157A/229

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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| SANDRA FAY (BATES) YOUNGS, | ) | 95 JAN -9 AM 9:32 |
| Plaintiff/Wife | ) | |
| VS. | ) | NO. 92D-445 |
| LEROY HAROLD YOUNGS, | ) | |
| Defendant/Husband. | ) | |

FINAL DECREE OF DIVORCE

BOOK 10010 PG 797

This cause came on to be heard on the 13th day of December, 1994, before Honorable Marietta Shipley, Judge, upon the Complaint for Divorce of Plaintiff, Sandra Fay (Bates) Youngs (hereafter "Wife"), heretofore filed against Defendant, Leroy Harold Youngs (hereafter "Husband"); Answer of Husband, stipulation by the parties pursuant to T.C.A. 36-4-129(b) that both parties are entitled to and should be declared divorced, sworn testimony in Open Court of the parties, statement of their respective counsel, and the entire record in this cause, from all of which the Court finds that all matters concerning their respective rights and duties by reason of the marital relationship, and for the custody, support and visitation of the parties' minor child, shall be dealt with as hereinafter set forth below.

**IT IS THEREFORE ORDERED, ADJUDGED, and DECREED** that by stipulation, pursuant to T.C.A. 36-4-129(b) the parties are declared divorced and each party is restored to all the rights and privileges of unmarried persons, and the bonds of matrimony heretofore subsisting between the parties are hereby and forever perpetually dissolved.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that Wife is the fit and proper person to have the care, custody and control of the parties' minor child, Angela Leigh Youngs (DOB 4/23/81), and she shall be and is awarded sole and exclusive custody of said child. Husband shall be awarded reasonable and liberal visitation privileges with the minor child.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that Husband shall continue to pay directly to Wife, for the support and maintenance of the minor child of the parties, the sum of $248.94 per month, $237.09 of which is to be applied to regular child support and $11.85 (or 5%) of which is the Clerk's Commission. Said payments shall be by wage assignment (pursuant

to T.C.A.Sec. 36-6-501) which shall issue to Husband's present employer, Metropolitan Government of Nashville, Davidson County, Tennessee, Employee Benefit Board, Room 102, Stahlman Building, Nashville, Tennessee, 37201, and said employer shall continue to deduct from any wages, salary, disability, or other income due Husband the sum of $248.94 per month. All payments shall be made to the Clerk of the Circuit Court, 506 Metropolitan Courthouse, Nashville, Tennessee, 37201; and, the Clerk shall disburse to Wife her proceeds from all such payments, mailing same to Wife at her present address of 4672 Lebanon Road, No. 4, Lebanon, Tennessee, 37087. Said support payments shall continue until the minor child attains her eighteenth (18th) birthday, or graduates from high school, whichever event shall last occur. Upon the sworn testimony of Husband that his disability pension income through Metropolitan Government is now and has been his only source of income for the calendar year 1994, the Court finds that said support is equal to 21% of Husband's present adjusted gross monthly income and is in compliance with the minimum child support guidelines established by TDHS Title IV.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that, inasmuch as the Circuit Court Clerk's child support ledger reflects a child support arrearage as of the date of the final hearing of $711.27, said amount shall be and is reduced to judgment and shall bear post-judgment interest until paid in full at the statutory rate of 10% simple interest per annum. Commencing on the first day of January, 1995, and on the first day of each consecutive month thereafter, Husband shall pay directly to Wife to be applied to the aforesaid child support arrearage judgment the sum of $21.00 per month, $20.00 of which is to be applied to the child support arrearage judgment principal and interest, and $1.00 (or 5%) of which is the Clerk's Commission. Said payments shall be by wage assignment (pursuant to T.C.A.Sec. 36-6-501) which shall issue to Husband's present employer, Metropolitan Government of Nashville, Davidson County, Tennessee, Employee Benefit Board, Room 102, Stahlman Building, Nashville, Tennessee, 37201, and said employer shall continue to deduct from any wages, salary, disability, or other income due Husband the sum of $21.00 per month. Said payments are in addition to the $248.98 per month in regular child support previously Ordered above. All payments shall be made to the Clerk of the Circuit Court, 506 Metropolitan Courthouse, Nashville, Tennessee, 37201; and, the Clerk shall disburse to Wife her proceeds from all such payments, mailing same to Wife at her present address of 4672 Lebanon Road, No. 4, Lebanon, Tennessee, 37087.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that Wife shall maintain, through her employment, if available, medical and hospitalization insurance for the benefit of the minor child, and each party shall be responsible for one-half of all deductibles and uninsured medical, hospitalization and dental expenses incurred for the benefit of the minor child not otherwise covered by Wife's group insurance coverage. Wife shall furnish to Husband copies of invoices associated with all medical, hospitalization, and dental care afforded the child in a timely fashion.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that the real property located at 4825 Everest Drive, Old Hickory, Davidson County, Tennessee, 37138, being more specifically described below:

> Land in Davidson County, Tennessee, being Lot No. 65 on the Plan of Section Three, Sherwood Forest, of record in Book 4460, Page 81, Register's Office for said County.
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> Said Lot No. 65 fronts 75.00 feet on the southeasterly margin of Everest Drive and extends back 140.14 feet on the northeasterly line and 140.16 feet on the southwesterly line to a dead line in the rear, measuring 75.00 feet thereon.
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> Being the same property conveyed to Leroy H. Youngs and wife, Sandra F. Youngs, by Warranty Deed of record in Book 8377, Page 26, Register's Office for Davidson County, Tennessee.

shall be and is divested out of the parties and shall be and is vested in the parties' adult daughter, Dana Pettit and husband, Haven Pettit, in fee simple, as tenants by the entirety. The Court notes that it is undisputed that the equity in said real property, the same being the fair market value less the present mortgage indebtedness due and owing said property, is approximately $6,000.00.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that the marital personal property of the parties shall be disposed of as follows:

(A) Wife shall be and is vested with sole right, title, and interest, and Husband shall be and is divested of any right, title, or interest, in and to all of the personal property in her possession or located at 4672 Lebanon Road, No. 4, Lebanon, Tennessee, 37087, except for the 1984 Ford Ranger Pickup Truck located at said residence, which shall be and is the sole and exclusive property of Husband and shall be removed from said residence by him at his expense, if necessary, within thirty (30) days following the entry of this Final Decree.

(B) Husband shall be and is vested with sole right, title, and interest in and to all of the personal property in his possession or located within his residence, and Wife shall be and is divested of any right, title, or interest in and to said property. Husband shall be and is further awarded the parties' chain saw which shall be surrendered by Wife to Husband, if said item can be located by her.

(C) Wife shall be vested with sole right, title, and interest in and to the 1986 Thunderbird now in her possession, and Husband shall be and is divested of any right, title, or interest in and to said vehicle. Wife shall be solely responsible for any indebtednesses, and all insurance and/or maintenance associated with said vehicle.

(D) Husband shall be vested with sole right, title, and interest in and to the 1983 Ford LTD automobile presently in his possession, titled in his name, and Wife shall be and is divested of any right, title, or interest in and to said vehicle. Husband shall be solely responsible for any indebtednesses and all insurance and/or maintenance associated with said vehicle.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that Wife shall be and is solely responsible for all indebtednesses which appear primarily in her name (except as may be set forth otherwise in this Decree), and she shall hold harmless and indemnify Husband for same. Husband shall be and is solely responsible for all indebtednesses which appear primarily in his name (except as may be set forth otherwise in this Decree), and he shall hold harmless and indemnify Wife for same.

**IT IS FURTHER ORDERED, ADJUDGED and DECREED** that this Final Decree shall serve as a Qualified Domestic Relations Order and either party may present same to the Plan Administrator with regard to any retirement, pension, SEP or 401K Plan provided for the benefit of the parties, it being the express hope that the parties will not be required to sign any additional documents subsequent to the entry of this Final Decree with regard to the Court's findings relative to their respective pension and/or retirement funds. Husband shall be and is vested with, and Wife shall be and is divested of, all right, title, and interest in and to Husband's retirement benefits or pension through his employer, Metropolitan Government of Nashville/Davidson County, Tennessee. Wife shall be and is vested with, and Husband shall be and is divested of, all right, title, and interest in and to Wife's retirement benefits or pension through her employer, the Kroger Company. Each party shall be permitted to name such "alternate payee" upon their respective pension or retirement funds as the party employee shall unilaterally select.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that the current addresses of the parties are as follows:

Leroy Harold Youngs
**P.O. Box 174**
**Old Hickory, TN 37138**

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Sandra Fay Youngs
4672 Lebanon Road, No. 4
Lebanon, TN 37087

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that each of the parties has attended and/or completed the "Children Cope with Divorce" Seminar.

**IT IS FURTHER ORDERED, ADJUDGED, and DECREED** that, unless specifically ordered by the Court, such support shall not be reduced or prorated; nor, shall custody or visitation be modified without the prior express approval of the Court.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that each party shall be and is solely responsible for his/her attorney's fees incurred in this cause, and Husband shall be responsible for all Court costs associated with this cause that now remain due and owing, for all of which let execution issue, if necessary.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that, upon the entry of this Final Decree of Divorce in this cause, any attorney of record shall be released from any further representation of his/her respective client, and shall no longer be held as surety for subsequent court costs.

**ENTERED** this the 9th day of January, 1995.

Marietta M. Shipley
JUDGE

APPROVED FOR ENTRY:

DAVID R. KENNEDY (BPR #5642)
Attorney for Wife
4207 Lebanon Road, Suite 200
Hermitage, Tennessee 37076
PH: (615) 883-4998

GEORGE J. DUZANE (BPR #6461)
Attorney for Husband
One Church Street Bldg. #300
Nashville, TN 37201
PH: (615) 259-1779

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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 SECOND Circuit Court for Davidson County, Tennessee, on the 09 day of JANUARY , 19 95 , in the Case Number 92D445 between YOUNGS, SANDRA FAY BATES Plaintiff, and YOUNGS, LEROY HAROLD Defendant, as same remains of record in Book 157A , Page 229 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 10 day of APRIL in the year one thousand nine hundred and ninety-six and in the 220th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

MAIL ENV.

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IDENTIF. & REFERENCE

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

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LEGIBILITY OF WRITING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED