228C/2089

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
1994 MAR 21 PM 4:37
RICHARD R. ROOKER, CLERK

GARY LEE THOMAS)
Plaintiff/Counter-)
Defendant,)
VS.) DOCKET NO. 93D-1355
)
JANICE MARIE THOMAS)
Defendant/Counter-)
Plaintiff.)

025-16-0
029.00

FINAL DECREE

This cause came on to be heard on this the 29th day of March, 1994, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee upon the complaint for divorce filed by Gary Lee Thomas, the answer and counter-complaint for divorce filed by Janice Marie Thomas, and the answer to the counter-complaint filed by Gary Lee Thomas. Upon testimony of the parties and their witnesses, argument of counsel and the entire record herein, the court finds as follows:

1. By stipulation of counsel the parties will be declared divorced pursuant to T.C.A. § 36-4-129, and they are restored to all the rights and privileges of unmarried persons.

2. By stipulation of counsel, the custody of the two minor children, Amy Nicole Thomas and Carrie Lee Thomas, will be awarded to the mother, Janice Marie Thomas, who shall have all the rights and responsibilities of a custodian at law.

3. By stipulation of counsel, the father, Gary Lee Thomas, will have reasonable visitation with the minor children, subject to input from the children in consideration of their schedules and activities.

4. The husband will be awarded the following property:

1976 Corvette
1930 Model A Ford
1992 Toyota Truck
Miniature Model T
16 foot trailer
Storage Building
His guns, including the .357 Magnum
1987 Honda, which is Amy's
One-half of his Tier-II pension as of March 29, 1994, the date of the final hearing
Zenith 19" TV
Whiskey Keg Bar
Old Railroad Chair
Antique Lamp

His fireplace items (knick knacks)
Typewriter
Train Whistle
Model A Mailbox and stand
His hand and power tools
Husband's grandmother's stove
Husband's grandfather's saw
Husband's grandfather's mirror
German Steins
Shoe Last
Crock Jug
Guitar
Banjo

5. The wife will be awarded the following property:

The real property located at 116 Garrett Drive, Goodlettsville, TN
1986 Buick
Wife's Retirement Plan (Castner Knott)
Her Workers Compensation Settlement
Her portion of husband's Tier-I benefit to which she is entitled
One-half of husband's Tier-II pension as of March 29, 1994, the date of the final hearing
Joint Checking Account
Floor Lamp (Bedroom)
Wicker Couch, Chair, table (Bedroom)
Bookcase (den)
19" Color TV
Kitchen Cookware & Utensils
VCR (den)
Porch Swing
Metal Milk Can
Computer in den
Churn (Honeymoon Purchase)
Patio Furniture
Gas Grill
Children's furniture
Lawn Mower
Garden Tools
Weed Eater
Children's chair
Children's keepsakes (Toys, crib)
Children's Dog
Cabinet in Outdoor building
Woodburner in fire-place
Bedroom Furniture
Sewing Machine
Dining Table/chairs
Wall Hangings
School House Clock
Dishwasher
Floor Chopping Block
Churn (Wife's Mother's)
Watchman TV
Flower Cart
Lamps
Bird Feeders
Sewing Machine
Microwave
Display case
Wall ironing board

6. The husband will be responsible to pay the following debts and to indemnify and hold wife harmless thereon:

Discover Card bill
Circuit City bill

Medicount bill
Dixie Line Credit Union Loan
Children's medical bills
The wife's medical bills in the amount of $201.05
The Visa bill
The balance of the 1992 Toyota Truck note

7. The wife will be responsible to pay the following debts and to indemnify and hold husband harmless thereon:

Castner Knott bill
Bank Card Center
Orthodontist
Balance owed on the first and second mortgage for the residence

8. The husband will pay child support for the support of the two minor children in the amount of $670.00 per month beginning with the month of April, 1994, and continuing through the month of October 1994. Beginning in November 1994, the husband will pay child support for the support of the remaining minor child in the amount of $440.00 per month. Said support will continue thereafter until the younger child reaches the age of eighteen years or the class of which she is a member graduates, whichever is the later date. This amount of child support complies with the Tennessee child support guidelines based upon a monthly gross income of $2,800.00. Child support will not be further reduced nor prorated without court order. Husband is allowed to claim the older child as an exemption on his Federal income tax return.

9. The Husband will pay alimony to the wife in the amount of Three Hundred Fifty Dollars ($350.00) per month beginning with the month of April, 1994, and continuing until her death or remarriage or further orders of the court. Wife will notify Husband in the event she remarries. This amount is based upon her need and his ability to pay and will not be affected by her receiving some kind of disability payment.

10. As further alimony, the husband will be responsible to provide at his expense the COBRA insurance, eighty per cent (80%) benefit, for the wife for the maximum period allowed by law. Except for his responsibility to provide

this COBRA benefit and to pay the outstanding medical bills as provided in paragraph 6 above, husband will have no further responsibility to pay wife's medical bills.

11. The cost of this action are to be paid by the husband, for which execution may issue if necessary.

12. As further alimony, Gary Lee Thomas will pay to Jon S. Jablonski the amount of $3500.00 which represents a portion of his attorney's fee in representation of the wife and for which execution may issue if necessary.

It is therefore ORDERED, ADJUDGED, and DECREED that the parties will be declared divorced pursuant to T.C.A. § 36-4-129, and they are restored to all the rights and privileges of unmarried persons.

It is further ORDERED that the custody of the two minor children, Amy Nicole Thomas and Carrie Lee Thomas, will be awarded to the mother, Janice Marie Thomas, who shall have all the rights and responsibilities of a custodian at law.

It is further ORDERED that the father, Gary Lee Thomas, will have reasonable visitation with the minor children, subject to input from the children in consideration of their schedules and activities.

It is further ORDERED that the husband will be awarded the following property:

1976 Corvette
1930 Model A Ford
1992 Toyota Truck
Miniature Model T
16 foot trailer
Storage Building
His guns, including the .357 Magnum
1987 Honda, which is Amy's
One-half of his Tier-II pension as of March 29, 1994, the date of the final hearing
Zenith 19" TV
Whiskey Keg Bar
Old Railroad Chair
Antique Lamp
His fireplace items (knick knacks)
Typewriter
Train Whistle
Model A Mailbox and stand
His hand and power tools
Husband's grandmother's stove
Husband's grandfather's saw
Husband's grandfather's mirror
German Steins
Shoe Last

Crock Jug
Guitar
Banjo

It is further ORDERED that the wife will be awarded the following property:

1986 Buick
Wife's Retirement Plan (Castner Knott)
Her Workers Compensation Settlement
Her portion of husband's Tier-I benefit to which she is entitled
One-half of husband's Tier-II pension as of March 29, 1994, the date of the final hearing
Joint Checking Account
Floor Lamp (Bedroom)
Wicker Couch, Chair, table (Bedroom)
Bookcase (den)
19" Color TV
Kitchen Cookware & Utensils
VCR (den)
Porch Swing
Metal Milk Can
Computer in den
Churn (Honeymoon Purchase)
Patio Furniture
Gas Grill
Children's furniture
Lawn Mower
Garden Tools
Weed Eater
Children's chair
Children's keepsakes (Toys, crib)
Children's Dog
Cabinet in Outdoor building
Woodburner in fire-place
Bedroom Furniture
Sewing Machine
Dining Table/chairs
Wall Hangings
School House Clock
Dishwasher
Floor Chopping Block
Churn (Wife's Mother's)
Watchman TV
Flower Cart
Lamps
Bird Feeders
Sewing Machine
Microwave
Display case
Wall ironing board

It is further ORDERED that the Wife is awarded the following described real property:

> Land in Davidson County, Tennessee, being Lot No. 48 on the Map of Goodlettsville Heights, Section III, of record in Plat Book 1835, page 98, Register's Office for said County.
>
> Said Lot No. 48 fronts 160 feet on the west side of Garrett Drive and runs back between lines measuring 248 feet on the northerly line and 228 feet on the southerly line to a dead line in the rear measuring 161.5 feet.

Being the same property conveyed to Gary L. Thomas and wife, Janice M. Thomas, by deed from Fabian R. Andrews and wife, Jessie Andrews, of record in Book 5191, page 98, Register's Office for Davidson County, Tennessee.

Any interest that Husband has in and to said property is hereby divested of him and vested solely in wife subject to the first and second mortgages on said property.

It is further ORDERED that Janice Marie Thomas is awarded, and the Railroad Retirement Board is directed to pay, an interest in the portion of Gary Lee Thomas' benefits under the Railroad Retirement Act (45 U.S.C. § 231, et seq.) which may be divided as provided by section 14 of that Act (45 U.S.C. § 231m). Janice Marie Thomas' share shall be computed by multiplying the divisible portion of Gary Lee Thomas' monthly benefit by a fraction the numerator of which is the number of years Gary Lee Thomas worked for a railroad employer during the period of the marriage February 20, 1975, through March 29, 1994, and the denominator of which shall be Gary Lee Thomas' total number of years employed by a railroad employer at retirement, and then dividing the product by two.

It is further ORDERED that the husband will be responsible to pay the following debts and will indemnify and hold wife harmless thereon:

Discover Card bill
Circuit City bill
Medicount bill
Dixie Line Credit Union Loan
Children's medical bills
The wife's medical bills in the amount of $201.05
The Visa bill
The balance of the 1992 Toyota Truck note

It is further ORDERED that the wife will be responsible to pay the following debts and to indemnify and hold husband harmless thereon:

Castner Knott bill
Bank Card Center
Orthodontist
Balance owed on the first and second mortgage for the residence located at 116 Garrett Drive, Goodlettsville, TN

It is further ORDERED that the husband will pay child support for the support of the two minor children in the amount of $670.00

per month beginning with the month of April, 1994, and continuing through the month of October 1994. Beginning in November 1994, the husband will pay child support for the support of the remaining minor child in the amount of $440.00 per month. Said support will continue thereafter until the younger child reaches the age of eighteen years or the class of which she is a member graduates, whichever is the later date. This amount of child support complies with the Tennessee child support guidelines based upon a monthly gross income of $2,800.00. Child support will not be further reduced nor prorated without court order. Husband is allowed to claim the older child as an exemption on his Federal income tax return.

It is further ORDERED that the Husband will pay alimony to the wife in the amount of Three Hundred Fifty Dollars ($350.00) per month beginning with the month of April, 1994, and continuing monthly thereafter until her death or remarriage or further orders of the court. Wife will notify Husband in the event she remarries. This amount is based upon her need and his ability to pay and will not be affected by her receiving some kind of disability payment.

It is further ORDERED that as additional alimony, the husband will be responsible to provide at his expense the COBRA insurance, eighty per cent (80%) benefit, for the wife for the maximum period allowed by law. Except for his responsibility to provide this COBRA benefit and to pay the outstanding medical bills as provided above, husband will have no further responsibility to pay wife's medical bills.

It is further ORDERED that the costs of this action are to be paid by the husband, for which execution may issue if necessary.

It is further ORDERED that as additional alimony, Gary Lee Thomas will pay to Jon S. Jablonski the amount of $350.00 which represents a portion of his attorney's fee in representation of the wife and for which execution may issue if necessary.

The present address for the wife is 116 Garrett Drive, Goodlettsville, TN 37072.

The present address for the husband is Route 4, Hitt Lane, Goodlettsville, TN 37072.

ENTER THIS THE 21st DAY OF APRIL, 1994.

MURIEL ROBINSON, JUDGE

APPROVED FOR ENTRY:

JON S. JABLONSKI, #10003
2400 Crestmoor Road
Suite 321
Nashville, Tennessee 37215
(615) 386-7164

Attorney for Janice Thomas

ROBERT TODD JACKSON, #13566
214 Second Avenue North
Suite 103
Nashville, Tennessee 37201
(615) 256-2602

Attorney for Gary Thomas

BOOK 9737 PG 66

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

MES A LEGAL
HEN PROPERLY
ND FILED.

NT IN PERMANENT

TENNESSEE DEPARTMENT OF HEALTH

CERTIFICATE OF DIVORCE OR ANNULMENT

RULE DOCKET NO. 93D-1355

STATE FILE NUMBER

HUSBAND

1. HUSBAND'S NAME (First, Middle, Last): Gary Lee Thomas

2a. RESIDENCE—STATE	2b. COUNTY	2c. CITY, TOWN, OR LOCATION
Tennessee	Davidson	Goodlettsville

2d. STREET AND NUMBER	3. BIRTHPLACE (State or Foreign Country)	4. DATE OF BIRTH (Month, Day, Year)
Route 4, Hitt Lane	Tennessee	12/08/49

WIFE

5a. WIFE'S NAME (First, Middle, Last)	5b. MAIDEN NAME
Janice Marie Thomas	Whitaker

6a. RESIDENCE—STATE	6b. COUNTY	6c. CITY, TOWN, OR LOCATION
Tennessee	Davidson	Goodlettsville

6d. STREET AND NUMBER	7. BIRTHPLACE (State or Foreign Country)	8. DATE OF BIRTH (Month, Day, Year)
116 Garrett Drive	Tennessee	12/28/53

MARRIAGE

9a. PLACE OF THIS MARRIAGE—STATE (or Foreign Country)	9b. COUNTY	9c. DATE OF THIS MARRIAGE (Month, Day, Year)	10. DATE COUPLE LAST RESIDED IN SAME HOUSEHOLD (Month, Day, Year)
Tennessee	Davidson	02/20/75	04/93

11a. NUMBER OF CHILDREN EVER BORN ALIVE OF THIS MARRIAGE (Specify)	11b. CHILDREN UNDER 18 IN THIS FAMILY (Specify)	11c. NUMBER OF CHILDREN UNDER 18 WHOSE PHYSICAL CUSTODY WAS AWARDED TO: ☐ No Children Husband ___ Wife X Joint (Husband/Wife) ___ Other ___
Two (2)	Two (2)	

12. PETITIONER 1 X Husband 2 ☐ Wife 3 ☐ Both 4 ☐ Other (Specify) ___	13a. NAME OF PETITIONER'S ATTORNEY (Type/Print)	13b. ADDRESS (Street or R F D No., City or Town, State, Zip)
	Robert Todd Jackson	214 Second Avenue Nort Nashville, TN 37201

DECREE

14a. I CERTIFY THAT THE MARRIAGE OF THE ABOVE NAMED PERSONS WAS DISSOLVED ON: (Month, Day, Year)	14b. TYPE OF DECREE 1 X Absolute 2 ☐ Limited 3 ☐ Annulment	14c. WAS MAIDEN NAME OR PREVIOUS LEGAL SURNAME RESTORED? (Specify Name)
APRIL 21, 1994		No

14d. COUNTY OF DECREE	14e. TITLE OF COURT 1 X Circuit 2 ☐ Chancery 3 ☐ General Sessions 4 ☐ Probate 5 ☐ Other (Specify) ___	14f. DATE OF RECORDING DECREE (Month, Day, Year)
DAVIDSON		4-21-94

14g. SIGNATURE OF DIVORCE OR ANNULMENT COUNTY CLERK	14h. TITLE OF CERTIFYING COURT OFFICIAL	14i. DATE SIGNED BY CERTIFYING COURT OFFICIAL (Month, Day, Year)
RICHARD R. ROOKER, CLERK BY [signature] D.C.	CLERK	4-22-94

MUST BE IN PER-
ACK INK.

E A SEAL ON THIS
E.

18 MUST BE COM-

CONFIDENTIAL INFORMATION

	15. Race—American Indian, Black, White, etc. (Specify below)	16. Number of This Marriage First, Second, Etc. (Specify)	17. If Previously Married, Last Marriage Ended (Specify below)	18. Education—Specify Highest Grade Completed: Elementary or Secondary (0-12)	18. Education—Specify Highest Grade Completed: College (1-4 or 5+)
HUSBAND	15a. White	16a. 1st	17a. 1 X Not previously married 2 ☐ By death 3 ☐ By Divorce or Annulment	18a.	
WIFE	15b. White	16b. 1st	17b. 1 X Not previously married 2 ☐ By death 3 ☐ Divorce or Annulment	18b.	

BOOK 9737PG 67

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 _21 day of _APRIL , 19 _94 , in the Case Number _93D1355 between _THOMAS, GARY LEE Plaintiff, and _THOMAS, JANICE MARIE Defendant, as same remains of record in Book 228C , Page _2089 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 _21 day of _JULY in the year one thousand nine hundred and _ninety-five and in the _220th_ year of American Independence.

3367 07/21 0101 03CHECK 40.00

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL



FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

95 JUL 21 PM 1:49

IDENTIF. → REFERENCE

MAIL ENV.

00081074