART PATE,
Husband and Wife.

IN THE CIRCUIT COURT OF

MONTGOMERY COUNTY, ALABAMA

DOMESTIC RELATIONS DIVISION

CASE NO. DR-86-284

ORDER

THIS CAUSE to is submitted to the Court on the verified Petition for Divorce, and the Court having considered the same, it is,

ORDERED, ADJUDGED AND DECREED that the Husband be and hereby is strictly enjoined and restrained from assaulting, threatening or intimidating the Wife in any manner whatsoever. It is further

ORDERED, ADJUDGED AND DECREED that the matters of temporary exclusive use and occupancy of the home owned jointly by the parties located at 2059 Woodley Road, Montgomery, Alabama, the parties located at 2059 Woodley Road, Montgomery, Alabama, ing a final hearing of this cause, be and the same are hereby 10N 10 1986

set for a hearing before the Honorable James P. Woodson, III

Katie H. Phillips

Deputy Register of this Court at 1:30 o'clock p.m. on the 20th

day of June , 1986. It is further

ORDERED, ADJUDGED AND DECREED that a copy of the within Petition and this Order be served forthwith upon the Husband at the office of his attorney, Joe Espy, III, Melton & Espy, 339 Washington Avenue, Montgomery, Alabama by the Sheriff of Montgomery County, Alabama.

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DONE this the day of June, 1986.

Symm Ucusy Bright Circuit Court Judge

Paul A. Brantley Joe Espy, III

Carolyn Elizabeth Konrad Pate	IN THE CIRCUIT COURT OF
PETITIONER.	
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Richard Stewart Pate	civil action no.: DR 884
DERENDANT	
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You are hereby commanded to serve this action upon defendant Richard Stewart	summons and a copy of the complaint in this
Melton & Espy, 339 Washington NOTICE TO 1	Avenue, Montgomery, Arabama
The complaint which is attached to this	summons is important and you must take im-
mediate action to protect your rights. You are	required to mail or hand deliver a copy of a
written Answer, either admitting or denying	
Paul A. Brantley the	lawyer for the Plaintiff(s), whose address is:
P. O. Box 78, Montgomery, Alab	ama 36101
THIS ANSWER MUST BE MAILED OR D	ELIVERED WITHIN THIRTY (30) DAYS
AFTER THIS SUMMONS AND COMPLAINT MENT BY DEFAULT MAY BE ENTERED A	WERE DELIVERED TO YOU OR A JUDG- GAINST YOU FOR THE MONEY OR OTHER
RELIEF SOUGHT IN THE COMPLAINT.	You must also file the original of your Answer
with the Clerk of this Court within a reasonab	le time afterward.
DATE: 4 une 10, 1986	DEPUTY REGISTER
	Deroil Registra
RETURN OI	N SERVICE
Executed by handing the Defendant	bao, Cabes a copy of the
within Summons together with other papers	listed thereon
This the/ day of,	19.0

BY.

PROCESS SERVER

IN RE THE MARRIAGE OF CAROLYN ELIZABETH KONRAD PATE * MONTGOMERY COUNTY, ALABAMA and RICHARD STEWART PATE, HUSBAND AND WIFE.

- IN THE CIRCUIT COURT FOR
- DOMESTIC RELATIONS DIVISION
- CASE NO. DR-86-884

CONSENT ORDER

This cause is submitted to the Court on the verified Petitions for Divorce and upon consent of both parties and the Court having considered the same, pending a final hearing, it is ORDERED, ADJUDGED AND DECREED as follows:

- 1. That the Wife shall have temporary, exclusive use and occupancy of the house located at 2059 Woodley Road, Montgomery, Alabama. That the Husband shall have temporary, exclusive use and occupancy of the office located at 2059 Woodley Road, Montgomery, Alabama. That each party shall pay one-half of the house payment in connection with said property. Wife shall pay 75% of the utilities and that the Husband shall pay 25% of said utilities at said property. Occasionally, the Wife may need to go to the office and occassionally, the Husband may need to go to the house. Both parties have the right to said occasionable use as long as same is reasonable and does not interfere with the other party.
- That the Wife shall have the exclusive use and control of the BMW automobile and shall pay all debt in connection therewith. The Wife shall maintain and keep said automobile in good condition. The Husband shall return to the Wife the keys to said automobile.

DONE this 30 day of 5000

JUN 201986

Katie H. Phillips Deputy Register

Approved:

IN RE THE MARRIAGE OF

CAROLYN ELIZABETH KONRAD PATE

and RICHARD STEWART PATE,

HUSBAND AND WIFE.

IN THE CIRCUIT COURT FOR

MONTGOMERY COUNTY, ALABAMA

DOMESTIC RELATIONS DIVISION

CASE NO. DR-86-884

ANSWER & COUNTER-PETITION

ANSWER

COMES NOW the Husband and for answer to the Petition for Divorce in Case No. DR-86-884 states the following:

- 1. Paragraphs 1, 2, 3 and 4 are admitted. Paragraph 5 is admitted in part and denied in part. Paragraphs 6 and 7 are basically admitted. Paragraph 8 is denied.
- 2. The Wife is not entitled to any relief in this matter.

COUNTER-PETITION

The Petition for Divorce including all allegations and prayers for relief filed in Case No. DR-86-887 are incorporated herein and made part hereof. Said Petition sets forth the Husband's Counter-Petition in this cause.

MELTON & ESPY, P,

BY

JOE ESPY, III, Attorney

Husband

OF COUNSEL:

MELTON & ESPY, P. C. P. O. Box 1267 Montgomery, AL 36102 205/263-6621

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Answer and Counter-Petition has been served upon counsel of record, Paul A. Brantley, P. O. Box 78, Montgomery, AL 36101, by mailing a copy of same to him in the United States mail, properly addressed, first-class postage prepaid, on this the 2/2 day of June, 19 分/day of June, 1986.

OF COUNSEL

IN RE THE MARRIAGE OF
RICHARD S. PATE and
CAROLYN K. PATE,
BUSBAND AND WIFE.

- * IN THE CIRCUIT COURT FOR
- * MONTGOMERY COUNTY, ALABAMA
- * DOMESTIC RELATIONS DIVISION
- * CASE NO. DR-86-<u>887</u>

PETITION FOR DIVORCE

NOW COMES the Husband, the Complainant, RICHARD S. PATE, and for cause of action would show unto the Court as follows:

- 1. That Complainant and Respondent are over the age of 19 years and are bona fide citizens of the State of Alabama.

 Both parties have resided in Montgomery County, Alabama, for at least one year prior to the filing of this Petition for Divorce.
- 2. That the parties were lawfully married in Lowndesboro, Lowndes County, Alabama, on August 28, 1982.
 - 3. That there were no children born of this marriage.
- 4. Complainant avers that there exists a complete incompatibility of temperament between the parties and that they can no longer live together as husband and wife. Complainant further avers that there exists an irretrievable breakdown of the marriage between the parties to this Petition. The parties have been separated since March 24, 1986.
- 5. Complainant further avers that Respondent has committed misconduct during said marriage.
- 6. That the parties have accumulated certain property and the Court should award said property to Complainant. Further, the parties have incurred certain debts and the Court should make an equitable division of said debts.

THESE PREMISES CONSIDERED, this Complainant prays unto the Court as follows:

1. Complainant prays that Your Honor will order service to be had, according to law and the rules of this Honorable Court, upon the said Respondent, commanding her to appear and plead, answer or demur to this Petition within the time required by law

and the rules of this Honorable Court

- 3. That the Court will award the property to the Complainant.
- 4. That the Court will make an equitable division of the debts of the parties.
- 5. The Complainant prays unto the Court for any other further, general or different relief that he may be entitled to under the pleading and proof in this cause.

RICHARD S. PATE

JOE ESPY, III, Attorney for

Complainant

MELTON & ESPY, P.C.

P. O. Box 1267

Montgomery, AL 36102

205/263-6621

STATE OF ALABAMA

MONTGOMERY COUNTY

BEFORE ME, the undersigned authority, a Notary Public, in and for said State and County, personally appeared RICHARD S. PATE, known to me and who being first duly sworn on oath deposes and says that he has read the Petition and the facts therein are true and correct.

RICHARD S. PATE

SWORN TO and subscribed before me on this the $\frac{10}{100}$ day

,1986.

NOTARY PUBLIC

IN RE THE MARRIAGE OF

RICHARD S. PATE and

CAROLYN K. PATE,

HUSBAND AND WIFE.

IN THE CIRCUIT COURT FOR

MONTGOMERY COUNTY, ALABAMA

DOMESTIC RELATIONS DIVISION

CASE NO. DR-86- 287

MOTION FOR RESTRAINING ORDER

COMES NOW the Complainant, RICHARD S. PATE, and moves the Court for an order restraining the Respondent, CAROLYN K. PATE, from removing any property from the residence at 2059 Woodley Road, Montgomery, Alabama 36111, until a hearing in this cause or until further order of the Court. Complainant is concerned that Respondent may attempt to remove property and/or furniture from said residence. Complainant further moves for an order from the Court directing Respondent not to interfere and/or harass him during the pendency of this cause. Complainant prays for any other relief to which he may be entitled at this time.

Cof Tat

Sworn to and subscribed before me on this the $\frac{10}{1000}$

ESPY, III

orney for Complainant

MELTON & ESPY, P. C.

P. O. Box 1267

Montgomery, AL 36102

205/263-6621

RICHARD S.	PATE	* IN THE CIRCUIT COURT OF
P	ETITIONER and	MONTGOMERY COUNTY, ALABAN DOMESTIC RELATIONS DIVISION
CAROLYN K.	PATE EFENDANT	civil action no.: <u>Dr. ⁸⁶-867</u>
To any sheri	ff or any pers	SUMMONS son authorized by either Rules 4.1 (b)(2) or 4.2 (b)(2) or
(b)(2) of the	Alabama Rule	es of Civil Procedure to effect service.
action upon d	lefendant <u>by sei</u>	nded to serve this summons and a copy of the complaint in trying her attorney, Paul A. Brantley, 2 Dexter Avenue,
Montgomery,	Alapana,	NOTICE TO DEFENDANT
The com	plaint which is	attached to this summons is important and you must take
60K (60A) 170/16 (4.75 H) 4865	and the control of th	our rights. You are required to mail or hand deliver a copy of
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Joe Espy.	III	, the lawyer for the Plaintiff(s), whose address
Joe Espy.	III	그리즘 회사 역할 수 있다. 그 집 전에 가장 살아 있는 사람들은 그는 그는 그는 그는 그는 그는 그는 그를 가는 그를 가는 것이 그렇게 되었다. 그를 가는 사람들은 그를 받는 것이 없다.
Joe Espy, P: 0. Box THIS ANSW	III 1267, Montgom ER MUST BE	, the lawyer for the Plaintiff(s), whose address hery, Alabama 36102 MAILED OR DELIVERED WITHIN THIRTY (30) DA
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IN RE THE MARRIAGE OF
RICHARD S. PATE and
CAROLYN K. PATE,
HUSBAND AND WIFE.

- * IN THE CIRCUIT COURT FOR
- * MONTGOMERY COUNTY, ALABAMA
- * DOMESTIC RELATIONS DIVISION
- * CASE NO. DR-86-<u>887</u>

PETITION FOR DIVORCE

NOW COMES the Husband, the Complainant, RICHARD S. PATE, and for cause of action would show unto the Court as follows:

- 1. That Complainant and Respondent are over the age of 19 years and are bona fide citizens of the State of Alabama.

 Both parties have resided in Montgomery County, Alabama, for at least one year prior to the filing of this Petition for Divorce.
- 2. That the parties were lawfully married in Lowndesboro, Lowndes County, Alabama, on August 28, 1982.
 - 3. That there were no children born of this marriage.
- 4. Complainant avers that there exists a complete incompatibility of temperament between the parties and that they can no longer live together as husband and wife. Complainant further avers that there exists an irretrievable breakdown of the marriage between the parties to this Petition. The parties have been separated since March 24, 1986.
- 5. Complainant further avers that Respondent has committed misconduct during said marriage.
- 6. That the parties have accumulated certain property and the Court should award said property to Complainant. Further, the parties have incurred certain debts and the Court should make an equitable division of said debts.

THESE PREMISES CONSIDERED, this Complainant prays unto the Court as follows:

1. Complainant prays that Your Honor will order service to be had, according to law and the rules of this Honorable Court, upon the said Respondent, commanding her to appear and plead, answer or demur to this Petition within the time required by law

That the Court will award the property to the Complainant.

4. That the Court will make an equitable division of the debts of the parties.

5. The Complainant prays unto the Court for any other further, general or different relief that he may be entitled to under the pleading and proof in this cause.

Complainant

MELTON & ESPY, P.C.

P. O. Box 1267 Montgomery, AL 36102

205/263-6621

STATE OF ALABAMA

MONTGOMERY COUNTY

BEFORE ME, the undersigned authority, a Notary Public, in and for said State and County, personally appeared RICHARD S. PATE, known to me and who being first duly sworn on oath deposes and says that he has read the Petition and the facts therein are true and correct.

RICHARD S. PATE

SWORN TO and subscribed before me on this the $\frac{10}{10}$ day

,1986.

NOTARY PURLIC

医科罗拉氏征囊肿

IN RE THE MARRIAGE OF
RICHARD S. PATE and
CAROLYN K. PATE,

HUSBAND AND WIFE.

- * IN THE CIRCUIT COURT FOR
- * MONTGOMERY COUNTY, ALABAMA
- * DOMESTIC RELATIONS DIVISION
- * CASE NO. DR-86-<u>887</u>

MOTION FOR RESTRAINING ORDER

COMES NOW the Complainant, RICHARD S. PATE, and moves the Court for an order restraining the Respondent, CAROLYN K.

PATE, from removing any property from the residence at 2059

Woodley Road, Montgomery, Alabama 36111, until a hearing in this cause or until further order of the Court. Complainant is concerned that Respondent may attempt to remove property and/or furniture from said residence. Complainant further moves for an order from the Court directing Respondent not to interfere and/or harass him during the pendency of this cause. Complainant prays for any other relief to which he may be entitled at this time.

RICHARD S. PATE

Sworn to and subscribed before me on this the 10 da

οf

ne , 1986.

Notary Pu

IOE ESPY, III

Attorney for Complainant

MEATON & ESPY, P. C.

P. O. Box 1267

Montgomery, AL 36102

205/263-6621

IN RE THE MARRIAGE OF
RICHARD S. PATE and
CAROLYN K. PATE,
HUSBAND AND WIFE.

* IN THE CIRCUIT COURT FOR

* MONTGOMERY COUNTY, ALABAMA

* DOMESTIC RELATIONS DIVISION

* CASE NO. DR-86-<u>887</u> and

ORDER

DR-86-884

Upon consideration of the sworn Petition for Divorce and sworn Motion for Restraining Order, it is the ORDER of this Court that said motion for restraining order be and the same is hereby granted. Accordingly, both parties are ORDERED and DIRECTED not to remove any property from the residence until further order of this Court. Further, both parties are ORDERED and DIRECTED not to interfere with each other and/or harass each other during the pendency of this proceeding. Neither party shall in any way interfere with the other party's business or employment.

DONE this 13th day of June , 1986

Circuit Judge Sally Green

cc: Joe Espy, III Paul A. Brantley

Entered Min.# 269

IN RE THE MARRIAGE OF: * IN THE CIRCUIT COURT FOR

CAROLYN ELIZABETH KONRAD * MONTGOMERY COUNTY, ALABAMA

PATE,

DOMESTIC RELATIONS DIVISION

Wife,

*

and

RICHARD STEWART PATE,

* Case No: DR 86-884

Husband.

RICHARD S. PATE,

Husband,

and

*

CAROLYN K. PATE,

* Case No: DR 86-887

Wife.

ORDER

This cause is before the Court on the Wife's Petition for Divorce. Case No: DR 86-884, filed on June 10, 1986 and the Husband's Petition for Divorce, Case No: DR 86-887 filed on June 11, 1986. Upon consideration of said Petitions this Court ex mero muto Orders that these two separate Petitions shall be consolidated into Case No: DR 86-884.

The Clerk of the Domestic Relations Division shall cause a copy of this Order to be served upon all counsel of record.

JUN 18 1986

DONE this the 13th day of June, 1986.

Katie H. Phillips Deputy Register

SALLY GREENHAW, JUDGE

IN RE THE MARRIAGE OF IN THE CIRCUIT COURT OF CAROLYN ELIZABETH KONRAD PATE MONTGOMERY COUNTY, ALABAMA DOMESTIC RELATIONS DIVISION DUBBAND DOMESTIC RELATIONS DIVISION CASE NO. DR-86-884

ANSWER

COMES NOW the wife, Carolyn Elizabeth Konrad Pate, and in answer to the Petition for Divorce does state as follows:

- The Wife admits paragraphs 1, 2, 3 and 4 of the Complaint.
 - 2. The Wife denies paragraph 5 of the Compliant.
- 3. The Wife basically admits paragraph 6 of the Complaint.
- 4. The Husband is not entitled to the relief requested in the Petition.

COUNTER-PETITION

The Petition for Divorce previously filed by the Wife in this cause including all allegations and prayers for relief are likely porated by reference herein.

JUL 1 1986

REQUEST FOR FINAL HEARING

Katie H. Phillips

Deputy Register COMES NOW the Wife, pursuant to IX of the General

Instructions Practice Before the Domestic Relations Court of

Montgomery County, and request that this case be set for final hearing. Counsel for the Wife would state that the issues have been joined by Petitions for Divorce filed by both parties and by responsive Answers thereto. Pursuant to General Instruction IX(b), attached hereto is an original and two copies of an Order setting the case for hearing.

Respectfully submitted,

Paul A. Brantley Attorney for Wife

OF COUNSEL:

BALCH & BINGHAM Post Office 78 Montgomery, Alabama 36101 (205)834-6500

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Joe Espy, III, Esq. by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to him, on this the ______ day of July, 1986.

Vaul A Brante

ORDER

THIS CAUSE is for the court on the Wife's request for final hearing filed in conjunction with her Answer and Counter-Petition, and the court having considered the same,

of this cause be in the same is hereby set for a hearing at 1:30

p m. on the 31st day of July , 1986.

DONE this the 7th day of July, 1986.

() UM Judge Circult Judge LYNN CLARDY BRIGHT

cc: Paul A. Brantley, Esq. Joe Espy, III, Esq.

FILED

JUL 7 1986

Katie H. Phillips Deputy Register

IN RE THE MARRIAGE OF

CAROLYN ELIZABETH KONRAD PATE

and RICHARD STEWART PATE,

HUSBAND AND WIFE.

- IN THE CIRCUIT COURT FOR
- MONTGOMERY COUNTY, ALABAMA
- DOMESTIC RELATIONS DIVISION
- CASE NO. DR-86-884

WAIVER

Comes now the Husband, Richard Stewart Pate, in the above-styled cause and submits to the jurisdiction of this Court. The Husband waives notice as to the filing of interrogatories and the right to cross same; waives the appointment of a Commissioner and consents for testimony to be taken under the provisions of law or by affidavit before any Notary Public or other officer authorized to administer oaths; and the Husband hereby consents that this cause proceed to final decree without further or other notice to him.

Chard Stewart Pate

STATE OF ALABAMA

MONTGOMERY COUNTY)

Before me, the undersigned authority, a Notary Public in and for the State of Alabama, personally appeared Richard Stewart Pate, who is known to me and who being by me first duly sworn on oath, deposes and says that the statements are true and correct and that he signed the above waiver with full understanding of its effect.

SWORN TO and subscribed before me on this the $/\mathcal{O}$

day of July, 1986.

We Estably actorney for Husband P. O. Box 1267 Montgomery, AL 36102

IN RE THE MARRIAGE OF IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA CAROLYN ELIZABETH KONRAD PATE) DOMESTIC RELATIONS DIVISION and RICHARD STEWART PAME, Husband and Wife. CASE NO. DR-86-884

AFFIDAVIT

STATE OF ALABAMA

MONTGOMERY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared Carolyn Elizabeth Konrad Pate, who is known to me and who being by me first duly sworn, deposes and says on oath as follows:

I am the Complainant in this cause. Richard Stewart Pate and I were lawfully married on August 28, 1982 in Lowndesboro, Alabama, and there were no children born of our marriage.

There are no pending proceedings in this or any other state, either by the parties hereto or any persons not a party hereto.

> Cawun Charlett toma tak Carolyp Elizabeth Konrad

Sworn to and subscribed before me this the // day of July, 1986.

Attorney for the Wir

OF COUNSEL:

BALCH & BINGHAM

P. O. Box 78

JUL 16 1986

Montgomery, Alabama 3610 Katie H. Phillips (205) 834-6500

Deputy Register

IN RE THE MARRIAGE OF CAROLYN ELIZABETH KONRAD PATE * MONTGOMERY COUNTY, ALABAMA and RICHARD STEWART PATE, HUSBAND AND WIFE.

- IN THE CIRCUIT COURT FOR
- * DOMESTIC RELATIONS DIVISION
 - CASE NO. DR-86-884

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT, made and entered into on this the day of July, 1986, by and between Carolyn Elizabeth Konrad Pate (hereinafter referred to as "Wife") and Richard Stewart Pate (hereinafter referred to as "Husband").

WITNESSETH:

WHEREAS, the parties hereto have instituted proceedings for a divorce in the Circuit Court of Montgomery County, Alabama, Domestic Relations Division; and

WHEREAS, the parties were lawfully married in Lowndesboro, Alabama, on August 28, 1982; and

WHEREAS, there were no children born of this marriage; and

WHEREAS, the Husband and Wife desire to enter into an agreement concerning respective property rights of the Husband and Wife; and

WHEREAS, Husband and Wife have agreed on all matters concerning a division of property rights, and now desire to reduce said agreement to writing; and

WHEREAS, said agreement is for the benefit and protection of Husband and Wife.

JUL 16 1986

Katie H. Phillips Deputy Register

Entered Alla. Tr-Page

NOW, THEREFORE, in consideration thereof and of the mutual agreements hereinafter made, they do hereby agree as follows:

- l. The Husband shall receive the house, workshop and land located at 2059 Woodley Road, Montgomery, Alabama, and shall be liable for the mortgage and all other indebtedness on this particular property. The Wife expressly relinquishes and waives all of her right, title and interest in and to said real property situated in Montgomery County, Alabama. The Wife agrees to execute an appropriate warranty deed conveying her interest to the Husband.
- 2. The Husband shall have and maintain all assets and liabilities of the business known as Pate Landscaping and Pool Company. The Husband agrees to be responsible for the existing and future indebtedness on said business and further agrees to hold the Wife harmless from and will indemnify the Wife from any liability in connection with any and all existing and future business indebtedness.
- 3. The Wife is hereby awarded all right, title and interest in the 1984 BMW vehicle. The Husband agrees to immediately pay the indebtedness on said vehicle. The Husband agrees to do all things necessary to transfer title to said automobile to the Wife including the execution of the proper bill of sale and the execution of the title certificate.
- 4. The Husband and Wife shall each pay their respective attorney's fees and legal expenses, and the Husband shall pay the Court costs.

- 5. The Husband and Wife, prior to execution of this agreement, and by mutual agreement satisfactory to both parties, have made an equitable division of all furniture, furnishings, fixtures, appliances, goods, wares, ornaments and other personal property and effects.
- 6. The parties agree to pay their own personal debts and do not believe that there are any joint debts.
- 7. In the event a Decree of Divorce is granted in this cause, it is agreed and understood by the parties that this agreement and all of its terms shall be submitted to the Court for its approval and shall be incorporated in said Decree.
- 8. The Wife shall resume her maiden name of Carolyn Elizabeth Konrad.

IN WITNESS WHEREOF, the parties hereto have signed, sealed and acknowledged this agreement on the day and date first set forth above.

Carolyn Elizabeth Konrad Pate

Chard Stewart Pate

STATE OF ALABAMA)

MONTGOMERY COUNTY)

BEFORE ME, the undersigned authority, in and for said
State and County, personally appeared Carolyn Elizabeth Konrad
Pate, who is known to me and who being by me first duly sworn,
deposes and says that she has read this instrument, has been
advised of and understands its nature and effects, and authorizes
its filing with the Court.

Carolyn Flizabeth Konrad Pate

SWORN TO and SUBSCRIBED before me on this the /2 day of July, 1986.

Notary Public

Paul A. Brantley
Attorney for Wife

OF COUNSEL:

BALCH & BINGHAM P. O. Box 78 Montgomery, AL 36101 205/834-6500

STATE OF ALABAMA)

MONTGOMERY COUNTY)

BEFORE ME, the undersigned authority, in and for said
State and County, personally appeared Richard Stewart Pate, who
is known to me and who being by me first duly sworn, deposes and
says that he has read this instrument, has been advised of and
understands its nature and effects, and authorizes its filing
with the Court.

Richard Stewart Pate

SWORN TO and SUBSCRIBED before me on this the

day

of July, 1986.

Notary Public

Joe Espy, III Attorney for the Husband

OF COUNSEL:

MELTON & ESPY, P. C. P. O. Box 1267 Montgomery, AL 36102 205/263-6621

THE STATE OF ALABAMA. M	ONTGOMERY COUNTY
RE THE MARRIAGE OF	
	IN THE
	UIT COURT OF MONTGOMERY COUNTY
o DR-86-884 AND	DOMESTIC RELATIONS DIVISION
TCHARD STEWART PATE	
his cause coming on to be heard at this term, was	submitted upon Petition/Bill of Complaint,
Answer and Cross Petition, Answer t	o Cross Petition,
Waiver and Property Settlement Agre	ement
and testimony and	upon consideration thereof, the Court is of
pinion and finds that the Court has jurisdiction on the the Petitioner/Complainant is entitled to the	relief prayed for in the said Petitioner/Bill
f Complaint	
is, therefore,	
RDERED, ADJUDGED AND DECREED BY	선생님 그는 그는 이 전에 가장 보고 있는 것이 되었다. 그는 그는 그는 그는 그를 가장 되었다. 그는 생활하는
1. That the bonds of matrimony heretofore exind the same are hereby dissolved, and they are	each forever divorced from the other.
2 That noither of the narties to this cause sha	all again marry, except to each other, until
ixty days after the date of this decree of divorce arty shall again marry except to each other du	ce, and if an appeal is taken then neither
	ring the pendency of the appeal.
	ring the pendency of the appeal.
3 That Richard Stewart Pate	ring the pendency of the appeal.
3. That Richard Stewart Pate	
3. That Richard Stewart Pate he Husband , pay the costs herein to be ta	axed, for which execution may issue.
3. That Richard Stewart Pate he Husband , pay the costs herein to be to 4. That the said Property Settler by the parties, be incorporated here	axed, for which execution may issue ment Agreement, signed and agre rein and made a part of this
3. That Richard Stewart Pate he Husband , pay the costs herein to be to 4. That the said Property Settler by the parties, be incorporated heree as if fully set forth, binding	axed, for which execution may issue ment Agreement, signed and agre rein and made a part of this
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3. That Richard Stewart Pate the Husband , pay the costs herein to be to 4. That the said Property Settler by the parties, be incorporated here as if fully set forth, binding her. 5. That the Wife shall resume hereabeth Konrad. Done this the \(\lambda \colon \) day of \(\lambda \) July Attorney for wife \(\text{Paul A: Brantley} \) Attorney for husband \(\lambda \) Doe \(\text{ESpy, III} \)	ment Agreement, signed and agreein and made a part of this upon both and enforceable by remaiden name of Carolyn 19 86 Judge of the Fifteenth Judicial Circuit,
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3. That Richard Stewart Pate he Husband	axed, for which execution may issue: ment Agreement, signed and agreered and made a part of this upon both and enforceable by r maiden name of Carolyn . 19 86 . Judge of the Fifteenth Judicial Circuit, Domestic Relations Division BUIT COURT OF MONTGOMERY COUNTY MESTIC RELATIONS DIVISION e Domestic Relations Division of said Court; de
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JUDICIAL INFORMATION SYSTEM SUMMARY

CASE ACTION

CIRCUIT CIVIL

CASE: DR 86 000884.00

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PLAINTIFF PATE CARD	LYN ELIZABEI	H KONRAD	DEFEN	DANT E RICHARD	STEWART		
ATTORNEY			ATTOO	ver foe	Car		
BRANTLEY,	PAUL ADAMS				77		
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