IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

2-24-76
139 C/1971

CHARLOTTE SUE (BINKLEY) BRACHEY	)	
	)	
VS.	)	No. 80869
	)	
THOMAS EDWARD BRACHEY and WESTERN ELECTRIC COMPANY, INCORPORATED CREDIT UNION (WESCO EMPLOYEES F. C. U.)	)	

MAIL ENV.

16056

FINAL DECREE

This cause came on to be heard on the 23rd day of February, 1976, before the Honorable J. William Rutherford, Judge of the First Circuit Court for Davidson County, Tennessee, on plaintiff's complaint for absolute divorce, a default judgment having been taken on the defendant, he having failed to answer or otherwise plead as required by law, and the case was heard on the uncontested docket.

After testimony of the plaintiff, her corroborating witnesses, statement of counsel and the entire record herein, the Court is of the opinion that the defendant has been guilty of such cruel and inhuman treatment or conduct toward the plaintiff as renders further cohabitation unsafe and improper for her to remain under his dominion and control.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff, Charlotte Sue Brachey be and is hereby awarded an absolute divorce from the defendant and the bonds of matrimony heretofore subsisting between the parties are forever and perpetually dissolved and plaintiff is restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT:

1. That the property on Spence Circle owned by the parties as tenants by the entirety, said property having no outstanding mortgage, be divested out of the plaintiff and vested in the defendant, Thomas Edward Brachey, for his sole and separate use. A description of the property is as follows:

> Land in Davidson County, Tennessee, being Lot No. 19 on the Map of Spence Circle, as of record in Book 1424, page 62, Register's Office for said County.

Said Lot No. 19 fronts 70 feet on the easterly side of Spence Circle and runs back between parallel lines 160 feet to a dead line.

2. That all interest the plaintiff may have in the 1973 Ford, now in the possession of the defendnat, be divested out of her and vested in the defendant, Thomas Edward Brachey, for his sole and separate use.

3. That all interest the plaintiff may have in the boat and motor be divested out of her and vested in the defendant, Thomas Edward Brachey, for his sole and separate use.

4. That all interest the defendant may have in the house and lot located at 286 Clovernook Drive, be divested out of him and vested in the plainitff, Charlotte Sue Brachey, for her sole and separate use. A description of the property is as follows:

Being Lot No. 27 on the Plan of Clover Nook Subdivision, as of record in Book 2900, page 52, Register's Office for said County.

Said Lot No. 27 fronts 149 feet on the southwesterly side of Clover Nook Drive and extends back 235.1 feet on the northwesterly line and 249.3 feet on the southeasterly line, to a dead line in the rear on which it measures 192 feet.

Being the same property conveyed to Thomas E. Brachey and wife, Charlotte S. Brachey by deed from James Earl Mince and wife, Tippie Louise Mince, as of record in Book 4657, Page 370, said Register's Office.

5. That all the household furniture and furnishings as well as all garden tools, lawn mower, etc. presently at the Clovernook home be divested out of defendant and vested in plaintiff for her sole and separate use.

6. That all interest the defendant may have in the 1976 Buick titled in plaintiff's name, be divested out of him and vested in plaintiff for her sole and separate use.

7. That the approximately Fifteen Thousand Dollars ($15,000) worth of United States Savings Bonds presently in the name of the defendant and the parties' minor child, be divested out of defendant and vested in the plaintiff, Charlotte Sue Brachey, for the use and benefit of the minor child's education. The Court directs defendant to transfer the above-

mentioned United States Savings Bonds to the plaintiff, Charlotte Sue Brachey, for which let judgment be entered and execution issued, if necessary.

8. That the two savings accounts in the Nashville General Hospital Credit Union, where plaintiff is employed, remain in their present status, that is, the savings account in the name of William Mark Brachey, the parties' minor child, in the approximate amount of $4,253.22 remain in his name; and the savings account in the name of the plaintiff in the approximate amount of $5.00 remain in her name, and all interest which the defendant may have in either of the above stated accounts be divested out of him and vested in the plaintiff and the parties' minor child.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Western Electric Company, Incorporated Credit Union (WESCO EMPLOYEES F. C. U.) be and is hereby named as a co-defendant in this lawsuit for the purposes of disbursing funds as hereinafter set forth. It further appearing to the Court that the defendant, Thomas Edward Brachey, is employed at Western Electric Company, Incorporated and maintains certain savings accounts in that company's credit union, known as WESCO Employees F.C.U.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT:

9. (a) That one-half of the account in the name of the minor child, William Mark Brachey, account number 61-218, be divested out of defendant and vested in plaintiff for the use and benefit of the parties' minor child. The Court directs WESCO Employees F.C.U. to pay to the plaintiff, Charlotte Sue Brachey, one-half of said account, for which let judgment be entered and execution issued, if necessary.

(b) That one-half of account number 61-119 in the name of the plaintiff, be divested out of defendant and vested in plaintiff for her sole and separate use. The Court directs WESCO Employees F.C.U. to pay to the plaintiff, Charlotte Sue Brachey, one-half of said account, for which let judgment be entered and execution issued, if necessary.

(c) That one-half of account number 61-010 in the name of the defendant, Thomas Edward Brachey, be divested out of him and vested in plaintiff, Charlotte Sue Brachey, for her sole and separate use. The Court directs WESCO Employees F.C.U. to pay to the plaintiff, Charlotte Sue Brachey, one-half of said account, for which let judgment be entered and execution issued, if necessary.

(d) That one-half of account number 61-090 in the name of the defendant, Thomas Edward Brachey, be divested out of defendant and vested in plaintiff, Charlotte Sue Brachey, for her sole and separate use. The Court directs WESCO Employees F.C.U. to pay to the plaintiff, Charlotte Sue Brachey, one-half of said account, for which let judgment be entered and execution issued, if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT:

10. That plaintiff receive from the defendant the amount of $150.00 per month as support and maintenance for the parties' minor child, until the minor child reaches his majority. Said amount is to be paid by the defendant directly to the plaintiff.

11. That the plaintiff's attorney of record, Joe P. Binkley, Jr. be and is hereby awarded an attorney's fee in the amount of $350.00. The Court directs WESCO Employees F.C.U. to pay the $350.00 attorney's fee to Joe P. Binkley, Jr., from the defendant's remaining portions in accounts numbered 61-218, 61-119, 61-010 and 61-090, for which let judgment be entered and execution issued, if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the costs of this cause be and are hereby assessed against the defendant, for which let execution issue, if necessary.

This 24 day of Feb, 1976.

JUDGE

JOE P. BINKLEY, JR.
Attorney for Plaintiff

CERTIFICATE

I hereby certify that a true and exact copy of the foregoing Final Decree has been forwarded to the defendant, Thomas Edward Brachey at his place of employment, c/o Western Electric Company, Incorporated, 195 Polk Avenue, Nashville, Tennessee 37211, and to the party defendant, Western Electric Company, Incorporated Credit Union (WESCO Employees F. C. U.), P. O. Box 1353, Nashville, Tennessee 37211, on this the ____ day of February, 1976.

Joe P. Binkley, Jr.

JOE P. BINKLEY, JR.
Attorney for Plaintiff
1601 Parkway Towers
Nashville, Tennessee 37219
Telephone: 244-8630

BOOK 9542 PG 288

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 _FIRST Circuit Court for Davidson County, Tennessee, on the _24 day of _FEBRUARY , 19 _76 , in the Case Number _80369 between _BRACHEY, CHARLOTTE SUE B Plaintiff, and _BRACHEY, THOMAS E Defendant, as same remains of record in Book 1390 , Page _01371 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 _07 day of _DECEMBER in the year one thousand nine hundred and _ninety-four and in the _219th_ year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

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