283A/33

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

98 JUN 16 PM 4:20

CLERK

D.C.

TIMOTHY R. HENEGAR,	}	
PLAINTIFF/HUSBAND,	}	
VS	}	CASE NO.: 97D-2323
A. MICH'L (TERRY) HENEGAR,	}	
DEFENDANT/WIFE.	}	BOOK 11448 PG. 942

FINAL DECREE OF DIVORCE

This cause came before the Court on June 8, 1998 upon the Husband's Complaint for Divorce, Answer and Counter Complaint filed by the Wife, personal service, testimony of the Husband and witnesses in open court, statement of counsel, and a review of the entire record, from all of which the Court finds and orders as follows:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED the Husband is hereby granted an absolute divorce from the Wife on the grounds of inappropriate marital conduct, and the parties are restored to all the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Wife's Counter Complaint is dismissed. The Court finds that the Wife was noticed and aware of the trial date but failed to appear, but counsel for the Wife was present.

IT IS FUKTHER ORDERED, ADJUDGED AND DECREED that the Wife is no longer the custodian of the parties' minor daughter, Ryan Henegar, and temporary custody is awarded to the Husband pending return of the parties to Court for a full hearing on child custody.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that child visitation is reserved pending application of the Wife. The Court finds the Wife has interfered with visitation and fled the jurisdiction of the Court with the child.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties' house and lot at 7800 Steeplechase Lane, Nashville, Tennessee, is awarded to the Husband to dispose of. The property is more full described as follows:

> Land in Davidson County, Tennessee, being Lot No. 28 on the Plan of Saddle Ridge, Section II, of record in Book 5200, page 366, Register's Office for Davidson County, Tennessee.
>
> Beginning at a point on the westerly margin of Saddle Ridge Trace, said point being the common corner with Lot 29; thence along the common boundary with said Lot 29 running North 33 degrees 28' 1" East, a distance of 226.24 feet to a point, said point being a

common corner with Lots 29 and 27; thence along the common boundary with Lot 27 running South 76 degrees 29' 45" East, a distance of 219.66 feet to a point, said point being on the eastern margin of Steeplechase Lane; thence along the margin of said Steeplechase Lane, a distance of 283 feet to a point, said point being the beginning of a curve to the right with a radius of 25 feet, a distance of 36.26 feet to a point, said point being on the western margin of Saddle Ridge Trace; thence continuing through said point, a distance of 6.70 feet to a point; thence continuing through said point and along the margin of Saddle Ridge Trace a distance of 200 feet to a point, said point being the point of beginning.

Being the same property conveyed to A. Mich'l Terry-Henegar and Timothy R. Henegar by deed from William M. Moore and Wife, Jana T. Moore of record in Book 10228 page 202, Register's Office for Davidson County, Tennessee;

and, it is further

ORDERED, ADJUDGED, AND DECREED the proceeds from the sale of the parties' house and lot at 7800 Steeplechase Lane, Nashville, Tennessee shall be applied to the joint debts of the parties owed to the following creditors in the approximate amounts: Vanderbilt Credit Union $4,200.00; Suntrust Bank $4,100.00; First Union Bank $5,100.00; Rhodes Furniture $2,600.00; Mohawk, inc. $5,800.00; Nations Credit $5,200.00, and, it is further

ORDERED, ADJUDGED, AND DECREED both parties are equally responsible for any deficiency on the mortgage against the house and lot at 7800 Steeplechase Lane, Nashville, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event the net sale proceeds from the sale of the house does not clear the joint marital debt, the Husband shall pay the following creditors in the approximate amounts: Vanderbilt Credit Union $4,200.00; Suntrust Bank $4,100.00; First Union Bank $5,100.00; Rhodes Furniture Company $2,600.00; Mohawk, Inc. $5,800.00; Nations Credit $5,200.00, and, it is further

ORDERED, ADJUDGED, AND DECREED the Wife shall reimburse the Husband for half the debt, and, it is further

ORDERED, ADJUDGED, AND DECREED the Husband is granted a judgment against the Wife in the amount of $13,500.00 for one-half the joint marital debt, for which execution may issue if necessary, and, it is further

ORDERED, ADJUDGED, AND DECREED the Wife is relieved of her obligation for one-half the marital debt in the event the net sale proceeds from the sale of the parties' house and lot at 7800 Steeplechase Lane, Nashville, Tennessee are sufficient to pay the aforesaid debts in full, or in the event the Husband receives an order in bankruptcy discharging him from the debts,

and, it is further

ORDERED, ADJUDGED, AND DECREED the Husband shall be responsible and hold the Wife harmless for the following debts: Sears $3,800.00; Sears Plus $2,000.00; Lowes $4,000.00; Visa (Advanta) $4,800.00; Visa (National City) $2,400.00; First American Bank $3,200.00.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that starting July 1, 1998 the Wife is ordered to pay child support to the Husband in the amount of Four hundred fifty five ($455.00) Dollars per month plus the clerk's commission of Twenty-two dollars and seventy-five cents ($22.75) by wage assignment or allotment, that the Department of Veteran's Affairs, Regional Office, 110 Ninth Avenue South, Nashville, Tennessee 37203 shall cause to be deducted from any wages, salaries, or other income due the Wife the sum of $455.00 per month, plus the clerk's commission of $22.75, for a total of $477.75 per month and forward said payment to the Circuit Court Clerk for Davidson County, Tennessee, 506 Metropolitan Courthouse, Nashville, Tennessee 37201.

IT IS FURTHER ORDERED that this assignment for child support shall not be used as a basis for discharge of disciplinary action against the Wife; that failure to comply with this Order will result in a judgment being entered against said employer as set forth in Tennessee Code Annotated, section 26-2-209, and, as provided by law, this Court order is binding upon said employer and successor employers fifteen (15) days after receipt and until further Orders of this Court. The Employer shall notify this Court within ten (10) days of any change or termination of the Respondent's employment; and, it is further

ORDERED, ADJUDGED, AND DECREED that the Circuit Court Clerk, after deducting the five (5%) percent fee shall disburse said monthly payment in the amount of $455.00 per month to the Husband, at his home address of 4646 Nolensville Road L-8, Nashville, Tennessee 37211; and, it is further

ORDERED, ADJUDGED, AND DECREED that such child support shall not be prorated or reduced without Court order.

IT IS FURTHER ORDERED, ADJUDGED AND decreed the Husband shall receive his pension clear of any claims of the Wife because she has dissipated the parties' equity in their home.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Husband shall receive the parties' personal property remaining in their home, or in storage, and all personal property in his possession.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Husband's request for damages in tort against the Wife are denied.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Wife is permanently enjoined and restrained from coming around the Husband and his sister, Ramona Henegar, for any reason.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Wife is permanently enjoined and restrained from calling the Husband vile and ugly names in front of the parties' child or any other third party.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED counsel for the Husband, L.G. Burnett, Jr., is awarded an attorney fee in the amount of $750.00, for which execution may issue if necessary.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the costs of this cause are taxed to the Wife, whose last known address is 7800 Steeplechase Lane, Nashville, Tennessee 37221, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED counsel for the Wife, W. Scott Rosenberg, is relieved as attorney of record.

Enter this the 16th day of June 1998.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

L. G. BURNETT, JR., BPR#: 6463
Counsel for Plaintiff/Husband
4800 Charlotte Avenue
Nashville, Tennessee 37209
Phone No.: (615) 279-0007

CERTIFICATE OF SERVICE

I hereby certify a true and exact copy of the foregoing document has been mailed, via U. S. mail, postage prepaid on June 10, 1998 to the following:

W. Scott Rosenberg
Attorney for Wife
214 Second Avenue North, Ste 103
Nashville, Tennessee 37201

L. G. Burnett, Jr.

L. G. BURNETT, JR.

99 APR 27 PM 1:32
BILL GARNETT REGISTER
DAVIDSON COUNTY, TN.
05790017
IDENTIFICATION REFERENCE
26.00
04/27 0101 03CHECK

PICK-UP

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 JUNE , 19 98 , in the Case Number 97D2323 between HENEGAR, TIMOTHY R. Plaintiff, and HENEGAR, A. MICH'L TERRY Defendant, as same remains of record in Vol. 283A , Page 331 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 27 day of APRIL in the year one thousand nine hundred and ninety-nine and in the 223rd year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

