61-6-92

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

BOOK 8272 PAGE 432

SHIRLEY ANN GOOCH)
Complainant)
vs.)
BILLY JOE GOOCH)
Defendant)

No. 90D-2435
3913 01/09 0101 01CASH 12.00

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 19th day of November, 1990, before the Honorable Muriel Robinson Rice, Judge of the Fourth Circuit Court, upon Wife's Complaint for Absolute Divorce, Order granting default judgment against the Defendant/husband, testimony of the Complainant/wife and two witnesses, statements of counsel for the Complainant/wife and the entire record in this cause. From all of which the Court finds that the Defendant/husband, Billy Joe Gooch, has been guilty of cruel and inhuman treatment toward the Complainant/wife and that the Complainant is therefore entitled to an absolute divorce.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Complainant/wife, Shirley Ann Gooch, shall be and she is hereby awarded an absolute divorce from the Defendant/husband, Billy Joe Gooch, on the ground of cruel and inhuman treatment, with the parties being restored to all of the rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED AND DECREED that the Complainant, Shirley Ann Gooch, shall be and she is hereby awarded all right, title and interest in the marital residence known as 4123 Edwards Avenue, Nashville, Tennessee, with all interest in the said property being divested out of the Defendant Billy Joe Gooch, and being vested in the Complainant Shirley Ann Gooch, the said property being more fully described as follows:

> LAND in Davidson County, Tennessee being the northerly 66 feet of Lot No. 134 on the Plan of Maplewood Heights Subdivision, as of record in Book 547, pages 77 and 78, Register's Office for Davidson County, Tennessee.

Said part of Lot No. 134 fronts 66 feet on the westerly side of Edwards Avenue and extends back between parallel lines 300 feet to a dead line.

Being the same property conveyed to Billy Gooch and wife, Shirley Gooch by Deed from James Ralph Dishman and wife, Reba Dean Dishman, of record in Book 6000, Page 294, Register's Office for Davidson County, Tennessee.

This is improved property known as 4123 Edwards Avenue, Nashville, Tennessee 37216.

It is further ORDERED, ADJUDGED AND DECREED that the Complainant, Shirley Ann Gooch, shall be and she is hereby awarded as her sole and separate property all right, title and interest in her clothing and personal effects, all household furnishings and effects contained in the parties' marital residence at 4123 Edwards Avenue, Nashville, Tennessee, and the 1968 Chevrolet Malibu automobile which is now titled in her name.

It is further ORDERED, ADJUDGED AND DECREED that the Husband Billy Joe Gooch shall be and is hereby awarded as his sole and separate property all right, title and interest in his clothing and personal effects, the Plymouth automobile which is titled in his name, and all of his work-related tools.

It is further ORDERED, ADJUDGED AND DECREED that from and after the entry of the Final Decree in this cause, the Defendant Billy Joe Gooch shall pay to the Complainant Shirley Ann Gooch the sum of One Hundred Twenty-Five ($125.00) Dollars per week as alimony for a period of twenty-four (24) months. Said alimony shall be paid through the Clerk of the Circuit Court with the Defendant being responsible for the Clerk's lawful commission of five (5%) per cent. The total weekly payment shall be in the amount of $131.25 with $6.25 going to the Clerk for his commission and $125.00 going to the Complainant.

It is further ORDERED, ADJUDGED AND DECREED that through Friday, November 16, 1990, the Defendant Billy Joe Gooch is in arrears in the payment of temporary alimony in the amount of Six Hundred Eighty-Five ($685.00) Dollars, and the Complainant Shirley Ann Gooch shall be and she is hereby awarded a judgment against the Defendant Billy Joe Gooch, in the amount of $685.00

for said temporary alimony arrearage. Said judgment shall be paid through the Clerk of the Circuit Court with the Defendant being responsible for the Clerk's lawful commission of five (5%) per cent, the total payment therefore to be in the amount of $719.25.

It is further ORDERED, ADJUDGED AND DECREED that the Defendant Billy Joe Gooch shall be and he is hereby Ordered to pay the following indebtednesses and to hold the Complainant/wife harmless thereon: the outstanding account on the Texaco charge card, the outstanding account on the Exxon charge card, the outstanding balance of the Dominion Bank loan, the outstanding account at Western Auto, the outstanding IRS tax liability for 1988 and any IRS tax liability of the parties for the tax year 1989. The obligation for payment of these indebtednesses shall constitute alimony for the support and maintenance of the Complainant/wife and said obligation shall not be dischargeable in bankruptcy.

It is further ORDERED, ADJUDGED AND DECREED that the Complainant Shirley Ann Gooch shall be responsible for payment of the following indebtednesses and shall hold husband harmless thereon: outstanding mortgage on marital residence known as 4123 Edwards Avenue, Nashville, Tennessee, outstanding balance on Chevron account, outstanding balance on Citibank charge card, outstanding balance on VISA card and outstanding balance on Leader Federal Mastercard.

It is further ORDERED, ADJUDGED AND DECREED that the Defendant Billy Joe Gooch, shall and he will hereby vacate the marital residence within thirty (30) days of November 19, 1990.

It is further ORDERED, ADJUDGED AND DECREED that the Complainant Shirley Ann Gooch shall be and she is hereby awarded a judgment against the Defendant Billy Joe Gooch in the amount of Seven Hundred Fifty ($750.00) Dollars for her reasonable attorney's fees incurred in this cause.

It is further ORDERED, ADJUDGED AND DECREED that all costs of this cause shall be and they are hereby assessed to the Defendant Billy Joe Gooch.

The addresses of the parties are as follows:

(1) Shirley Ann Gooch
4123 Edwards Avenue
Nashville, TN 37216

(2) Billy Joe Gooch
4123 Edwards Avenue
Nashville, TN 37216

ENTER this 30th day of November, 1990.

MURIEL ROBINSON RICE
JUDGE OF FOURTH CIRCUIT COURT

APPROVED FOR ENTRY:

JAMES R. TOMKINS, Attorney for
Complainant/wife
JENNINGS & TOMKINS
Suite 2240 - L & C Tower
Nashville, TN 37219
(615) 244-0847
Reg. No. 11161

DAVIDSON COUNTY, TN.
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IDENTIF. REFERENCE
847127

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree of Divorce has been forwarded to Mr. Billy Joe Gooch, Defendant/husband, 4123 Edwards Avenue, Nashville, TN 37216, on this 21st day of November, 1990.

JAMES R. TOMKINS

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* Fourth *Circuit Court for Davidson County, Tennessee, on the* 30th *day of* November, *19* 90, *in Case Number* 90D-2435 *between* Shirley Ann Gooch *Plaintiff, and* Billy Joe Gooch *Defendant, as same remains of record in Book* 192B, *Page* 737 *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* 9th *day of* January *in the year one thousand nine hundred and* ninety-one *and in the* 215th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____ *D.C.*