1561 / 736

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JANE QUERY RHAMY,
Plaintiff,

v.

ROBERT KEITH RHAMY, SR.,
Defendant.

No. 82D-2749

Map 115-6
Par 76 etc

FINAL DECREE

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This cause came on to be heard before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court of Davidson County, Tennessee, on the 30th day of April, 1984 upon the complaint of the plaintiff, Jane Q. Rhamy, for an absolute divorce, a judgment for arrearage of child support, a judgment for arrearage of separate maintenance payments, equitable division of the parties property and custody of the parties' minor child.

Based upon the testimony of the witnesses, the exhibits, and the entire record the Court finds:

1. Jane Rhamy is entitled to an absolute divorce on the grounds of cruel and inhuman treatment and the existence of a decree of separate maintenance which has been in effect since March 22, 1978 during which time the husband and wife have not lived in the marital relationship.

2. Jane Rhamy shall have custody of the minor child of the parties, Robert Keith Rhamy, Jr., and Robert Keith Rhamy, Sr. shall have reasonable visitation privileges.

3. Each party shall retain the personal property in his/her possession.

4. Robert Rhamy was in arrears on previously ordered child support in the amount of $13,030.50 on April 14, 1980. Since that time he has failed to reduce this arrearage.

5. On October 14, 1975, Robert Rhamy was ordered by this Court to pay child support in the amount of $950.00 per month. From April, 1980 until present he is arrears on said

child support pursuant to said order in the amount of $29,750.00.

6. On October 1, 1979, Robert Rhamy was ordered to pay all educational expenses of his son at the Gow School including tuition, books, travel expenses and all incidental expenses as well as medical and dental expenses as child support. To date he is in arrears on these educational child support expenses in the amount of $23,860.00.

7. On March 22, 1978, Robert Rhamy was ordered to pay Jane Rhamy $400.00 per month separate maintenance. From April of 1980 to the present he is in arrears in said payments in the amount of $12,400.00.

8. The parties own as tenants by the entireties a piece of improved real property located at 913 Davidson Drive, Nashville, Tennessee, being more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 12 on the Plan of West Meade Hills, Section 1, as of Record in Book 2900, Page 62, Register's Office for Davidson County, Tennessee. Said Lot No. 12 fronts 130 feet on the southerly line of Davidson Drive and extends back 300 feet on the easterly line and 318.7 feet on the westerly line to a dead line in the rear measuring 131.4 feet thereon.
>
> Being the same property conveyed to Robert Keith Rhamy by deed from Alvin W. Terrell and Son, Inc., of Record in Book 3883, Page 132, Register's Office for Davidson County, Tennessee.
>
> Conveyance of this property is made subject to the plan of record in Book 2900, Page 62, Register's Office for Davidson County, Tennessee, and restrictive covenants of record in Book 2998, Page 13, said Register's Office, and an owner's certificate shown on the plan of record a 75-foot minimum building set back line from Davidson Drive and a 10-foot easement for public utilities purposes along the rear line of said lot known as 913 Davidson Drive, Nashville, Tennessee.

The current value of this property is $78,000.00 and the mortgage balance on this property is $11,915.00, which leaves equity in the amount of $66,085.00. Robert Rhamy's portion of this equity is $33,042.50.

Jane Rhamy is entitled to a judgment for child support arrearage previously ordered by this Court in the amount of $53,610.00. Jane Rhamy is further to be awarded sole possession and ownership of the real property described above at 913

Davidson Drive, Nashville, Tennessee and a copy of this Final Decree shall be filed in the Register's Office of Davidson County, Tennessee to evidence transfer of ownership from Robert Keith Rhamy to Jane Q. Rhamy.

The award of the above described property is in satisfaction of $33,042.50 of the judgment for child support arrearage awarded to Jane Rhamy in this decree.

9. Jane Rhamy is also entitled to a judgment in the amount of $12,400.00 for arrearage in separate maintenance payments which have been previously ordered by this Court. After the credit given for the equity of Robert Keith Rhamy in the property the total money judgment awarded by the Court shall be $45,998.00.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED:

1. Jane Query Rhamy is granted an absolute divorce from Robert Keith Rhamy on the grounds of cruel and inhuman treatment and on the grounds of the existence of a decree of separate maintenance which has been in effect for more than two (2) years.

2. Jane Q. Rhamy is awarded custody of Robert Keith Rhamy, Jr. until such time as he reaches his majority and Robert Keith Rhamy is granted reasonable visitation privileges.

3. Each party is awarded the personal property which he/she currently retain in his/her possession.

4. Jane Q. Rhamy is awarded a judgment against Robert Keith Rhamy for previously ordered child support arrearage in the amount of $53,610.00. Jane Q. Rhamy is awarded the improved real property located at 913 Davidson Drive and more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 12 on the Plan of West Meade Hills, Section 1, as of Record in Book 2900, Page 62, Register's Office for Davidson County, Tennessee. Said Lot No. 12 fronts 130 feet on the southerly line of Davidson Drive and extends back 300 feet on the easterly line and 318.7 feet on the westerly line to a dead line in the rear measuring 131.4 feet thereon.
>
> Being the same property conveyed to Robert Keith Rhamy by deed from Alvin W. Terrell and Son, Inc., of Record in Book 3883, Page 132, Register's Office for Davidson County, Tennessee.

Conveyance of this property is made subject to the plan of record in Book 2900, Page 62, Register's Office for Davidson County, Tennessee, and restrictive covenants of record in Book 2998, Page 13, said Register's Office, and an owner's certificate shown on the plan of record a 75-foot minimum building set back line from Davidson Drive and a 10-foot easement for public utilities purposes along the rear line of said lot known as 913 Davidson Drive, Nashville, Tennessee.

and Robert Keith Rhamy is given a credit of $33,042.50 therefor on the judgment for back child support. A copy of this decree shall be recorded in the Register's Office of Davidson County evidencing the transfer of all ownership to Jane Rhamy. Said credit representing all of his equity in the property at 913 Davidson Drive.

5. Jane Q. Rhamy is awarded a further judgment in the amount of $25,430.50 for previously ordered maintenance and child support payments against Robert Keith Rhamy. The total money judgment hereby awarded is in the amount of $45,998.00 ($53,610.00 back child support reduced by $32,042.50, transfer of equity in real property, for a total of $20,567.50, plus the $25,430.50 awarded in the first sentence of this paragraph).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the costs of this cause are taxed to Robert K. Rhamy for which execution shall issue if necessary.

Entered this 11th day of May, 1984.

Muriel Robinson

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

GRACEY, MADDIN, COWAN & BIRD

BY: Barry L Howard

BARRY L. HOWARD

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Decree was this day mailed first class postage prepaid to Mr. Perry Happell, 19th Floor, 172 2nd Avenue North, Nashville, Tennessee, 37201 on this 7 day of May, 1984.

Barry L Howard

BARRY L. HOWARD

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IDENTIF. REFERENCE

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FELIX A. ... REGISTER
DAVIDSON COUNTY, TN

82D-2749 136B/1736

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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Jane Query Rhamy *Plaintiff, and* Robert Keith Rhamy, Sr. *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* 2nd *day of* August *in the year one thousand nine hundred and* eighty-four *and in the* 209th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By [signature] *, D. C.*

Form #GR-117