IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
98 OCT 27 PM 2:48
RICHARD R. ROOKER, CLERK
B Murray D.C.

DARREN WHITE,

Plaintiff,

vs.

JACQUELYNN LAVERNE WHITE,

Defendant.

No. 97D 1894

B173 10/04 0101 03CHECK 26.00

FINAL DECREE

This cause came on to be heard on the 31st day of August, 1998, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon the Complaint for Absolute Divorce filed by the Husband, the Answer and Counter Complaint for Absolute Divorce, filed by the Wife, the Husband's Answer to the Wife's Counter Complaint for Divorce, the matter proceeding to trial, statement of counsel for the parties, testimony of the parties, and the entire record in this cause from all of which the Court finds as follows:

1. That the Wife has committed adultery, and her conduct is certainly questionable. There is no proof that the child of the parties was not involved in the misconduct. There is a question of whether the husband condoned the conduct. They have both proved to the Court that they are guilty of temper tantrums, and both have displayed violence and were both at fault for the altercation that happened on May 30, 1997. The Court will award the divorce to Mr. White based on him being the party with the lesser degree of fault, based on the Wife's inappropriate marital conduct and adultery.

2. That because of the violence between the parties in the past, the Court issues a restraining order enjoining both parties from physically or verbally abusing the other.

3. That these parties are fit and proper persons to have custody of the minor child. They both have worked together until they got crossed up. They both have parenting skills. The Court has no reservations about this child being completely with Mr. White or Ms. White. That during the rearing of this child, both parties shared in the parenting of this child when they lived together. It was 50/50. One parent did not do any more than the other. They both have a good relationship with the child. The Court awards the parents joint custody of their minor child. The Father will have custody of the child for six months which will be January 1st through June 30th. The Mother will have custody of the child for six months, which will be July 1st to December

31st. The child will attend school in the father's jurisdiction, so for school purposes, the father's address will be the child's address to get her in school.

4. That the Father will immediately ask his roommate to vacate his house, because there should not be another male in the house when the Father has custody of his child.

5. That the non possessory parent shall have the minor child for visitation from Friday at 6:00 PM until Sunday at 6:00 PM every other weekend. Each week the non possessory parent will have Wednesday visitation from 6:00 PM to 8:00 PM.

6. That the parties will alternate the child's Spring Break, with the Mother having the child in the even numbered years and the Father in the odd numbered years. The parties will alternate the regular holiday schedule as follows: in the even numbered years the Father will have the child one week prior to Christmas until 9:00 PM Christmas Eve, in the odd numbered years the Father shall have Christmas visitation from 9:00 PM Christmas Eve until 6:00 PM New Years Eve. The Father shall have New Year's Day, Memorial Day and Labor Day visitation in even numbered years and the Mother shall have these holidays in odd numbered years. The Father will have holiday visitation with the child on Easter, July 4th, and Thanksgiving in odd numbered years, and the Mother shall have these days holidays in even numbered years. The Father shall have every Father's Day from 8:00 AM until 6:00 PM, and the Mother shall have every Mother's Day from 8:00 AM until 6:00 PM. The visiting parent shall have the child from 6:00 PM on the eve of all Holidays until 8:00 PM the holiday evening, with the exception of the Christmas schedule at stated above. Holiday visitation will preempt the regular every other weekend visitation schedule.

7. That the Father will furnish the health insurance and pay one half of the expenses not covered the insurance, and the Wife will be responsible for paying one half of the expenses not covered by insurance.

8. That the mother shall be enjoined and restrained from having the minor child around any third party in any inappropriate circumstance.

9. That when the Father has custody of the minor child from January 1st through June 30th each year, the Mother shall pay child support according to the current guidelines in effect by wage assignment through the Clerk of the Court in the amount of $475.00 per month, plus the clerk's lawful 5% commission of $23.75 for a total monthly payment of $498.75.

The Clerk of the Circuit Court shall forward a copy of this Order to the Wife's employer:

Blue Cross Blue Shield
3200 West End Avenue
Nashville, Tennessee 37204

Upon receipt of the Order, the Wife's employer shall withhold $498.75 per month for the months of January through June each year from wages of Jacquelynn White and forward said sums to

Richard R. Rooker
Clerk of the Circuit Court
506 Metro Courthouse
Nashville, Tennessee 37201

Upon receipt, the clerk shall withhold its lawful 5% commission and forward the balance to:

Darren White
4035 Havendale Drive
Nashville, Tennessee 37207

10. That when the Mother has custody of the minor child from July 1 through December 31 each year, the Father will pay child support according to the current guidelines in effect by wage assignment through the Clerk of the Court in the amount of $776.00 per month, plus the clerk's lawful 5% commission of $38.80 for a total monthly payment of $814.80.

The Clerk of the Circuit Court shall forward a copy of this Order to the Husband's employer:

Metropolitan Government of Nashville and Davidson County, Tennessee
Metropolitan Nashville General Hospital
1818 Albion Street
Nashville, Tennessee 37208

Upon receipt of the Order, the Husband's employer shall withhold $814.80 per month for the months of July through December each year from the wages of Darren White and forward said sums to:

Richard R. Rooker
Clerk of the Circuit Court
506 Metro Courthouse
Nashville, Tennessee 37201

Upon receipt the clerk shall withhold its lawful 5% commission and forward the balance of:

Jacquelynn White
1497 Nesbitt Lane
Nashville, Tennessee

11. That the Husband shall pay to the Wife $1750.00 which is one-half of this $3500.00 disposition of the boat and car. The Wife is entitled to a judgment for $1750 for which execution may issue, if necessary.

12. That all right, title and interest in the homeplace located at 1045 Havendale Drive, Nashville, Davidson County, Tennessee is hereby divested out of the Wife and vested solely in the Husband. There is no substantial proof that Mrs. White did anything to enhance the house. Mr. White shall be responsible for the outstanding mortgage on the home, holding the wife harmless from the same. Said legal description of the property is as follow:

Land in the 11th Metropolitan Councilmanic District (Formerly 10th Civil District), in Nashville, Davidson County, Tennessee, being Lot No. 151 on the Plan of Dalemere Subdivision, Section 7, as of record in Book 3700, page 123, Register's Office for said County.

Beginning at a concrete monument in the easterly margin of Havendale Drive 155 feet south of the intersection of Dalemere Drive; thence south 88 degrees 00' 20" east 273 feet to a concrete monument; thence south 32 degrees 19' east 87.64 feet to an iron pin; thence south 49 degrees 43' west 235.81 feet to an iron pin in the southerly margin of Havendale Drive; thence northerly with said margin of said drive 22 feet to and through a concrete monument, and continuing 234.95 feet to the point of beginning.

Being the same property conveyed unto James O. Miller, Sr., and wife, Rachel F. Miller By Quitclaim Deed being recorded simultaneously herewith in the Register's Office for Davidson County, Tennessee.

This conveyance is made subject to restrictions of record in Book 4132, page 609 and 610; and easements, setback lines, conditions of owner's certificate, etc., as shown on plan of record in Book 3700, page 123, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to DARREN WHITE and wife, JACQUELYN D. WHITE by deed of record in Book 9291 Page 529, Register's Office for Davidson County, Tennessee.

13. That each party shall be awarded their automobile free and clear from the other. The Wife will receive the 1995 Mazda Millennium, and she will be responsible for the outstanding indebtedness owing thereon, holding the husband harmless thereon. The Husband shall receive the 1992 Ford Explorer, and he shall be responsible for the debt owing thereon, holding the Wife harmless thereon.

14. That the Husband shall be responsible for the outstanding indebtedness owing on the following credit cards: VISA, Discover, Sears, MasterCard, and the Husband's school loans, holding the Wife harmless thereon.

15. That the Wife shall be responsible for the outstanding indebtedness owing on the Dillards, Texaco, and Pier 1 accounts, holding the Husband harmless from the same.

16. That upon announcement, the attorney for the Wife, entered a Voluntary Non-Suit to the personal injury claim of the Wife, and the same will be entered.

17. That each party shall receive their personal property and household furniture and

furnishings in their respective possession free and clear from the other, with the exception of three items located in the marital home: television, desk, and dining room table and chairs. The parties will agree on the division of these items or the Court will order them sold.

18. That the Wife will be awarded one half of the Husband's LifeTimes Savings and Retirement Program with Columbia/HCA Healthcare Corporation as of August 31, 1998, and the parties will enter a subsequent QDRO, if necessary to effectuate this transfer.

19. That each party shall be responsible for their respective attorneys fees and the costs shall be taxed equally between the parties.

20. The current address of the Mother is 1497 Nesbitt Lane, Nashville, Tennessee, and the current address of the Father is 4035 Havendale Drive, Nashville, Tennessee 37207.

BE IT SO ORDERED, This the 27th day of October, 1998.

JUDGE MURIEL ROBINSON

Approved for Entry;

WALKER AND ASSOCIATES

BY: Mark Walker
MARK WALKER
Attorney for Mr. White

606 North Main St.
Goodlettsville, TN .37072
(615) 851-5775
BPR No. 12288

PICK-UP

RECORDED
DAVIDSON COUNTY REGISTER
NASHVILLE, TN.
98 OCT -4 AM 9:51
CROSS REFERENCE
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been forwarded to Mr. J. Robin McKinney, Jr., Attorney for Ms. White, One Washington Square, Suite 103, 214 2nd Avenue North, Nashville, Tennessee 37201, on this the 15 day of October, 1998.

BY: Mark Walker
MARK WALKER

STATE OF TENNESSEE BOOK 11686 PAGE 636

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 27 day of OCTOBER , 19 98 , in the Case Number 97D1894 between WHITE, DARREN (NMI) Plaintiff, and WHITE, JACQUELYNN LAVERNE Defendant, as same remains of record in Vol. 349 , Page 64025 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 04 day of OCTOBER in the year one thousand nine hundred and ninety-nine and in the 224th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk