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GEORGE L. ROOKER, CLERK
K. Langford D.C.

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

HELEN ELIZABETH POLK WOLF,

Plaintiff,

vs.

JOHN STUART WOLF, JR.,

Defendant.

NO. 85D-74

RUSH

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DAVIDSON COUNTY, TN
IDENTIFI REFERENCE
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FINAL JUDGMENT

This cause came on to be heard before Honorable James R. Everett, Jr., Judge, upon plaintiff's complaint, defendant's answer and counterclaim, plaintiff's reply, testimony of witnesses in open court, and the entire record herein, from all of which the Court finds as follows:

1. The allegations of defendant's counterclaim as to cruel and inhuman treatment upon the part of plaintiff are sustained by the proof and plaintiff Helen Elizabeth Polk Wolf is guilty of such cruel and inhuman treatment toward defendant John Stuart Wolf, Jr. as to render cohabitation unsafe and improper and a divorce should be granted to defendant on that ground.

2. The marital residence and land owned by the parties at 1125 Chickering Park Drive in Davidson County, Tennessee, should be sold and the net proceeds should be divided equally between the parties, after paying off all existing mortgages.

3. Plaintiff should have the right to reside in said residence on 1125 Chickering Park Drive until it is sold, and defendant should make the monthly mortgage payments on said residence until it is sold.

4. Defendant should retain all his interests and assets in his professional corporation known as John S. Wolf, Jr., M.D., P.C., and plaintiff should relinquish and transfer to defendant all her rights and claims to said corporation or its assets.

5. The one-fourth leasehold interest in the Monteagle property owned by defendant before the marriage should remain his exclusive vested interest.

6. All other matters as to division of other property should be reserved until after the Special Master files his report or the parties file an agreed order for division of that property.

7. Custody of both minor children of the parties should be awarded jointly to the parties, with primary custodial care being with plaintiff.

8. Defendant should pay child suport of $300 per month for each child, the children's dental and medical expenses and keep in force major medical insurance covering both children.

9. Defendant should have visitation with said children on three weekends each month and one weekday each week.

10. As rehabilitative alimony, defendant should pay plaintiff for twelve months or until her death or remarriage, whichever occurs first, $500 per month to begin upon the sale of the parties' home.

11. Each party has adequate resources out of which to pay his or her legal expenses and, therefore, each party should be responsible for paying his or her attorneys' fees.

The Court's findings and conclusions are more fully set out in its memorandum dated March 20, 1986, which is hereby ordered to be made a part of the reocrd in this cause.

IT IS THEREFORE ORDERED and DECREED by the Court as follows:

1. Defendant, John Stuart Wolf, Jr., is granted an absolute divorce from plaintiff, Helen Elizabeth Polk Wolf, and the bonds of matrimony heretofore subsisting between said parties are perpetually dissolved.

2. Plaintiff's complaint for divorce is dismissed.

3. The residence and land owned by the parties at 1125 Chickering Park Drive in Davidson County, Tennessee, shall be sold and the net proceeds shall be divided equally between plaintiff and defendant, after payment of costs of sale and any existing mortgages.

4. Plaintiff shall have the right to reside in said residence at 1125 Chickering Park Drive until it is sold and defendant shall make the monthly mortgage payment on said residence until it is sold.

5. The parties shall list said residence for sale with a realtor upon the signing of this final judgment and each party shall cooperate in the necessary showing of said residence to prospective buyers. If the parties do not cooperate, then upon motion by either party, the Court will order said residence to be vacated and appoint a realtor to sell said residence.

6. Defendant shall retain all interests and assets in his professional corporation known as John S. Wolf, Jr., M.D., P.C., and all interest or rights in said corporation or its assets formerly held by plaintiff are divested out of plaintiff and transferred to defendant.

7. Defendant's one-fourth leasehold interest in property at Monteagle, Tennessee, shall remain his property.

8. All other matters as to division of other property are reserved until after the Special Master files his report or the parties file an agreed order for division of that property.

9. Custody of John Clopton Stuart Wolf and Elizabeth Polk Wolf, the minor children of the parties, is awarded jointly to plaintiff and defendant with primary custodial care being placed with plaintiff.

10. As child support, defendant shall pay to plaintiff $300 per month for each child, for a total of $600 per month, beginning on the date of the entry of this judgment, and defendant shall pay the children's dental and medical expenses and keep in force major medical insurance covering both children.

11. Defendant shall have visitation privileges with said children for the first three weekends of each month from 6:00 p.m. on Friday until 6:00 p.m. on Sunday and each week from 5:00 p.m. until 8:00 p.m. on each Wednesday or other weekday on which he is able to exercise visitation, but such visitation shall be limited to one day between Monday and Thursday.

12. As rehabilitative alimony, defendant shall pay plaintif for a period of twelve months or until her death or remarriage, whichever occurs first, $500 per month, to begin upon the sale of the parties' said residence.

13. Each party shall be responsible for their respective attorneys' fees.

14. The court costs are assessed one-half to plaintiff and one-half to defendant.

This 3rd day of April, 1986.

JUDGE J. R. Lewis Jr.

Approved for entry:

MACLIN P. DAVIS, JR.
R. E. LEE DAVIES

BY: Maclin P. Davis, Jr.
Attorneys for Defendant
2100 One Commerce Place
Nashville, TN 37239
(615)244-6380

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document has been furnished to John J. Hollins, attorney for plaintiff, Hollins, Wagster & Yarbrough, P.C., 8th Floor, Third National Bank Building, Nashville, TN 37219, on this 27th day of March, 1986.

Maclin P. Davis, Jr.

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* fourth *day of* April, *19* 86, *in Case Number* 85D-74 *between* HELEN ELIZABETH POLK WOLF, *Plaintiff, and* JOHN STUART WOLF, JR., *Defendant, as same remains of record in Book* 33A, *Page* 723 *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* fourth *day of* February *in the year one thousand nine hundred and* eighty-eight *and in the* two hundred twelfth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By W. L. Rowland, *D.C.*

Form #GR-117