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175A/27

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

FILED
1998 JUL 20 PM 12:10
RICHARD R. ROOKER, CLERK
B Murray D.C.

JOSEPH ROBERT FOSTER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**No. 97D-1374**
	)	
MARIE STEPAN FOSTER,	)	
	)	
Defendant.	)	

FINAL DECREE OF DIVORCE

THIS CAUSE came on to be heard on the 23rd day of March, 1998 upon the Complaint filed by the Plaintiff/Husband, Joseph Robert Foster, and the Answer and Counter-Complaint filed by the Defendant/Wife, Marie Stepan Foster, the record as a whole; based upon subsequent agreement of the parties to allow the Defendant/Wife to stipulate to a divorce pursuant to T.C.A. § 36-4-129. It is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the parties be, and the same are, hereby forever and perpetually dissolved, and that the parties are declared divorced pursuant to T.C.A. § 36-4-129. It is, further,

ORDERED, ADJUDGED and DECREED that the Wife shall be granted sole custody of the parties minor children. It is, further,

ORDERED, ADJUDGED AND DECREED that the Plaintiff, Joseph Robert Foster, shall provide major medical insurance on behalf of the parties minor children. It is, further,

ORDERED, ADJUDGED AND DECREED that the parties will each be responsible for one-half of all medical, dental, orthodontic, optical care, prescriptions and/or any other necessary medical expense that is not paid by insurance. It is, further,

ORDERED, ADJUDGED AND DECREED that the Plaintiff, Joseph Robert Foster, will pay one-half of all private school tuition for the minor children. It is, further,

ORDERED, ADJUDGED AND DECREED that the real property located at 217 Westfield Drive, Nashville, Tennessee 37221 which is titled in the name of the Plaintiff, Joseph Robert Foster, shall be divested out of the Plaintiff and re-invested in the Defendant, Marie Stepan Foster, as the Defendant's sole and separate property. The following is a more complete description of the real property:

A certain Condominium apartment in Davidson County, Tennessee, being Unit No. 217 of the Westfield Condominiums, (formerly The Hamlet) a horizontal property regime, pursuant to plat of record in Book 6250, page 590, and the first revision thereof in Book 6250, page 748, as further shown and described in an amended document of record in Book 6831, page 982, all in the Register's Office for Davidson County, Tennessee, which plat and record thereof are incorporated herein and made a part hereof by reference.

BEING the same property conveyed to Joseph R. Foster by deed from Ronald Van Lankford and wife, Diana S. Lankford, of record in Book 8228, page 128, Register's Office for Davidson County, Tennessee.

It is, further,

ORDERED, ADJUDGED AND DECREED that the Defendant, Marie Stepan Foster, shall be responsible for said indebtness on the real property and hold the Plaintiff harmless from said indebtness. It is, further,

ORDERED, ADJUDGED AND DECREED that the Defendant be awarded all of the remaining household furniture. It is, further,

ORDERED, ADJUDGED AND DECREED that the Defendant be awarded the Chevrolet Blazer which she currently owns and operates. The Plaintiff shall be awarded the 1994 Dodge Caravan and the 1990 Olds Cutlass Calais. It is, further,

ORDERED, ADJUDGED AND DECREED that the Plaintiff, Joseph Robert Foster, is currently receiving social security/disability and that the Defendant, Marie Stepan Foster, shall receive her child support payments directly from social security. It is, further,

ORDERED, ADJUDGED AND DECREED that the Plaintiff, Joseph Robert Foster, shall maintain major medical insurance on behalf of the Defendant, Marie Stepan Foster, until her death or remarriage. It is, further,

ORDERED, ADJUDGED AND DECREED that each of the parties shall be responsible for any debt in his or her name and hold the other party harmless from said indebtness. It is, further,

ORDERED, ADJUDGED AND DECREED that each party shall maintain his or her own bank accounts, free and clear from any interest of the other party. It is, further,

ORDERED, ADJUDGED AND DECREED that the Plaintiff, Joseph Robert Foster, is awarded a judgment in the amount of $1,500.00 against the Defendant. It is, further,

ORDERED, ADJUDGED AND DECREED, upon the Court's own Motion, the Court finds that the parties are ordered that if a dispute arises their first recourse is to attend meditation. It is, further,

ORDERED, ADJUDGED AND DECREED that the Plaintiff, Joseph Robert Foster, will be allowed to install a telephone at the residence of the parties to be placed in the oldest child's room. Mr. Foster shall bear all of the expenses of having said telephone installed, as well as, paying the monthly bill. It is, further,

ORDERED, ADJUDGED AND DECREED that the child support arrearage owed by the Plaintiff, Joseph Robert Foster, is hereby vacated, as it has been satisfied by the award of the parties marital residence to the Defendant, Marie Stepan Foster. It is, further,

ORDERED, ADJUDGED AND DECREED that the Husband shall pay directly to the Wife the sum of One Hundred Dollars per week as child support for the parties' minor children. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have every other weekend visitation with the parties minor children from 6:30 p.m. on Friday evening until 6:30 p.m. on Sunday evening. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have Spring Break visitation in the even years commencing at 6:30 p.m. on the day that school gets out until the following Wednesday evening at 6:30 p.m. The Mother shall have Spring Break visitation from Wednesday evening until school resumes. It is, further,

ORDERED, ADJUDGED AND DECREED that the Mother shall have Spring Break visitation in the odd numbered years from 6:30 p.m. on the day that school gets out until the following Wednesday evening at 6:30 p.m. The Father shall have Spring Break visitation from Wednesday evening until school resumes. It is, further,

ORDERED, ADJUDGED AND DECREED that each of the parties shall have their respective Father's Day or Mother's Day regardless of the scheduled weekend visitation. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have visitation on Memorial Day in the odd numbered years beginning 6:30 p.m. on Friday evening until 6:30 p.m. on Sunday evening. The Mother shall have visitation on Memorial Day in the even numbered years beginning at 6:30 p.m. on Friday evening until 6:30 p.m. on Sunday evening. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have visitation on Fourth of July in the even numbered years from 6:30 p.m. on Friday until 6:30 p.m. on Sunday. The Mother shall have visitation on Fourth of July during the odd numbered years from 6:30 p.m. on Friday until 6:30 p.m. on Sunday. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have visitation on Labor

Day during the odd numbered years from 6:30 p.m. on Friday until 6:30 p.m. on Sunday. The Mother shall have visitation on Labor Day during the even numbered years from 6:30 p.m. on Friday until 6:30 p.m. on Sunday. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father may have two weeks summer visitation with the minor children during their scheduled summer break. The Father must give written notice to the Mother on or before May 15th as to the dates he intends to exercise his scheduled visitation. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have visitation on Thanksgiving during the odd numbered years from Wednesday at 6:30 p.m. until Sunday at 6:30 p.m., and the Mother shall have visitation on Thanksgiving during the even numbered years commencing Wednesday at 6:30 until Sunday at 6:30 p.m. It is, further,

ORDERED, ADJUDGED AND DECREED that the Father shall have visitation for Christmas from 6:30 p.m. the day school is let out until 2:00 p.m. on Christmas Day during the even numbered years, and the Mother shall have from 2:00 p.m. on Christmas Day until the day before the child has to return to school. It is, further,

ORDERED, ADJUDGED AND DECREED that the Mother shall have visitation for Christmas from 6:30 p.m. the day school is let out until 2:00 p.m. on Christmas Day during the odd numbered years, and the Father shall have from 2:00 p.m. on Christmas Day until the day before the child has to return to school. It is, further,

ORDERED, ADJUDGED AND DECREED, Pursuant to the 1997 Public Act, Chapter 351, each party shall be awarded: (a) the right to unimpeded telephone conversations with the minor children at least twice per week at reasonable times and for reasonable duration's; (b) the right to send mail to the minor children which the other parent shall not open or censor; (c) the right to receive notice and relevant information as soon as practicable, but within than 24 hours of any event of hospitalization, major illness, or the death of the minor children; (d) the right to receive directly from the minor children's school upon written notice which includes a current mailing address and upon payment of reasonable costs of duplicating, copies of the minor children's report cards, attendance records, names of teachers, class schedules, standardized test scores, and any other records customarily made available to parents, (e) the right to receive copies of the minor children's medical records directly from the minor children's doctor or other health care provider upon written request which contains a current mailing address and upon payment of reasonable costs of duplication; and (f) the right to be

free of unwarranted derogatory remarks made about him or her or his or her family by the other parent to or in the presence of the minor children. It is, further,

ORDERED, ADJUDGED AND DECREED that each party shall pay his or her own attorneys fees. It is, further,

ORDERED, ADJUDGED AND DECREED that the addresses of the parties are as follows:

Wife:	Husband:
217 Westfield Drive Nashville, TN 37221	7447 Huntwick Trail Nashville, TN 37221

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that costs of this cause are taxed equally to the parties, for all of which let execution issue if necessary.

ENTER this the 20 day of July, 1998.

Marietta M. Shipley
JUDGE MARIETTA SHIPLEY

APPROVED FOR ENTRY:

ROBERT L. JACKSON & ASSOCIATES

By: James Robin McKinney, Jr., No. 16807
Attorney for Marie Stepan Foster
One Washington Square, Suite 103
214 Second Avenue North
Nashville, Tennessee 37201
(615) 256-2602

MAIL ENV.

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IDENTIF. & REFERENCE
98 AUG -5 PM 3:32
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

CERTIFICATE OF SERVICE

I do hereby certify on the 2 day of July, 1998, a true and exact copy of the foregoing document was sent via United States Postal Service, first class, postage prepaid to the following: Mr. Joseph Robert Foster, Pro Se, 7447 Huntwick Trail, Nashville, TN 37221.

James Robin McKinney, Jr.

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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 20 day of JULY , 19 98 , in the Case Number 97D1374 between FOSTER, JOSEPH ROBERT Plaintiff, and FOSTER, MARIA ADELFINN FLORES (STEPAN) Defendant, as same remains of record in Book 175A , Page 27 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 05 day of AUGUST in the year one thousand nine hundred and ninety-eight and in the 223rd year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By B. Rawls
Deputy Clerk