IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

FILED
1994 JUL -5 PM 1:31
RICHARD R. ROOKER, CLERK
D.C.

Naomi Elaine Keller Gaines
Plaintiff/Wife

VS.

Tommie Douglas Gaines
Defendant/Husband

No. 93D-729

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FINAL DECREE

This cause came on for hearing upon the 13th day of June, 1994 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court of Davidson County, Tennessee upon the Complaint of Naomi Elaine Keller Gaines for an Absolute Divorce against Tommie Douglas Gaines.

Upon the Pleadings, testimony of the Parties and their witnesses, and upon the entire record the Court was of the Opinion and found that the Parties were entitled to a Divorce and, pursuant to Tennessee Annotated 36-4-129, should be declared to be divorced from each other. FURTHER, the Court found that the Parties minor child had resided with the Parties at 3360 Calais Circle, Antioch, Tennessee since her birth and now resides at that same address with the Wife. It appearing that no other custody or visitation proceeding respecting the minor child has been heretofore brought, or is now pending, in this or any other state, the Court, upon oral Motion, allowed the amendment of the Complaint to satisfy the requirements of Tennessee Code Annotated 36-6-210, and was of the Opinion that custody should be vested in the Wife, reserving visitation to the Husband upon alternate weekends from 6:00 P.M. on Friday to 6:00 P.M. on Sunday, alternate family holidays and two weeks during the

summer. Visitation upon family holidays, which shall consist of New Years Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas, shall be from 6:00 PM on the holiday eve until 8:00 P.M. on the holiday, except for Christmas visitation, which shall extend from one (1) week before Christmas until 9:00 P.M. on Christmas Eve, with the other to have the child from 9:00 P.M. on Christmas Eve until New Years Eve. FURTHER, Husband should pay the sum of $534.92 each month to the Office of the Circuit Court Clerk. Such payment requirement consisting of $427.97 as child supoort in conformity with applicable child support guidelines, $81.48 as alimony In Solido, representing 1/2 of the monthly cost arising from conversion through COBRA of the Husband's employer-provided health and hospitalization plan to maintain coverage for the Wife and the Parties minor child following the Parties divorce, along with the Clerk's commission thereon in the sum of $25.47, shall become effective as of the July, 1994 payment. FURTHER,the Court found that the Wife should receive the Husband's right title and interest in the Parties home consisting of his equity therein, which was found to be in the sum of $5,300.00, which equity should be awarded to the Wife as alimony In Solido, with the Wife to pay any mortgage indebtedness owed thereon, holding the Husband harmless for nonpayment thereof. FURTHER, the Court was of the Opinion that each Party should be awarded their respective vehicles and each should pay any indebtedness owed thereon, holding the other harmless for nonpayment thereof. FURTHER, the Court was of the Opinion that each Party should have as their sole and separate property any furniture, furnishings and household goods presently in their possession. FINALLY, the Court was of the Opinion that the Husband should pay to the Wife's attorney the Sum of $500.00 for services rendered to the Wife in this cause. Costs should be taxed equally to the Parties.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that:

1. The Parties are Declared to be divorced from each other pursuant to Tennessee Annotated 36-4-129.

2. Custody of the Parties minor child is vested in the Wife, reserving visitation to the Husband upon alternate weekends commencing at 6:00 P.M. on Friday and extending to 6:00 P.M. on Sunday, two weeks visitation during the summer months and alternate family holidays. Visitation upon family holidays, which shall consist of New Years Day, Easter Sunday, Memorial Day, July 4th, Labor Day, Thanksgiving and Christmas, shall be from 6:00 PM on the holiday eve until 8:00 P.M. on the holiday, except for Christmas visitation, which shall extend from one (1) week before Christmas until 9:00 P.M. on Christmas Eve, with the other to have the child from 9:00 P.M. on Christmas Eve until New Years Eve.

3. Husband should pay the sum of $534.92 each month to the Office of the Circuit Court Clerk. Such payment requirement, consisting of $427.97 as child support, in conformity with applicable child support guidelines, $81.48 as alimony In Solido, representing 1/2 of the monthly cost arising from conversion through COBRA of the Husband's employer-provided health and hospitalization plan to maintain coverage for the Wife and the Parties minor child, following the Parties divorce, along with the Clerk's commission thereon in the sum of $25.47, shall become effective as of the July, 1994 payment. The Circuit Court Clerk will disburse payments to Naomi Gaines.

4. That the Husband's equity in the Parties home located at 3360 Calais Circle, Antioch, Tennessee in the sum of $5,300.00 is awarded to the Wife as alimony In Solido. The Husband's right, title and interest in

the said property is divested out of him and vested into the Wife, said property being further described as: A certain tract or parcel of land in Davidson County, Tennessee,

Being Lot No. 163 on the Plan of Forest View Park, Section VII of record in Plat Book 6900, page 162, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Being the same property conveyed to Tommy D. Gaines and Wife Naomi E. Gaines by Deed of Record at Book 7541, Page 711 of the Register of Deeds Office for Davidson County, Tennessee.

Wife shall pay any indebtedness owed in respect of said property, holding Husband harmless for nonpayment thereof.

5. Each Party is awarded his or her respective vehicle and shall pay any indebtedness owed in respect of same, holding the other harmless for nonpayment.

6. Each Party shall receive as their sole and separate property any furniture, furnishings or household goods presently in their possession same, holding the other harmless for nonpayment.

7. That the Husband shall pay to the Wife's attorney the sum of $500.00, which is hereby awarded as a Judgment against the Husband, for which execution may issue if necessary, for services rendered to the Wife in this cause.

8. That the current addresses of the Parties are:

Naomi Elaine Keller Gaines
3360 Calais Circle
Antioch, Tennessee 37013

Tommie Douglas Gaines
933 Silverdene Place
Nashville, Tennessee 37206

9. Costs are taxed to the Parties euqally.

ENTER THIS 30th day of June, 1994.

Muriel Robinson, Judge

APPROVED FOR ENTRY:

Lawrence D. Wilson (#4076)
2400 Crestmoor Road, Suite 319
Nashville, Tennessee 37215
(615) 386-7145

CERTIFICATE OF SERVICE

I hereby certify that true and exact copy of the above has been mailed, postage prepaid to the Honorable Andrei Lee, 430 3rd Avenue North, Suite 101, Nashville, Tennessee 37201 on this the 30 day of June 1994.

Lawrence D. Wilson

STATE OF TENNESSEE

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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 _05 day of _JULY , 19 _94 , in the Case Number _930729 between _GAINES,_NAOMI_ELAINE_KELLER Plaintiff, and _GAINES,_TOMMY_DOUGLAS Defendant, as same remains of record in Book 2910 , Page _1574 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 _11 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 J. Parish
Deputy Clerk

SEAL

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IDENTIF. ↑ REFERENCE

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FELIX ... REGISTER
DAVIDSON COUNTY, TN.

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