2316/1400

FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1994 JUL -1 PM 2:46

RICHARD R. ROOKER, CLERK

D.C.

BOOK 9396 PAGE 353

PATRICIA VAUGHN)

VS.) NO 88D-3480

WILLIAM T. VAUGHN)

AGREED ORDER

It appearing to the Court, as evidenced by the signature of counsel below, that the parties have reached an agreement in this matter. That the Husband, WILLIAM T. VAUGHN, is in arrearage in his child support obligation in the amount of Two Thousand One Hundred Fifty Seven and 64/100 ($2,157.64) dollars. The parties have agreed that this Court shall transfer all right and title in the property described as 3110 Richmond Hills Drive, Nashville, Tennessee from the Husband to the Wife. That the Wife will list for sale the said real estate to a bona fide purchaser for value as soon as commercially feasible. That the Husband shall receive one-half (1/2) of the equity in the property following the sale of the property, which is the sales price less the first mortgage and less the costs of the sale. That the said amount of one-half (1/2) of the equity shall be paid at the closing in the following manner: first, to any arrearage in support obligation owed to the Wife by the Husband; then to the Circuit Court Clerk for any commission due thereon; then to the cost of this cause in this Court; then to the Plaintiff in the amount of Four Hundred ($400.00) dollars, representing a reasonable attorney fee which is agreed by and between the parties; then toward future child support obligation of the Husband to the Wife at the rate of One Hundred ($100.00) dollars per week, including the Clerk's commission of five (5%) percent, (this calculation would be $100.00 times the number of weeks from the date of closing of the sale until the child's 18th birthday); and then to the Husband, WILLIAM T. VAUGHN. That the parties realize that this amount represents a pre-payment of future child support in the amount of One Hundred ($100.00) dollars per

week and that the Wife may petition this Honorable Court for an increase in child support upon a change of circumstances. That the parties intend that, if the Court should decree a change in circumstances, any difference in the amount of child support ordered of the Husband shall be borne by him on a weekly basis. That, in addition, the parties agree that the Husband will be restrained from calling the Wife's home on any telephone line other than on the children's line.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT AS FOLLOWS:

1. That all right and title of WILLIAM T. VAUGHN in and to the property known as 3110 Richmond Hills Drive, Nashville, Tennessee, more specifically described as follows:

> Land in Davidson County, Tennessee, being Lot No. 22 on the Plan of Parkwood Estates, Section I, of record in Book 2900, page 119, Register's office for said county.
>
> Said Lot No. 22 fronts 75 feet on the northerly side of Richmond Hill Drive and extends 144.5 feet on the easterly line and 142.5 feet on the westerly line to a deadline, measuring 75.1 feet thereon.
>
> Being the same property conveyed to William T. Vaughn and wife, Patricia A. Vaughn, by deed from Oscar T. Elkins and wife, Wilma J. Elkins, of record in Book 5180, page 104, Register's Office for Davidson County, Tennessee.

is hereby transferred to PATRICIA A. VAUGHN and her heirs.

2. That the Wife shall sell the said property at the earliest practicable time and the Husband shall receive one-half (1/2) of the equity therein, after payment of all costs inherent to the sale, including the first mortgage and real estate commissions. That this one-half (1/2) equity shall be paid in the following manner:

First, toward any arrearage in child support owed to the Wife by the Husband, together with the Clerk's fee.

Secondly, to reimburse the Wife for any court costs incurred in this cause.

Thirdly, to reimburse the Wife for the sum of Four Hundred ($400.00) dollars in attorney fee, which this Court awards the Wife.

Fourthly, toward future child support payments in the amount of $95.24 plus $4.76 clerk's fee for a total payment of One Hundred ($100.00) dollars per week times the number of weeks from the date of closing until the child's 18th birthday on November 29, 1996.

Fifthly, any remaining sums shall be paid over to the Husband.

3. That the present order of support shall continue until the sale of the property, at which time the Husband shall be released from the employer wage assignment.

4. That this constitutes the final order in this Petition for Contempt. R.L. M.B. ~~and that costs are awarded to the~~ and that costs are paid to the Defendant, William T. Vaughn for which execution may issue

IT IS, FURTHER, ORDERED, ADJUDGED AND DECREED BY THE COURT that the said WILLIAM T. VAUGHN be and hereby is restrained from calling the home of the Wife on any telephone line other than the children's telephone line.

ENTERED this 1st day of ~~June~~ July, 1994.

JUDGE

APPROVED FOR ENTRY;

ROBERTS & ASSOCIATES

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IDENTIFICATION

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FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN.

MAIL ENV.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

STATE OF TENNESSEE

I, **RICHARD R. 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 _01 day of _JULY , 19 _94 , in the Case Number _8803400 between _VAUGHN, PATRICIA A Plaintiff, and _VAUGHN, WILLIAM T I Defendant, as same remains of record in Book 2913 , Page _1400 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 _01 day of _JULY in the year one thousand nine hundred and _ninety-four and in the _219th_ year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ D.C.
Deputy Clerk

SEAL