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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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RICHARD R. ROOKER

GEORGE W. KING, III,
Plaintiff/Counter-Defendant,
v.
TANGELA R. KING,
Defendant/Counter-Plaintiff.

NO. 93D-2799

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FELIX A. WILKINSON REGISTER
DAVIDSON COUNTY, TN.

IDENTIF. & REFERENCE

38452

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 6th day of February, 1995, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Complaint for Absolute Divorce, filed by George W. King, III; the Answer and Counter-Complaint for Absolute Divorce, filed by Tangela R. King; the testimony of the Plaintiff, George W. King, III; the Defendant/Counter-Plaintiff, Tangela R. King, having failed to appear for the trial of this cause, despite due notice provided to her; the testimony of the witnesses; the introduction of exhibits; the statements of counsel; and the entire record in this cause, from all of which the Court finds the following:

1. That the Defendant, Tangela R. King, has been guilty of inappropriate marital conduct toward the Plaintiff, George W. King, III, such that the Plaintiff should be granted an absolute divorce from the Defendant;

2. That the Counter-Complaint for Absolute Divorce, heretofore filed in this cause by Tangela R. King, should be dismissed;

3. That there are two (2) minor children born of this marriage, to wit: Trenton L. Cain, whose date of birth is August 26, 1985, and Tanisha Georgette King, whose date of birth is February 21, 1990;

4. That the Plaintiff, George W. King, III, should be vested with the sole and absolute care, custody and control of the minor child, Trenton L. Cain;

5. That the Defendant, Tangela R. King, should be vested with

the sole and absolute care, custody and control of the minor child, Tanisha Georgette King;

6. That the parties should have visitation between the minor children as is set forth in the Agreed Order entered in this cause on August 5, 1994;

7. That the child support provisions set forth in the Agreed Order entered August 5, 1994, should become the final Order of the Court and should be incorporated into this Decree;

8. That the Husband, George W. King, III, should be vested with sole and absolute right, title and interest in and to the 1974 Plymouth Fury automobile presently in his possession, and the same shall be divested out of the Wife, Tangela R. King;

9. That each party should retain all personal property presently in their respective possession, with the exception of the Fisher stereo system and speakers and the 26" RCA television, presently in the possession of Ms. King, and which property shall become the sole and separate property of Mr. King. All other personal property presently in the possession of each party shall become the sole and separate property of the party in possession, free and clear from any claims or title of the other party. The Wife, Tangela R. King, should return the Fisher stereo system and speakers and the 26" RCA television to the Husband, George W. King, III, within thirty (30) days of the entry of this Decree;

10. That the Husband, George W. King, III, should be awarded all right, title and interest in and to the real property located at 3625 Chesapeake Drive, Nashville, Davidson County, Tennessee, and the same shall be divested out of the Defendant. In addition, the Husband, George W. King, III, should be responsible for all indebtedness owing on said real property, and he should indemnify the Wife and hold her harmless therefrom;

11. That a permanent injunction should issue against the Defendant, Tangela R. King, enjoining and restraining her from coming about the person of the Plaintiff, George W. King, III, for the purpose of threatening, harrassing, intimidating, assaulting or in any manner harming the Plaintiff;

12. That each party should be responsible for their own

individual attorney's fees incurred herein; and

13. That the costs of this cause should be assessed to the Wife, Tangela R. King.

The foregoing being the ruling of the Court, and the Court having so held,

It is therefore **ORDERED, ADJUDGED** and **DECREED** that the bonds of matrimony between the parties shall be forever dissolved and severed, and the Plaintiff, George W. King, III, shall be awarded an absolute divorce from the Defendant, Tangela R. King, and shall be restored to all of the rights and privileges of an unmarried person.

It is further **ORDERED, ADJUDGED** and **DECREED** that sole and absolute right, title and interest in and to the 1974 Plymouth Fury automobile shall be vested in the Husband, George W. King, III, and all right, title or interest of the Defendant, Tangela R. King, shall be divested from her and vested in the Husband.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Husband, George W. King, III, shall be vested with all right, title and interest in and to all items of personalty presently in his possession and, in addition, he shall likewise be vested with all right, title and interest in and to the Fisher stereo system and speakers and 26" RCA floor-model television set presently in the possesion of the Wife, Tangela R. King. All right, title or interest of the Wife, Tangela R. King, in or to these items of personalty shall be divested out of her, and shall be vested in the Husband. The Wife, Tangela R. King, shall be responsible for returning the Fisher stereo system and speakers and 26" RCA floor-model television set to the Husband within thirty (30) days of the entry of this Decree.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Wife, Tangela R. King, shall be vested with all right, title and interest in and to all items of personalty presently in her possession, with the exception of the Fisher stereo system and speakers and 26" RCA floor-model television set, which has been awarded to the Husband

herein. All right, title or interest of the Husband, George W. King, III, in or to these items of personalty shall be divested out of him, and shall be vested in the Wife, Tangela R. King.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Husband, George W. King, III, shall be vested with the sole and complete care, custody and control of the minor child of the parties, Trenton L. Cain, whose date of birth is August 26, 1985.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Wife, Tangela R. King, shall be vested with the sole and complete care, custody and control of the minor child of the parties, Tanisha Georgette King, whose date of birth is February 21, 1990.

It is further **ORDERED, ADJUDGED** and **DECREED** that each party shall have reasonable and liberal visitation rights, and shall exercise visitation to maximize the time that the minor children spend with each other. To that end, visitation shall be, at a minimum, as follows:

(a) Both children shall be with the Wife every other weekend, from Friday at 6:00 p.m., through Sunday at 6:00 p.m., comencing February 10, 1995. Both children shall be with the Husband every other weekend, from Friday at 6:00 p.m., through Sunday at 6:00 p.m., commencing February 17, 1995;

(b) Both children shall be with the Husband in odd-numbered years, on the following holidays: Easter, Independence Day and Thanksgiving Day, from 8:00 a.m. through 8:00 p.m. Both children shall be with the Wife in even-numbered years, on the following holidays: Easter, Independence Day and Thanksgiving Day, from 8:00 a.m. through 8:00 p.m.;

(c) Both children shall be with the Husband in even-numbered years, on the following holidays: Memorial Day and Labor Day, from 8:00 a.m. through 8:00 p.m. if the children are not in school. Both children shall be with the Wife in odd-numbered years, on the following holidays: Memorial Day and Labor Day, from 8:00 a.m. through 8:00 p.m., if the children are not in school;

(d) Both children shall be with the Husband for one-half (1/2) of the Christmas holiday and with the Wife for one-half (1/2) of the Christmas holiday when the minor children are out of school,

with the dates and times thereof to be agreed upon by the parties;

(e) Both children shall be with the Husband every year on Father's Day, from 8:00 a.m. through 8:00 p.m.. Both children shall be with the Wife every year on Mother's Day, from 8:00 a.m. through 8:00 p.m.;

(f) Each parent shall be entitled to have both children for two (2) continuous weeks every summer, and each shall provide the other with written notice by May 15th of each year of the dates on which he or she will exercise this visitation.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Husband, George W. King, III, earns an average gross income of $2,725.00 per month, and that he is presently paying child support of $200.00 per month for a third child pursuant to an Order in the Juvenile Court for Davidson County, Tennessee. Based upon the Tennessee Child Support Guidelines, the Husband would pay $401.73 per month for the support and maintenance of one (1) child. The Wife, Tangela R. King, is unemployed and receives AFDC. However, she has previously stated in open court that her lack of employment was due to the time required to care for the minor son of the parties. Therefore, the Court finds that, as of August 4, 1994, the Wife is capable of earning minimum wages, and child support for one (1) child would be set at $125.00 per month.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Husband, George W. King, III, shall pay to the Wife, Tangela R. King, child support in the sum of Two Hundred Seventy-Six Dollars and Seventy-Three Cents ($276.73), which represents the difference between the child support he would owe for one child and the child support which she would owe for one child. Payments shall be made in alternate weeks in increments of $127.72. Payments shall be made to the Clerk of the Circuit Court, together with the Clerk's lawful fee of five percent (5%)($6.38), for a total bi-weekly payment of $134.10.

It is further **ORDERED, ADJUDGED** and **DECREED** that no later than fourteen (14) days after service of the Court's Order by certified mail by the Clerk of the Circuit Court, Husband's employer shall

deduct from any wages, salary or other income due the Husband the sum of $127.72 in alternate weeks, plus the Clerk's lawful fee of five percent (5%)($6.38), for a total bi-weekly total of $134.10. The employer shall forward these payments on a bi-weekly basis to the Clerk of the Circuit Court, Davidson County, Tennessee, pursuant to T.C.A. Section 50-2-105 and 36-5-502, et seq. Upon receipt of said payments the Clerk shall disburse the payments to the Department of Human Services, Fiscal Services Section, P.O. Box 2571, Nashville, Tennessee, 37219-2571.

It is further **ORDERED, ADJUDGED** and **DECREED** that the employer of the Husband shall not use this wage assignment as a basis for discharge or any disciplinary action against the Husband. If the Husband is no longer employed by said employer, said employer shall be held harmless from all child support payments that accrue after the date of termination of employment. The employer shall notify the Clerk of the Husband's termination of employment, of his last known address, and the name and address of any subsequent employer or source of income.

It is further **ORDERED, ADJUDGED** and **DECREED** that until said child support payments are deducted from the Husband's income, or if he is no longer employed, the Husband shall make the child support payments directly to the Clerk of the Davidson County Circuit Court.

It is further **ORDERED, ADJUDGED** and **DECREED** that the child support payments set forth herein are in compliance with the Child Support Guidelines as promulgated by the Tennessee Department of Human Services, as they existed on August 4, 1994. Furthermore, either party may seek review of the child support payments set forth herein by motion, upon proper notice to the other party.

It is further **ORDERED, ADJUDGED** and **DECREED** that the child support payments Ordered herein shall not be reduced nor prorated, except by Order of the Court.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Husband, George W. King, III, shall maintain medical insurance coverage for the minor children, and he shall provide the Wife with the necessary insurance cards to use the medical insurance.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Husband, George W. King, III, shall be awarded all right, title and interest in and to the real property located at 3625 Chesapeake Drive, Nashville, Davidson County, Tennessee, and the same shall be divested out of the Wife, Tangela R. King. The Husband, George W. King, III, shall be responsible for the payment of any and all outstanding indebtedness owing on said real property, and he shall indemnify the Wife and hold her harmless therefrom. Said real property is more particularly described as follows:

"LAND in Davidson County, Tennessee, being Lot No. 36 on the Plan of Timberwood Estates, Section 4, as of record in Bood 690[illegible], Page 228, Register's Office for Davidson County, Tennessee, to which plain reference is hereby made for a more complete and accurage legal description.

BEING the same property conveyed to Earheart Realty & Construction Company, Inc., by deed from Jack Driver, Trustee, of record in Book 6515, Page 647, Register's Office for Davidson County, Tennessee.

FURTHER BEING the same property conveyed to George William King, III and wife, Tangela R. King, by deed of record in Book 7951, Page 934, Register's Office for Davidson County, Tennessee."

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It is further **ORDERED, ADJUDGED** and **DECREED** that a permanent injunction shall be issued against the Wife, Tangela R. King, and she shall be permanently **ENJOINED** and **RESTRAINED** from coming about the person of the Husband, George W. King, III, for the purpose of threatening, harrassing, intimidating, assaulting or in any manner harming the Husband.

It is further **ORDERED, ADJUDGED** and **DECREED** that each party shall be responsible for his or her own attorney's fees incurred in this cause. Court costs are taxed to the Wife, Tangela R. King.

It is further **ORDERED, ADJUDGED** and **DECREED** that the Court has found the addresses of the parties to be as follows: George W. King, III, 3625 Chesapeake Drive, Nashville, Tennessee, 37207; Tangela R. King, 3301 Creekwood Drive, Apt. R-137, Nashville, Tennessee, 37207.

It is finally **ORDERED, ADJUDGED** and **DECREED** that execution may

issue to enforce any of the provisions of this Decree.

ENTER this 17th day of February, 1995.

HON. MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

WARE & CRAWFORD

THOMAS H. WARE (BPR # 1179)
Attorney for Husband
1800 Parkway Towers
404 James Robertson Parkway
Nashville, Tennessee 37219
(615) 242-8107

CERTIFICATE OF SERVICE

I hereby certify that I have forwarded a true and exact copy of the foregoing Final Decree of Divorce to the Defendant, Tangela R. King, at her last known address, 3301 Creekwood Drive, Apt. R-137, Nashville, Tennessee, 37207, this 6th day of February, 1995.

Thomas H. Ware

b:king fd

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 17 day of FEBRUARY , 19 95 , in the Case Number 93D2799 between KING, GEORGE W. Plaintiff, and KING, TANGELA ROCHELLE Defendant, as same remains of record in Book 240B , Page 1087 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 02 day of MARCH in the year one thousand nine hundred and ninety-five and in the 219th year of American Independence.

RICHARD R. ROOKER, Clerk

By _____ Deputy Clerk

SEAL