IN THE SECOND CIRCUIT COURT FOR THE STATE OF TENNESSEE
TWENTIETH JUDICIAL DISTRICT, COUNTY OF DAVIDSON

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D.C.

STEPHANE WIDENER PETTY	)	
	)	
	)	
vs.	)	No. 97D-1302
	)	
	)	
HENRY FRANKLIN PETTY	)	

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 18th day of December, 1997, before The Honorable Marietta Shipley, Judge of the Second Circuit Court for Davidson County, Tennessee, upon the pleadings, the testimony of witnesses in open court and the record as a whole, from all of which the Court duly finds:

1. The Husband was duly served with process and after making an initial appearance at a pendente lite hearing has failed and refused to respond to any pleading or otherwise appear in court.

2. The Court further finds that the Husband has been guilty of inappropriate marital conduct toward the Wife which makes further cohabitation unsafe and improper.

3. The Court further finds that the Husband has left the state of Tennessee and has had no contact with the Wife or the children since that time and has expressed an intent to the Wife that he wishes no further contact with either her or the children.

4. The Court further finds that the parties have two minor children which are the natural children of the Wife and have been adopted by the Husband a number of years prior to this proceeding.

5. The Court further finds that the guidelines support for the children based upon income adduced at the pendente lite hearing is Eight Hundred Thirty Dollars ($830.00) per month.

6. However, the Court further finds that the Mother is entitled to additional support based upon the Father's failure to exercise visitation or otherwise support the children and that the support should therefore be increased above the guidelines and the Father ordered to pay the sum of One Thousand Dollars ($1,000.00) per month by wage assignment, together with the Court's fee of five percent (5%).

7. The Court further finds that the parties own certain real property located at 425 Southwood Drive, Nashville, TN 37217, and that the Husband has departed the state and that any interest the Husband should have in such property should be divested from the Husband and vested in the Wife in fee simply and that the Wife should assume the indebtedness thereon.

8. The Court further finds that the parties have divided their personal property to their satisfaction and that any obligation then existing on any personal property should be assumed by the party who possesses the property and that the other be held harmless for any obligation on the same.

9. The Court further finds that the Wife has had to expend reasonable attorney's fees in the amount of One Thousand, Four Hundred Dollars ($1,400.00) in this matter. It is, therefore,

ORDERED, ADJUDGED AND DECREED:

That the Wife be granted a divorce on grounds of inappropriate marital conduct and the parties be restored to all the rights and privileges of unmarried persons. It is further,

ORDERED by the Court that the Wife be granted custody of the parties' minor children, Brandon Franklin Petty and Justin Ryan Petty, and that the Husband be required to pay child support in the amount of One Thousand Dollars ($1,000.00), together with the Clerk's fee of five percent (5%) or Fifty Dollars ($50.00). Further, that the Husband be required to provide medical insurance for the parties' minor children and any such illness or expense not covered by insurance be divided equally between the parties. It is further,

ORDERED by the Court that any interest the Husband has in the real property located at 425 Southwood Drive, Nashville, Tennessee, and more particularly described as follows:

> BEING Lot No. 1, on the plan of Square One, First Revision, of record in Plat Book 5210, Page 367, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.
>
> BEING the same property conveyed to Henry Petty, Jr., and wife, Stephanie Petty, by Warranty Deed from David H. Clay, and appearing of record in Book 9952, page 231, Register's Office for Davidson County, Tennessee. Stephanie Petty as identified in the deed, being the same person as Stephane Petty.

be and is hereby divested from the Husband and vested in the Wife, Stephane Petty, in fee simple absolute. It is further,

ORDERED by the Court that any property now in the possession of the parties be and is hereby divested from the other and vested in the party in possession, free of all claims of the other., and the party in possession is **ORDERED** to assume and pay and indebtedness on such property and hold the other harmless for the same. It is further,

ORDERED by the Court that the Wife's attorney, James W. Price, Jr., be granted a judgment as reasonable attorney's fees against the Husband, in the sum of One Thousand, Four Hundred Dollars ($1,400.00). It is further,

ORDERED by the Court that an Order of Wage Assignment issue to:

Concepts and Communications
3615 South 28th Street
Phoenix, AZ 85040
TEL: 602/243-7222

directing that the sum of One Thousand Dollars ($1,000.00) be deducted from the Father's paycheck each month, together with the Clerk's lawful commission of five percent (5%), or Fifty Dollars ($50.00), for a total of One Thousand, Fifty Dollars ($1,050.00) and the same be assigned to the Clerk of the Court in accordance with § 36-5-501 T.C.A. and the same be disbursed by the Clerk to:

Ms. Stephane W. Petty
425 Southwood Drive
Nashville, TN 37217

The costs are taxed against the Husband, for which execution may issue.

ENTER this 6 day of ~~December, 1~~JANUARY 1997.

MARIETTA SHIPLEY, JUDGE

APPROVED FOR ENTRY:

James W. Price, Jr., #3538
Attorney for the Wife
Suite 1230
First American Center
Nashville, TN 37238-1230
TEL: 615/244-5772

Mail

CERTIFICATE

I certify that I have placed a true and exact copy of the foregoing Final Decree of Divorce in the United States Mails, postage prepaid, addressed to:

Mr. Henry F. Petty
c/o Concepts and Communications
3615 South 28th Street
Phoenix, AZ 85040

This 23rd day of December, 1997.

James W. Price, Jr.

xc: Client
12/18/97
PETTY.FD

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FELIX Z... DAVIDSON ... RECORDER
...TY, AZ.

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IDENTIFICATION/REFERENCE

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BOOK 10758 PG 875

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 07 day of JANUARY , 19 98 , in the Case Number 97D1302 between PETTY, STEPHANE WIDENER Plaintiff, and PETTY, HENRY FRANKLIN Defendant, as same remains of record in Book 172A , 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 15 day of JANUARY in the year one thousand nine hundred and ninety-eight and in the 222nd year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

