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RICHARD R. ROOKER, CLERK

D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JUNE DENISE BROOKS,
Plaintiff/Wife,

v.

VALLIE CARLTON BROOKS, JR.,
Defendant/Husband.

Docket No. 06D-2370

FINAL DECREE OF DIVORCE

This cause came on to be heard on November 14, 2007, before the Honorable Muriel J. Robinson, Circuit Judge, upon the pleadings, statements of counsel, the testimony of the parties and their witnesses in open court, the exhibits, and the entire record herein. From all of the above, the Court holds and ORDERS as follows:

1. The parties are hereby declared ~~to be~~ divorced pursuant to T.C.A. §36-4-129(b).

2. It is ORDERED that the parties shall have joint and equal parenting time with the minor children, Val C. Brooks, III ("Trey") and Samuel Brooks. Both parties shall be designated as primary custodial parents. The parties shall exchange possession of the minor children at an agreed time each week such that Father shall have parenting time with the children for a period of seven days followed by Mother's having parenting time with the minor children for seven days thereafter, and alternating from week to week thereafter. The parenting plan is attached hereto, setting forth the details of the parenting time.

3. The marital residence at 4202 Estes Avenue, Nashville, Tennessee 37215 is already on the market to be sold. It is ORDERED that the *pendente lite* order previously entered March 22, 2007, shall remain in effect until the sale of the marital residence, and the *pendente lite* order shall cease at the time of sale of the marital residence. Both parties shall be permitted to remain in the marital residence pending sale. During this time pending sale Husband shall continue to pay support of $300.00 per week to Wife and shall be responsible for paying the first

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mortgage, the home equity line of credit, the utilities, and the other expenses and bills previously ordered in the previous March 22 order. During this time pending sale Wife shall be responsible for paying the items previously ordered for her to pay in the March 22, 2007 order. It is further ORDERED that at the time of closing the sale of the house, the amounts paid by Husband for the first mortgage and the home equity line of credit during the post-trial period shall be shared equally by the parties, and Husband shall therefore receive back from Wife's portion of the proceeds of sale any amounts greater than his one-half share of the payments made on the two mortgages paid by him during the post-trial period until the closing.

4. It is ORDERED that the following debts shall be paid at closing out of the proceeds of the sale of the marital residence before dividing the equity into two equal shares: the remaining balance owed on the parties' 2005 joint income tax return (approximately $3060), the taxes due the IRS on the joint 2006 tax return, both parties' joint or individual 2007 tax returns (not yet filed), the dental and orthodontic bills for both minor children, the new HVAC compressor for the marital residence, and the Discover Credit Card bill in the amount of approximately $6,500.00. Wife is ordered to sign the 2006 joint federal income tax return.

5. It is ORDERED that the proceeds of the sale of the marital residence, after subtracting the above debts and expenses, shall be divided equally between the parties. Wife's attorney, Karla C. Hewitt, is hereby awarded a lien against Wife's one-half interest in the marital residence for attorney's fees pursuant to T.C.A. §23-2-102 in the amount of $11,597. Husband's attorney, George E. Copple, Jr., is hereby awarded a lien against Husband's one-half interest in the marital residence for attorney's fees pursuant to T.C.A. §23-2-102 in the amount of $14,289.15. After satisfaction of these liens, the costs of sale, and all of the above-enumerated debts, the remaining net proceeds shall be paid to the parties. Husband shall be responsible for

repaying to his father, Val C. Brooks, Sr., any loans previously made by him to Husband or to the parties. Both parties are enjoined and restrained from making any further charges on the credit of the other.

6. It is ORDERED that Husband shall pay to Wife child support pursuant to the parenting plan and the attached income shares worksheets beginning on the first day of the month after the closing of the sale of the marital residence. The parenting plan and child support worksheets are hereby incorporated herein and made an order of the Court for all purposes. Each party shall be entitled to claim one child for federal income tax exemption purposes on his and her federal income tax returns.

7. It is further ORDERED that Husband shall pay transitional alimony to Wife for a period of two years in the amount of $750.00 per month. The payments shall begin on the first day of the month after the closing of the sale of the marital residence. The transitional alimony shall terminate upon the remarriage of the Wife.

8. The parties have already agreed to a division of their furniture, the contents of the home, and personal property. The Court hereby approves this property division and hereby ORDERS the division of personal property agreed to by the parties. Husband shall retain his shutter installation business, d/b/a/ The Brooks Group, and his 2004 Silverado pickup truck. Wife shall retain her 2003 Volvo S80 automobile. Both parties shall pay and hold the other party harmless from the indebtedness on these vehicles. The parties are ordered not to incur any joint debt hereafter.

9. It is ORDERED that Wife, June Denise Brooks, is hereby enjoined and restrained from drinking alcohol or using any narcotic drugs prior to or while driving a vehicle containing the minor children, from becoming impaired or intoxicated by alcohol or narcotic drugs while exercising custody of the minor children, and from any use of illegal narcotic drugs on any

occasion. It is further ORDERED that Husband, Val C. Brooks, Jr., is hereby enjoined and restrained from drinking alcohol or using any narcotic drugs prior to or while driving a vehicle containing the minor children, from becoming impaired or intoxicated by alcohol or narcotic drugs while exercising custody of the minor children, and from any use of illegal narcotic drugs on any occasion.

10. The court costs are taxed equally to the parties.

IT IS SO ORDERED.

Honorable Muriel J. Robinson, Circuit Judge

APPROVED FOR ENTRY:

George E. Copple, Jr. (#6411)
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Attorney for Husband

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Telephone: (615) 391-4200
Attorney for Wife

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 17 day of DECEMBER , 2007 , in the Case Number 06D2370 between BROOKS, JUNE DENISE Plaintiff, and BROOKS, VALLIE CARLTON JR Defendant, as same remains of record in 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 20 day of MAY in the year two thousand eight and in the 231st year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk