IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE 87-7-225 dh

GLORIA T. WESTBROOK,
3509 Albion Street
Nashville, Tennessee 37209,

Plaintiff,

-VS-

FRED E. WESTBROOK, JR.,
976 37th Avenue, North
Nashville, Tennessee 37209,

Defendant.

NO. 87D-0859

FILED
JUL 7 1987
GEORGE L. ROOKER, Clerk
By C. Purlock Deputy

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 26th day of June, 1987, before the Honorable James R. Everett, Jr., Judge, upon Plaintiff's Complaint for Absolute Divorce, as amended, prior Wage Assignment Order entered in this cause, Order of Default Judgment, testimony of the Plaintiff and witnesses in open Court, statements of counsel, and the entire record, and from all of which the Court finds that the Defendant has been guilty of such acts of cruel and inhuman treatment as to render further cohabitation unsafe and improper, thereby entitling the Plaintiff to an absolute divorce. The Court further finds that custody of the minor children of the parties, Dawann Russell-Thomas Westbrook, age 8 and Aisha Lugeina Westbrook, age 19 months, should be vested in the Plaintiff with the Defendant granted specific visitation rights from 6:00 o'clock P.M. Friday until 6:00 o'clock P.M. Sunday every other weekend commencing July 10, 1987. The Court further finds that the previously entered Pendente Lite Wage Assignment Order for Child Support should be continued and made a part of this Final Decree and that the Defendant should be ordered to continue to pay, by wage assignment, the sum of $222.50 each bi-weekly pay period. The Court further finds that all right, title and interest of the Defendant in the herein described real property located at 715 North Second Street should be divested from him and vested in the Plaintiff subject to the mortgage indebtedness against the said property held by Fidelity Federal Savings & Loan Association,

which indebtedness the Plaintiff should pay and hold the Defendant harmless from. The Court further finds that the Plaintiff should be awarded the household furnishings now in her possession at her apartment at 3509 Albion Street, Nashville, Davidson County, Tennessee. The Court further finds that all right, title and interest of the Plaintiff in a 1980 Cadillac automobile should be divested from her and vested solely in the Defendant and that the Defendant should hold the Plaintiff harmless from the lien indebtedness owing on said vehicle to Commerce Union Bank and should further hold the Plaintiff harmless from any liabilities arising from the use and operation of said motor vehicle. The Court further finds that the Defendant should be ordered to maintain a $100,000.00 life insurance policy on his life payable to the Plaintiff as Trustee for the use and benefit of the parties' minor children and that said life insurance should be maintained until the youngest child reaches 18 years of age. The Court further finds that the Defendant should maintain health insurance coverage on the minor children of the parties through his employment at the State of Tennessee, Department of Corrections and that he should be responsible for one-half (1/2) of all medical expenses not paid by said health insurance coverage. The Court further finds that the Defendant should hold the Plaintiff harmless from a student loan made by the Defendant upon which the Plaintiff may be a co-maker or guarantor and should further hold the Plaintiff harmless from an indebtedness owed to Citizens Bank having an outstanding principal balance of approximately $3,000.00.

It is therefore ORDERED, ADJUDGED and DECREED as follows:

1. That the Plaintiff, be, and she is hereby awarded custody of the aforesaid minor children of the parties and the Defendant is hereby granted specific visitation rights from 6:00

o'clock P.M. Friday until 6:00 o'clock P.M. Sunday every other weekend commencing Friday, July 10, 1987.

2. The Defendant shall pay to the Plaintiff, by wage assignment, the sum of $222.50 each bi-weekly pay period in accordance with a prior Wage Assignment Order entered by this Court. The Defendant is gainfully employed by:

State of Tennessee
Department of Corrections
c/o Debbie Long, Payroll Officer
Third Floor, Rachel Jackson Building
320 6th Avenue, North
Nashville, Tennessee 37219

The Defendant's employer, the State of Tennessee, is hereby ORDERED to deduct said child support payments from the Defendant's wages or other income as proved by law and in addition the Defendant should pay the Clerk's lawful commission of $11.13 for total bi-weekly deductions of $233.63 pending further Orders of the Court. The said support payments shall not be reduced or probated unless specifically ordered by the Court. This Wage Assignment shall not be used as a basis for discharge or disciplinary action against the Defendant and failure to comply with this Order shall result in a judgment being entered against the employer as set out in Tennessee Code Annotated, Section 50-2-105, and as provided by said statute, this Order is binding upon said employer and successor employers fifteen (15) days after receipt of notice of this Order and until further Order of this Court.

3. All right, title and interest of the Defendant in the following described real property at 715 North Second Street, Nashville, Tennessee, be and the same is hereby divested from him and vested solely in the Plaintiff, said real property being more particularly described as follows:

LAND in Davidson County, Tennessee, being Lot No. 3 in R. D. Goodlett and Others' Subdivision of Lots Nos. 33 to 40, inclusive, in V. S. Lindsley's

Addition to Edgefield, as of record in Book 57, Page 96, Register's Office for said County.

SAID Lot No. 3 fronts 39.5 feet on the easterly side of North Second Street and runs back between parallel lines, 174.5 feet, more or less, to an alley.

BEING the same property conveyed to Fred E. Westbook, Jr. by deed from Eddie T. Davis and wife, Kathalean Davis of record in Book 5710, Page 933, Register's Office for Davidson County, Tennessee.

The Plaintiff is ORDERED to assume the mortgage indebtedness owed on said property to Fidelity Federal Savings & Loan Association and to hold the Defendant harmless therefrom.

4. All right, title and interest of the Plaintiff in the following described automobile, to-wit: a 1980 Cadillac, bearing Vehicle Identification No. 6S699AE688687, be and the same is hereby divested from her and vested solely in the Defendant. The Defendant is ORDERED to be responsible for and hold the Plaintiff harmless from the indebtedness owed on said vehicle to Commerce Union Bank.

5. The Plaintiff shall be awarded all of the household furnishings presently in her possession at 3509 Albion Street, Nashville, Tennessee and all interest of the Defendant in the same is hereby divested from him and vested solely in the Plaintiff.

6. Until the youngest minor child reaches eighteen (18) years of age the Defendant shall procure and maintain in full force and effect a policy of insurance on his life in the minimum face value of One Hundred Thousand ($100,000.00) Dollars naming the Plaintiff, as Trustee for the minor children, as beneficiary. The said policy is intended to be used in lieu of child support payments in the event of the Defendant's death provided, however, that the Plaintiff, as Trustee, shall be entitled to the entire proceeds from said life insurance policy in the event of the death of the Defendant.

7. The Defendant shall continue to maintain in full force and effect hospitalization insurance on the minor children of the parties and shall pay one-half (1/2) of all medical expenses not covered by said insurance until said children reach their majority.

8. The costs of this cause are taxed against the Defendant and for this, and other sums herein provided, let execution issue, if necessary.

Entered this 7 day of July, 1987.

PROBATE JUDGE

APPROVED FOR ENTRY:

LARRY R. WILLIAMS
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Decree of Divorce has been mailed to the Defendant at his last known address of 976 37th Avenue, North, Nashville, Tennessee 37209, this 2nd day of ~~June~~ July, 1987.

LARRY R. WILLIAMS

4 5 5 6 0

IDENTIFICATION REFERENCE

BOOK 7296 PAGE 28

JUL 14 11 27 AM '87

CLERK & MASTER
DAVIDSON COUNTY, TN

RUSH

STATE OF TENNESSEE

I, **GEORGE L. 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* Probate *Circuit Court for Davidson County, Tennessee, on the* 7th *day of* July, *19* 87, *in Case Number* 87D-859 *between* Gloria T. Westbrook *Plaintiff, and* Fred E. Westbrook, Jr. *Defendant, as same remains of record in Book* 37B, *Page* 1515 *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* 14th *day of* July *in the year one thousand nine hundred and* eighty-seven *and in the* 212th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____ *D.C.*

Form #GR-117