51B/1047

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

1989 NOV -7 PM 12:48
GEORGE L. ARNOLD, CLERK
K Langford D.C.

ROBBIE LYTLE WEBB,
Plaintiff,
vs.
JAMES LAVANDA WEBB,
Defendant.

No. 89D-1166

Map 162-8
Parcel 64

FINAL DECREE

BOOK 8000 PAGE 209

This cause came on to be heard this 24th day of October, 1989 before the Honorable James R. Everett, Jr., Judge, upon the complaint for Absolute Divorce heretofore filed be the Plaintiff, answer filed by the Defendant, neither the Defendant nor the Defendant's Attorney appearing in Court, it being duly noted that proper notice was given both Defendant and Defendant's Attorney of the hearing, testimony of the Plaintiff and statement of Counsel from all of which this Honorable Court finds the Defendant guilty of such cruel and inhuman treatment or conduct towards the Plaintiff so as to render cohabitation unsafe and improper and grants to the Plaintiff an absolute divorce.

It is THEREFORE ORDERED, ADJUDGED and DECREED by this Honorable Court that the Plaintiff be granted an Absolute Divorce from the Defendant and be restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by this Honorable Court that the Plaintiff be awarded absolute custody and control of the minor children of the parties with the right of reasonable visitation by the Defendant.

It is furthered ORDERED, ADJUDGED and DECREED by this Honorable Court that the Defendant be required to pay the sum of five hundred dollars ($500.00) per month as reasonable child support. Additionally, the Defendant is in arrears in the amount of three hundred sixty dollars ($360.00) as of the date of this hearing and this Honorable Court orders the Defendant to pay this at the rate of fifty dollars ($50.00) per month. The Court orders the payment of two hundred and fifty dollars ($250.00)

every pay period plus twenty five dollars ($25.00) every pay period on the arrearage shall be by wage assignment through Respondent's employer, State of Tennessee, Department of Corrections Spencer Youth Center, Nashville, Tennessee. The Defendant's employer shall deduct from any wages, salary, or other income due the Defendant a sum of two hundred fifty dollars ($250.00) plus twelve dollars and fifty cents ($12.50) as the Clerk's lawful commission as regular support and the sum of twenty five dollars ($25.00) plus one dollar and twenty five cents ($1.25) as the Clerk's lawful commission on the arrearage every pay period commencing November 1, 1989 and continuing every pay period thereafter. Payments shall be made to the Clerk of the Circuit Court, 506 Metropolitan Courthouse, Nashville, Tennessee 37201; and the Clerk shall disburse the payments to:

Mrs. Robbie Lytle Webb
32 Tusculum Road
Antioch, Tennessee 37013

This assignment shall not be used as a basis for discharge or disciplinary action against the Defendant; failure to comply with this Agreed Order will result in a judgement being entered against said employer as set out in Tennessee Code Annotated, Section 26-2-209, and as provided by law, this Order is binding upon said employer and all subsequent employer's fourteen days after mailing and until further orders of this Court.

The employer, pursuant to Tennessee Coded Annotated, Section 36-5-501 (g) must notify the Circuit Court Clerk upon termination of employment or income payments and provide the Circuit Court Clerk with Defendant's last known address and name and address of new employer or source of income, if known.

The Defendant shall inform the Court of the names and addresses of any new employers within thirty days (30) after such a change. Further, the Defendant shall inform the Court of any change in his personal residence within thirty days after such a change.

IT IS FURTHER, ORDERED, ADJUDGED and DECREED by this Honorable Court that the following property constitutes the marital property:

The home of the parties located at 32 Tusculum Road, Antioch, Tennessee, Defendant's retirement plan with the State of Tennessee, household furnishings and fixtures, and the two automobiles of the parties. The Court further finds that all right, title and interest in and to the home located at 32 Tusculum Road, Antioch, Tennessee, shall be awarded to Plaintiff and Plaintiff shall be responsible for the outstanding indebtedness on said home. This property is described as follows:

> LAND, in Davidson County, Tennessee, being lot number 4 on the plan of Lane Estates PLE, as of record in Book 4860, page 65, Registrar's office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.
>
> BEING the same property conveyed to James L. Webb, Jr., and wife, Robbie M. Webb, by deed from William B. Davis, Jr., and wife, Sandra W. Davis, as of record in Book 5944, page 387, Registrar's office for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by this Honorable Court that Defendant shall be awarded all right, title and interest in and to his retirement plan with the State of Tennessee, it being recognized that the value of the retirement plan and the equity in the homeplace are essentially equal.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by this Honorable Court that all right, title and interest in and to the farm located in Rutherford County, Tennessee consisting of approximately 136 acres on Midland Road, which was inherited by the Plaintiff from her father and which this Honorable Court determines is separate property, is hereby awarded to Plaintiff and she shall assume sole responsibility for the payment of the outstanding mortgage.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by this Honorable Court all right, title and interest in and to the household furnishings and fixtures located in the home of the parties at 32 Tusculum Road, Antioch, Tennessee shall be awarded to the wife as her sole and separate property.

IT IS FURTHER ORDERED. ADJUDGED and DECREED by this Honorable Court that all right, title and interest in and to the Nissan Stanza automobile is awarded to the Plaintiff and she

Nissan Stanza automobile is awarded to the Plaintiff and she shall be responsible for the outstanding indebtedness on same.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by this Honorable Court that the Defendant shall be awarded all right, title and interest in and to the 1989 Mitsubishi Galant automobile that he shall assume all responsibility for the outstanding indebtedness.

IT IS FURTHER ORDERED, ADJUDGED and DECREED by this Honorable Court that the Defendant pay to Plaintiff's Attorney of Record, James V. Barr, III, the sum of Five Hundred Dollars ($500.00) as reasonable attorney's fees.

The costs of this cause are hereby adjudged taxed to the Defendant, for which execution may issue, if necessary.

ENTER this 31 day of October, 1989.

JUDGE

APPROVED FOR ENTRY:

James V. Barr, III
Attorney for Plaintiff
Reg. 3644
2120 Crestmoor Road
Suite 306
Nashville, Tennessee 37215
(615) 297-1209

CERTIFICATION

Certification is hereby made that a copy of this Final Decree has been mailed to Delilah A. Speed, Esq., P.O. Box 973 Columbia, Tennessee 38402 this 26th day of October, 1989.

James V. Barr, III

87542

IDENTIF. REFERENCE

Dec 6 2 20 PM '89

FELIX [illegible] REGISTER
DAVIDSON COUNTY TN.

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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* ~~FINAL DECREE~~

MINUTE BOOK 51B PAGE 1047 *heretofore filed in the* Probate *Circuit Court for Davidson County, Tennessee, on the* 7th *day of* November, *19* 89, *in Case Number* 89D-1166 *between* Robbie Lytle Webb, *Plaintiff, and* James Lavanda Webb, *Defendant.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 1st *day of* December *in the year one thousand nine hundred and* eighty-nine *and in the* 214th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By K. Wilkerson, *D.C.*