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BOOK 8807 PAGE 180

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1992 OCT 14 [illegible]

GEORGE L. [illegible] CLERK

JUDY CHAFFIN JAMES,
Complainant,

vs.

THOMAS FLOYD JAMES,
Defendant.

NO. 92D-73

R. Parker D.C.

074-04-0
61.00

AMENDED FINAL DECREE OF DIVORCE

This cause came on to be heard on the 2nd day of October, 1992 before the Honorable Muriel Robinson Rice, Judge of the Fourth Circuit Court, upon the Complainant Wife's Motion to Alter or Amend Final Decree, statements of counsel for both parties and the entire record in this cause, from all of which the Court finds that said Motion is well-taken and should be granted; that the Final Decree of Divorce heretofore entered in this cause should be set aside; and that this Amended Final Decree of Divorce should be substituted in its place and stead. Based upon all of the foregoing,

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Complaint Wife, Judy Chaffin James, shall be and she is hereby awarded an Absolute Divorce from the Defendant Husband, Thomas Floyd James, pursuant to TENN. CODE ANN. 36-4-129 and that the parties shall be restored to all of the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife shall be and she is hereby awarded sole and exclusive custody of the parties' three (3) minor children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Father shall be and he is hereby awarded reasonable visitation privileges to include every other weekend from Thursday at 6:00 p.m. until Saturday at 6:00 p.m., Tuesday night of each week that he does not have weekend visitation with the Father picking up the children from school in the afternoon and returning them to the Mother's home by 7:30 p.m. with the additional proviso that the children must have done their homework prior to their return to the Mother at 7:30 p.m.; the parties shall alternate Fourth of July, Labor Day and

Thanksgiving; the Father shall have the children on Father's Day and the Mother shall have the children on Mother's Day of each year; the Father shall have Christmas visitation to include one (1) week each year beginning at 3:00 p.m. on Christmas Day; and the Father shall have two (2) two (2) week periods of visitation each summer with the scheduling of such periods to be agreed upon by the parties from time to time.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Father shall pay to the Mother the sum of SEVEN HUNDRED FIFTY DOLLARS ($750.00) per month as child support with such amount to be paid in full by the 10th day of each month, said amount being in full compliance with applicable Federal and State child support guidelines.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Father shall maintain medical, hospitalization and dental insurance coverage on the minor children so long as his child support obligation continues, that the Mother shall maintain medical, hospitalization and dental insurance coverage on the children so long as she is able to do so through her employment with no cost to her, and each party shall be responsible for one-half ($\frac{1}{2}$) of any medical, dental, orthodontic, eye care, psychological or psychiatric expenses of the minor children which are not covered by any such insurance.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Father shall maintain in full force and effect FIFTY THOUSAND DOLLARS ($50,000.00) life insurance on his life, payable to the Mother as Trustee for the minor children, until such time as his obligation for payment of child support shall terminate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife shall be awarded as her sole and separate property her clothing and personal effects and that the Husband shall be awarded as his sole and separate property his clothing and personal effects.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband shall be awarded as his sole and separate property the 1989 Ford Probe automobile and shall be responsible for payment of any indebtedness thereon; the 1984 Mercury automobile; the

marble-top table; the corner cabinet; the dresser in the Husband's bedroom; the chest of drawers in the Husband's bedroom; the Husband's stereo and entertainment center; the television, video recorder and video camera in the Husband's bedroom; the kerosene heater; the gas grill; the picture over the living room sofa; the den sofa; and Husband's baseball and coin collections.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife shall be and she is hereby awarded as her sole and separate property all other household furnishings and effects not hereinabove awarded to the Defendant Husband.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Judy Chaffin James shall be awarded as her sole and separate property all right, title and interest in the 1991 Chevrolet Cavalier automobile and she shall be responsible for the payment of any indebtedness thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife shall be awarded as her sole and separate property all right, title and interest in the individual retirement account maintained in her name at Third National Bank; all interest in her CNA Savings Plan; all interest in her separate checking account; and all interest in her separate savings account.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband shall be awarded as his sole and separate property all right, title and interest in his individual checking at First American Bank; the individual retirement account maintained in his name at Third National Bank; the individual retirement account maintained in his name with Jackson National Life Insurance Company; his account at the newspaper Credit Union; and the two (2) savings accounts maintained in his name at Third National Bank in the approximate amounts of One Hundred Nine Dollars ($109.00) and One Thousand Seven Hundred Seven Dollars ($1,707.00).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Wife shall be awarded as her sole and separate property all right, title and interest she may have in any retirement through her

employment at CNA and the Husband shall be awarded as his sole and separate property all right, title and interest which he may have in his retirement provided through his employment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Husband shall be awarded as his sole and separate property all right, title and interest in the Certificates of Deposit maintained in his name at Nations Bank and Union Planters Bank.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Judy Chaffin James shall be and she is hereby awarded all right, title and interest in the real property known as 856 Hermitage Ridge Drive, Hermitage, Tennessee with all right title and interest of Thomas Floyd James in said property being divested out of him and into Judy Chaffin James, the said property being more fully and particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 27 on the Plat of Resubdivision of Hermitage Hills, Section 12, as of record in Plat Book 4675, page 125, said Register's Office, to which plan reference is hereby made for a more complete description.
>
> Being the same property conveyed to Thomas F. James and wife, Judy C. James by deed from Leighton A. Cammuse and wife, Linda W. Cammuse of record in Book 5343, page 139, said Register's Office for Davidson County, Tennessee.
>
> This being improved property known as 856 Hermitage Ridge Drive, Hermitage, Tennessee 37076.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Thomas Floyd James shall be and he is hereby awarded a TWELVE THOUSAND DOLLAR ($12,000.00) equity interest in the real property known as 856 Hermitage Ridge Drive, Hermitage, Tennesee and that said interest shall be a lien on the said property. Judy Chaffin James shall be responsible to pay to Thomas Floyd James the sum of TWELVE THOUSAND DOLLARS ($12,000.00) in satisfaction of such equity interest at such time as their youngest child reaches the age of eighteen (18) or Ms. James remarries or disposes of the said real estate through sale, whichever first occurs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Thomas Floyd James shall be and he is hereby ordered to continue to pay the private school tuition for the parties' minor children for

the 1992-1993 school year. Thereafter, he shall have no further obligation to furnish private school for the minor children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Thomas Floyd James shall pay to Judy Chaffin James the sum of TWO THOUSAND FIVE HUNDRED DOLLARS ($2,500.00) within sixty days of September 2, 1992 which monies shall be applied by Ms. James to the repair of the roof of the marital residence and other needed repairs on the home. This payment shall be designated as alimony in solido necessary for the support and maintenance of the Complainant Wife.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Thomas Floyd James shall be responsible for paying the Discover Card account in the Wife's name and shall hold Wife harmless thereon; that Judy Chaffin James shall be responsible for paying the Encyclopedia Brittanica account, the Layne Bryant account and the Castner Knott account and shall hold Husband harmless thereon; that each party shall be enjoined and restrained from making any further charges on the credit of the other; and that each party shall otherwise be responsible for paying his or her own individual indebtednesses and shall hold the other party harmless thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after September 2, 1992 Judy Chaffin James shall be responsible for the mortgage payments and utilities at the marital residence known as 856 Hermitage Ridge Drive, Hermitage, Tennessee and shall hold Husband harmless thereon.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Thomas Floyd James shall remove himself from the propety known as 856 Hermitage Ridge Drive, Hermitage, Tennessee within two (2) weeks of September 2, 1992.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that James R. Tomkins, Attorney for Complainant Wife, shall be awarded a judgment against the Husband, Thomas Floyd James, in the amount of $2,600.00 for reasonable attorney's fees in connection with his representation of the Complainant Wife in these proceedings.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all court

costs shall be and they are hereby assessed to the Defendant Husband, Thomas Floyd James.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all child support shall be payable in accordance with the provisions of TENN. CODE ANN. 34-1-101(b) and that unless specifically ordered by the Court, all child support payments contained herein shall not be prorated or reduced. All child support payable herein is in full compliance with applicable Federal and State Child Support Guidelines.

The addresses of the parties are as follows:

1. Judy Chaffin James
   856 Hermitage Ridge Drive
   Hermitage, TN 37076

2. Thomas Floyd James
   856 Hermitage Ridge Drive
   Hermitage, TN 37076

For all of which execution may issue if necessary.

ENTER this 13th day of October, 1992.

MURIEL ROBINSON RICE
JUDGE OF FOURTH CIRCUIT COURT

APPROVED FOR ENTRY:

JAMES R. TOMKINS
Attorney for Complainant Wife
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BOOK 8807 PAGE 186

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IDENTIFICATION REFERENCE

Dec 7 4 10 PM '92

JOHN L. WEISSER II REGISTER
DAVIDSON COUNTY, TN

MAIL ENV.

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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* 14th *day of* October, *19* 92, *in Case Number* 92D-73 *between* JUDY CHAFFIN JAMES *Plaintiff, and* THOMAS FLOYD JAMES *Defendant, as same remains of record in Book* 210B, *Page* 1033 *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* 7th *day of* December *in the year one thousand nine hundred and* ninety-two *and in the* 217th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____ *D.C.*

Form #GR-117