BOOK 10681 PG 864

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

97 MAY 16 PM 3:50

RICHARD R. ROOT, CLERK

D.C.

CHARLES WAYNE PHILLIPS, JR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Case No. 96D-599**
	)	
JULIA TAYLOR PHILLIPS,	)	
	)	
Defendant.	)	

FINAL DECREE OF DIVORCE

This cause came on to be heard before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, on the 30th day of September, 1996, upon the complaint for Divorce heretofore filed by the plaintiff, default judgment heretofore granted, testimony of plaintiff and his witnesses in open court, the defendant having been duly served a copy of the summons and complaint and appeared in Court, the argument of counsel and the record as a whole from all of which it appears to the Court and the Court finds as follows:

1. This Court has jurisdiction in all necessary particulars in this case.

2. The plaintiff is entitled to an absolute divorce on the grounds that the defendant is guilty of inappropriate marital conduct and the defendant has committed adultery.

3. The plaintiff's address is 1907 Boscobel Street, Nashville, Tennessee 37206.

4. The defendant's address is 316 Greenway, Nashville, Tennessee 37205.

5. The husband shall be awarded all personal property in his possession and any right, title or interest the wife might have in the same shall be divested out of wife and shall be vested into husband.

6. It is in the best interest of the parties' minor children, Margaret Ann Phillips and Elizabeth Phillips, to be in the custody of plaintiff as custodian is a fit and proper person to have custody of said children.

7. The children need and the defendant has the ability to earn income to the extent that the defendant is capable and able to pay child support to the custodial parent in the amount of $95.34 per week plus the clerk's lawful commission of $4.77.

8. Wife should have visitation with the parties' minor children every other weekend from Friday at 6 p.m. until Sunday at 6 p.m., but shall not take the parties' minor children around her paramour or any other inappropriate circumstance.

9. The costs of this cause shall be taxed to the wife.

10. The wife is currently in arrears in payment of her child support in the amount of $286.02 and husband shall be granted a judgment for the same and wife shall pay the same within 30 days.

It is, therefore, ORDERED, ADJUDGED and DECREED as follows:

1. Plaintiff, Charles Wayne Phillips, Jr., is hereby awarded an absolute decree of divorce from defendant, Julia Taylor Phillips, and the parties are restored to all the rights and privileges of unmarried persons.

As to the parties' real property at 1907 Boscobel Street, Nashville, Tennessee, more formally known as:

> Lot No. 130 on the Plan of the Edgefield Land Company's First Subdivision, as of record in Book 57, page 130, Register's Office for said County.
>
> Said Lot No. 130 fronts 50 feet on the northern side of Boscobel Street, formerly Rothchild Avenue, and runs back between parallel lines, 150 feet to an alley.
>
> Being the same property conveyed to Charles W. Phillips, Jr. and wife Julia Plummer Phillips by deed from Carmon Jack Colvin and wife Louise Colvin, Opal R. Colvin and Louise Colvin are one and the same person, as of record in Book 8276, page 809, Register's Office of Davidson County, Tennessee.

All the right, title and interest in the defendant in the same property is divested out of defendant and vested into plaintiff as distribution of the marital property. Husband shall be solely responsible for any indebtedness thereon and shall hold the wife harmless on said indebtedness.

2. The parties have heretofore divided their personal property and neither is to make any claim on the personal property in the possession of the other.

3. Husband shall be and is hereby awarded exclusive care, custody and control of the parties' minor children subject to wife's rights of visitation which shall be every other weekend from Friday at 6 p.m. until Sunday at 6 p.m.

(k) Pursuant to T.C.A. 36-5-101(a)(4)(E)(i), any money paid by the wife to the husband, or anyone directly, and not paid through the Court Clerk will be considered a gift from the wife, and the wife will not receive any credit for said direct payments in calculating whether or not child support arrears exist, regardless of to whom the Clerk is ordered to disburse payments.

6. The wife is hereby restrained and enjoined from coming about husband for the purpose of molesting, harassing or harming husband in any matter whatsoever.

7. All costs in this cause shall be taxed to wife for which execution may issue.

ENTERED this 16th day of May, 1997

Nunc pro tunc June - Oct 11, 1996.

MURIEL ROBINSON, JUDGE

Respectfully submitted,

NATHANIEL H. KOENIG, #10252
Attorney for Plaintiff
Suite 300, 150 Second Avenue North
Nashville, Tennessee 37201-1902
(615) 244-8630

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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been mailed, postage pre-paid by U.S. mail, to Ms. Julia Taylor Phillips, c/o Mr. Rupen Gulbenk, 169 Greenway Park, Nashville, TN 37205 this the 16 day of ~~October~~ May, 1997.

NATHANIEL H. KOENIG

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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 FOURTH Circuit Court for Davidson County, Tennessee, on the 16 day of MAY , 19 97 , in the Case Number 96D599 between PHILLIPS, CHARLES WAYNE JR. Plaintiff, and PHILLIPS, JULIA TAYLOR Defendant, as same remains of record in Book 269A , Page 692 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 12 day of NOVEMBER in the year one thousand nine hundred and ninety-seven and in the 222nd year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By J. Parrish
Deputy Clerk

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DAVIDSON COUNTY, TN.

IDENTIFICATION REFERENCE
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