10-15-79
38C/2164

IN THE FIFTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

May 59/14
Par 231

BETTY JEAN WEAKLEY	§	
	§	
PLAINTIFF	§	
	§	
VS.	§	NO. 96534
	§	
DONALD LEE WEAKLEY	§	
	§	BOOK 6202 PAGE 471
DEFENDANT	§	

F I N A L D E C R E E

This cause came on to be heard on October 2, 1979, before the Honorable Stephen North, Circuit Judge, upon the Complaint For Absolute Divorce filed by the plaintiff, Betty Jean Weakley, the Answer filed by Donald Lee Weakley, testimony of the plaintiff and the defendant, and the entire record. Upon due consideration, the Court found that plaintiff is entitled to an absolute divorce from the defendant in that the plaintiff did satisfactorily sustain her grounds for divorce as alleged in the petition on cruel and inhuman treatment perpetrated by the defendant on the plaintiff, and the parties are hereby restored to all rights and privileges of unmarried persons. The Court further finds that the plaintiff is a fit person to be awarded the care and custody and control of the minor children of the parties, Tara Caprice Weakley and Donald Lee Weakley, Jr., and the defendant is awarded all reasonable rights of visitation. The Court further finds that the defendant, Donald Lee Weakley, shall pay to the plaintiff, Betty Jean Weakley, as child support and for the use and benefit of the minor children, Twenty-Five Percent (25%) of his weekly income or the minimum of Twenty-Five Dollars ($25.00) per week and a maximum of One Hundred Fifty Dollars ($150.00) per week, to begin on October 5, 1979, and every Friday of each week thereafter, until the youngest child becomes eighteen (18) years of age, all payments to be made to the Circuit Court Clerk's Office in Davidson County, Tennessee. The Court further finds that all right, title and interest of the defendant, Donald Lee Weakley, in and to the following described real property be, and the same hereby is, divested out of him and vested in the plaintiff,

Betty Jean Weakley, in fee simple absolute:

Land in Davidson County, Tennessee, being BOOK 6202 PAGE 472 Lot No. 200 on the Plan of Haynes Estates, Section 4, as of record in Book 4300, page 44, Register's Office for said County, and being described as follows:

BEGINNING at a point in the easterly margin of Rowan Drive, at the common dividing line between Lots Nos. 199 and 200 on said plan; thence easterly along said dividing line, 107.76 feet to a point; thence northerly 116.40 feet to a point in the southerly margin of Boatner Drive; thence westerly along the southerly margin of said Drive, 86.13 feet to the beginning of a curve; thence around said curve a distance of 42.87 feet to a point in the easterly margin of Rowan Drive; thence southerly along the easterly margin of said Drive, 64.82 feet to the point of the beginning.

BEING the same property conveyed to Shearon Lee Williams and wife, Josephine S. Williams, by deed from W. L. Bainbridge Company, of record in Book 4429, page 966, Register's Office for Davidson County, Tennessee.

This conveyance is subject to restrictive covenants of record in Book 4407, page 214, said Register's Office; easements and setback lines as set forth on the above plan of record; and taxes for the current year which have been prorated and assumed by the Grantees herein.

The Court further finds that plaintiff shall pay to the defendant the sum of Ten Thousand Dollars ($10,000.00) for his interest in the above-described property, and he is hereby awarded a lien to secure the payment to him of said sum. The defendant, Donald Lee Weakley, shall be stayed from enforcing said lien until the youngest child, Donald Lee Weakley, Jr., becomes eighteen (18) years of age. The defendant, on payment of Ten Thousand Dollars ($10,000.00) by plaintiff, shall release said lien. The Court further finds that the plaintiff, Betty Jean Weakley, shall be responsible to pay the balance of the mortgage debt outstanding as against said real estate. The Court further finds that the plaintiff shall be entitled to the Mark IV Lincoln Continental now in her possession and that whatever rights the defendant, Donald Lee Weakley, has in said automobile is vested out of him and into her. The Court further finds that the defendant, Donald Lee Weakley, will be entitled to the Chevrolet Monte Carlo automobile and whatever rights the plaintiff has in said vehicle shall be vested out of her and into him. The Court further finds that the plaintiff, Betty Jean Weakley, is entitled to all of the household furniture consisting of dining room furniture, three (3)

bedroom suits, kitchen furniture, including a refrigerator, stove and washing machine, two (2) stereo sets and a piano and whatever rights, title and interest the defendant, Donald Lee Weakley, has in said property is vested out of him and into her. The Court further finds that the plaintiff, Betty Jean Weakley, is entitled to the equity in the Diplomat Vacation Passport, Inc., certificate and all rights enuring thereunder, and any right that the defendant, Donald Lee Weakley, has in said property be vested out of him and into her. The Court further finds that the costs of this cause are taxed against the defendant.

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, Betty Jean Weakley, be, and she is hereby awarded an absolute divorce from the defendant, Donald Lee Weakley, and the parties are hereby restored to all rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff is a fit person to be awarded the care and custody and control of the minor children of the parties, Tara Caprice Weakley and Donald Lee Weakley, Jr., and the defendant is awarded all reasonable rights of visitation.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant, Donald Lee Weakley, shall pay to the plaintiff, Betty Jean Weakley, as child support and for the use and benefit of the minor children, Twenty-Five Percent (25%) of his weekly income or the minimum of Twenty-Five Dollars ($25.00) per week and a maximum of One Hundred Fifty Dollars ($150.00) per week, to begin on October 5, 1979, and every Friday of each week thereafter, until the youngest child becomes eighteen (18) years of age, and all payments are to be made to the Circuit Court Clerk's Office in Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest of the defendant, Donald Lee Weakley, in and to the following described real property be, and the same hereby is, divested out of him and vested in the plaintiff, Betty Jean Weakley, in fee simple absolute:

> Land in Davidson County, Tennessee, being Lot No. 200 on the Plan of Haynes Estates, Section 4, as of record in Book 4300, page 44, Register's Office for said County, and

being described as follows:

BEGINNING at a point in the easterly margin of Rowan Drive, at the common dividing line between Lots Nos. 199 and 200 on said plan; thence easterly along said dividing line, 107.76 feet to a point; thence northerly 116.40 feet to a point in the southerly margin of Boatner Drive; thence westerly along the southerly margin of said Drive, 86.13 feet to the beginning of a curve; thence around said curve a distance of 42.87 feet to a point in the easterly margin of Rowan Drive; thence southerly along the easterly margin of said Drive, 64.82 feet to the point of the beginning.

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This conveyance is subject to restrictive covenants of record in Book 4407, page 214, said Register's Office; easements and setback lines as set forth on the above plan of record; and taxes for the current year which have been prorated and assumed by the Grantees herein.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff shall pay to the defendant the sum of Ten Thousand Dollars ($10,000.00) for his interest in the above-described property, and he is hereby awarded a lien to secure the payment to him of said sum. The defendant, Donald Lee Weakley, shall be stayed from enforcing said lien until the youngest child, Donald Lee Weakley, Jr., becomes eighteen (18) years of age. The defendant, on payment of Ten Thousand Dollars ($10,000.00) by plaintiff, shall release said lien.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Betty Jean Weakley, shall be responsible to pay the balance of the mortgage debt outstanding as against said real estate.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff shall be entitled to the Mark IV Lincoln Continental now in her possession and that whatever rights the defendant, Donald Lee Weakley, has in said automobile be vested out of him and into her.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant, Donald Lee Weakley, will be entitled to the Chevrolet Monte Carlo automobile and whatever rights the plaintiff has in said vehicle shall be vested out of her and into him.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Betty Jean Weakley, is entitled to all of the household furniture consisting of dining room furniture, three (3) bedroom suits, kitchen furniture, including a refrigerator, stove and washing machine, two (2) stereo sets and a piano and whatever rights, title and interest the defendant, Donald Lee Weakley, has in said property be vested out of him and into her.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Betty Jean Weakley, is entitled to the equity in the Diplomat Vacation Passport, Inc., certificate and all rights enuring thereunder, and any right that the defendant, Donald Lee Weakley, has in said property be vested out of him and into her.

It is further ORDERED, ADJUDGED and DECREED by the Court that the costs of this cause be taxed against the defendant, Donald Lee Weakley.

ENTER this the 15 day of October, 1979.

STEPHEN NORTH, CIRCUIT JUDGE

APPROVED FOR ENTRY:

HERMAN O. LOEWENSTEIN
Attorney for Plaintiff

LUTHER P. CANTRELL
Attorney for Defendant

2337 12/28 10.00- CASH

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IDENTIF. REFERENCE

DEC 28 12 49 PM '83

FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN

Mail
Luther Cantrell
P.O. Box 2726
37219

10-15-79

MB38C/2164

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a* ~~correct transcript~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Betty Jean Weakley *Plaintiff, and* Donald Lee Weakley *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 28 *day of* Dec *in the year one thousand nine hundred and* 83 *and in the* 208th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L Ayer, *D. C.*

Form #GR-117