2030/1901

IN THE FOURTH CIRCUIT COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, COUNTY OF DAVIDSON

1992 FEB 27 PM 2:29
GEORGE L...

JACKIE NORMAN LACK)
)
vs.) No. 90D-1103
)
CHERYL DIANE LACK)

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FINAL JUDGMENT

This cause came on to be heard before The Honorable Murial Robinson Rice on the 29th day of January, 1992, upon plaintiff's motion to make final division of the parties' marital property and set child support, the Court having previously entered a decree of divorce and an award of custody. From the testimony of witnesses in open court and the record as a whole, the Court duly finds:

1. That the Wife should be required to pay child support in an amount equal to Fifty-Two Dollars ($52.00) per week, being thirty-one percent (31%) of the net income of an individual drawing minimum wage on a forty-hour work week and that because of the mother's uncertain ability to pay in the future, said amount should be awarded in lump sum to the Husband from the parties' joint marital property, said amount, calculated to the date the youngest child reaches majorty, being Twenty-Five Thousand, Six Hundred Eighty-Eight Dollars ($25,688.00).

2. The Court further finds that the Wife should have visitation with the parties' minor children for one weekend of each month, from 6:00 p.m. Friday to 6:00 p.m. Sunday, on the last weekend of each month, commencing with February, 1992. The Court finds that the Wife should have visitation for four weeks during the summer and one week at Christmas. The Court further finds that the parties should alternate holidays with the children, one parent having visitation with the first holiday of the year and the other parent having visitation with the children on the second holiday and alternating in a like manner through the year, and further,

that visitation on said holidays should be reversed from year to year. Holidays within the meaning of this order shall be any day which is declared a legal holiday by the United States Government, the State of Tennessee and the school which the children attend. In addition to those holidays, each parent shall have visitation with the children on that child's birthday unless such day occurs during the school day and then the parent shall have visitation on the nearest available Saturday not otherwise scheduled for visitation.

4. The Court finds that the parties have partially divided their personal property except for the following items, which shall be the sole and separate property of the Wife: Two oak bookshelves located in the garage; two framed Monet copy prints; one oak china cabinet and set of white stoneware dishes located therein; guest bedroom furniture consisting of white canopy bed, 2-drawer chest, matching oval mirror, drapes and bedspread; living room furniture consisting of white sofa, two wing-back chairs, cherry coffee table, two end tables, two crystal lamps, cherry secretary, 4-drawer inlaid table chest, floor lamp and accessories, and one oak ball and claw table, one-half of the floral arrangements and decorative items and a brass chandelier. All emaining items of household furniture shall become the property of the Husband, free and clear of all claims of the Wife.

5. The Court further finds that the parties should have use of the parties' timeshare condominium in the Caribbean on alternate years, with the Husband having use of the condominium in 1992. The Court finds that the party who has the use of the condominium in any given year should be obligated to pay the maintenance fee for such year and if any party fails to pay the maintenance fee in that year, the other party should have the right to purchase that party's interest in the condominium for its present value of Three Thousand, Five Hundred Dollars ($3,500.00) cash.

6. The Court further finds that the Husband should

assume and pay the Visa account at Sovran Bank and that the Wife should assume and pay all remaining accounts.

7. The Court further finds that each party should have, free and clear of all claims of the other, its own individual retirement accounts.

8. The Court further finds that the only remaining assets of the estate are the equity in the parties' home located at 1204 Orchard Mt. Court of the approximate value of Forty-Four Thousand Dollars ($44,000), and an investment in Shoney's stock in the approximate value of Twenty-Four Thousand Dollars ($24,000.00). The Court finds that it is in the best interest of the parties that the house be awarded to the Husband and the Husband pay the Wife for her one-half share of the equity and that the Husband pay the Wife one-half of the value of the Shoney's bonds. The Court further finds that the value of the equity in the house and the one-half interest in the Shoney's bonds is equal to Nine Thousand Dollars ($9,000.00) more than the amount of child support awarded in lump sum and that the Husband should pay to the Wife the sum of Nine Thousand Dollars ($9,000.00) cash within ten (10 days of the entry of this order.

7. The Court further finds that the Husband owns a One Hundred Thousand Dollar ($100,000) life insurance policy on the wife's life. This policy should be for the benefit of the children and should the Husband become financially unable to pay the premium, he should timely notify the Wife so that she can assume the policy and make the necessary payments.

8. The Court further finds that the parties should be permanently enjoined from speaking in a derrogatory fashion about the other parent in front of the children.

All the foregoing being reasonable and appropriate, the same is hereby **ORDERED, ADJUDGED AND DECREED.** It is further,

ORDERED, ADJUDGED AND DECREED that any interest the Wife may have in the property located at 1204 Orchard Mt. Court and described as follows:

Land in Davidson County, Tennessee being Lot Number 56, on the Plan of Pinnacle Point Subdivision, Phase 2, of record in Plan Book 6900, page 140, Register's Office for said County, to which plan reference is hereby made for a more detailed description of said lots.

Being the same property conveyed to Jackie N. Lack and wife, Cheryl D. Lack, by deed from Centex Real Estate Corporation, a Nevada corporation, of record in Book 7993, page 760, Register's Office for Davidson County, Tennessee.

This is improved property known as 1204 Orchard Mountain Court, Antioch, TN 37013;

be and is hereby divested from Cheryl D. Lack and vested in Jackie N. Lack, free and clear of all claims of Cheryl D. Lack. The Husband shall be responsible for payment of the entire indebtedness against this property and shall hold Wife harmless for any payments she may be required to make on the indebtedness. It is further,

ORDERED, ADJUDGED AND DECREED that all interest that the Wife may have in the twenty-four (24) One Thousand Dollar ($1,000) Shoney's, Inc., bonds due July 1, 2000, and which are in the parties Account No. 101507001-2-042 at J. C. Bradford, be and are hereby divested from the Wife and vested in the Husband.

The costs of this matter are taxed to the Husband for which execution may issue.

DATED This 27th day of February, 1992.

MURIEL ROBINSON RICE, JUDGE

APPROVED FOR ENTRY:

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IDENTIF. REFERENCE

MAY 21 12 22 PM '92

DAVIDSON COUNTY TN.

PICK-UP

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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 Order heretofore entered in the* FOURTH *Circuit Court for Davidson County, Tennessee, on the* 27TH *day of* FEBRUARY, *19* 92, *in Case Number* 90D-1103 *between* JACKIE NORMAN LACK *Plaintiff, and* CHERYL DIANE LACK *Defendant, as same remains of record in Book* 203C, *Page* 1901 *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* 21 *day of* MAY *in the year one thousand nine hundred and* 92 *and in the* 216TH *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____, *D.C.*

Form #GR-117