12-7-85

IN THE CHANCERY COURT FOR WILSON COUNTY, TENNESSEE

ENTD DEC 12 1985 2:25p.m.

Entered in Minute Book 97, page 103. this 12 day of Dec, 1985

ALICE JANE CROMARTIE, Petitioner,	)	
V.	)	NO. 5490
ABRAHAM CROMARTIE, III, Defendant.	)	

BILL GARRETT, Davidson County
Trans:T20150037650 ORDER
Recvd: 05/14/15 15:20 6 pgs
Fees:32.00 Taxes:0.00
20150514-0044559

ORDER

This cause came to be heard on the 18th day of November, 1985, before the Honorable Edward Turner, Chancellor of the Chancery Court for Wilson County, Tennessee, upon the Petition for Contempt and Other Relief, the Answer and Counter-Claim, testimony of the parties, statement of counsel, and the entire record, from all of which the Court made a Finding of Fact dated November 18, 1985, which finding was transcribed and upon its filing shall be a part of the official record. A copy of the Finding of Fact is attached hereto and incorporated fully by reference.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that Abraham Cromartie, III shall pay to the Clerk and Master the sum of Six Hundred Seventy Six and 00/100 Dollars ($676) as child support and one-half of the house note, plus the Clerk's lawful commission of Thirty Three Dollars and 80/100 ($33.80), for a total of Seven Hundred Nine Dollars and 80/100 ($709.80). The Clerk and Master shall immediately forward said payment to Alice Jane Cromartie.

IT IS FURTHER ORDERED that in the event that any monthly payment due by the Defendant at the office of the Clerk and Master becomes delinquent more than 30 days, an Order of wage assignment as set forth below shall be enforced.

A wage assignment, if necessary, shall be filed pursuant to Tennessee Code Annotated § 50-2-105.
In such event, the Defendant's employer, The Owen Company,

a/k/a The Owen Health Care Company, Personnel Department, 9800 Centre Parkway, Suite 1100, Houston, Texas, 77036, shall be ordered to deduct payment from any wages, salary or other income due the Defendant, Abraham Cromartie, III.

In the event that the Defendant fails to pay the Clerk and Master as set out above, it is ORDERED that the Clerk upon the application of the obligee parent and Master shall issue a wage assignment to the Defendant's employer, The Owen Company, a/k/a The Owen Health Care Company, which company shall deduct from any wages, salary or other income due the Defendant, Abraham Cromartie, III, the sum of Six Hundred Seventy Six Dollars ($676) plus the Clerk and Master's five percent (5%) lawful commission of Thirty Three Dollars and 80/100 ($33.80) as regular child support payments and one-half of the house note for a total payment of Seven Hundred Nine Dollars and 80/100 ($709.80) per month, beginning with the wages due him after receiving the wage assignment, and continuing until further orders of this Court. Said payment shall be made to the Clerk and Master, Wilson County Chancery Court, Wilson County Courthouse, Lebanon, Tennessee, 37087, and checks shall be made payable to Mr. Perry Johnson, Clerk and Master, showing the style of the case as follows: Alice Jane Cromartie v. Abraham Cromartie, III, Docket No. 5490, and the Clerk and Master shall disburse said payments to Alice Jane Cromartie, P. O. Box 140803, Donelson, Tennessee 37214.

IT IS FURTHER ORDERED that this assignment, if necessary, should not be used as a basis for discharge or disciplinary action against the Defendant, Abraham Cromartie, III; that failure to comply with this Order shall result in a judgment being entered against said employer and successor employers 15 days after receipt and until further orders of this Court.

IT IS FURTHER ORDERED that the Defendant, Abraham

Cromartie, III, shall inform the Court of the names and addresses of any new employers within 30 days after such a change; further, the Defendant, Abraham Cromartie, III, should inform the Court of any change in his personal residence within 30 days after such a change.

The Court finds that the current addresses of both parties are as follows:

Abraham Cromartie, III - 921 - 24th Avenue, North, Nashville, TN 37208

Alice Jane Cromartie - 388 Green Harbor Drive, Old Hickory, TN 37138.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Defendant shall be and is hereby awarded specific visitation with the parties' minor children on the first and third weekends of each month, from Friday at 6:00 p.m. until Monday at 7:00 a.m., or whenever necessary on Monday to return each child back to school in time for the beginning of classes. In the event that the Defendant will not exercise such visitation, he shall give the Plaintiff 24 hours notice and shall be required to make proper arrangements to convey the children back and forth from school to his home. In addition to this monthly visitation, the Defendant is granted four (4) weeks of visitation in the summer months, to begin two (2) weeks after the school year terminates, and this four (4) week visitation shall be separated by a two (2) week period during which the children shall return to the Plaintiff and thereafter shall complete the visitation with the Defendant for the remaining two (2) week period.

IT IS FURTHER ORDERED that the Defendant shall pay to the Plaintiff the sum of Two Thousand Dollars ($2,000), that amount equal to one-half (1/2) of the necessary repairs. This amount of Two Thousand Dollars ($2,000) is reduced to a judgment in favor of the Plaintiff to bear interest at 10% from

the date of this Order and shall become a lien against his interest in the real estate which the parties own as tenants in common at 388 Green Harbor Drive, Old Hickory, Tennessee, more fully described as follows:

> Being Lot No. 8 on the plan of Green Harbor, Parts 1 and 2, of record in Book 2, page 161, Register's Office for Wilson County, Tennessee. Said Lot No. 8 fronts 100 feet on Green Harbor Drive and runs back between parallel lines 225 feet to a line in the rear which measures 100 feet thereon.
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> Being the same property conveyed from Clyde A. Cartwright, Jr., et ux., Virginia L. Cartwright, to Abraham Cromartie, III and Alice J. Cromartie, noted in Book 17, page 77, recorded in Deed Book 213, page 310, Register's Office for Wilson County, Tennessee, on the 13th of August, 1971.

Execution of this judgment shall be barred for a period of one (1) year from the date of this Order.

IT IS FURTHER ORDERED that the Plaintiff shall give the Defendant two days' notice of any needed repairs to the property located at 388 Green Harbor Drive, Old Hickory, Tennessee, in order that the Defendant can inspect the premises and determine the need or the proper method to make the repairs at the most reasonable cost. This forty-eight (48) hour notice does not apply to emergencies, although notice will be given as soon as humanly possible. The Defendant shall also be allowed a reasonable time to inspect the house in order to see if the house is being properly maintained and this inspection time is in addition to observing repairs. Likewise, he shall be required to give two days' notice when he intends to inspect the premises. Upon receiving notice of the need for repairs, the Defendant shall have forty-eight (48) hours to inspect the premises as set out above and to take appropriate action.

IT IS FURTHER ORDERED that the Defendant shall be returned the baby rocking chair.

IT IS FURTHER ORDERED that the Defendant shall be and is hereby divested of all right, title and interest which he

may have to the real property located at 1810 Cephas Street, Nashville, Tennessee, and said property shall be conveyed solely to the Plaintiff, Alice Jane Cromartie, subject to any outstanding indebtedness, including back taxes, more fully described as follows:

> Being the northerly 37 feet and 4 inches of Lot No. 4 in Cephas Woodard's Subdivision of Lots 5 and 6, Woodard Property, a plan of which is of record in Plan Book 161, page 174.
>
> Said part of said Lot No. 4 fronts 37 feet and 4 inches on the east side of Cephas Avenue, and extends back eastwardly between parallel lines, 115 feet to an alley 12 feet wide; and shows 37 feet and 4 inches on said alley.
>
> Being the same property conveyed to Abraham Cromartie, III and wife, Alice D. Cromartie, by deed from Leon A. Deaderick and wife, Lelia M. Deaderick, of record in Book 4700, page 89, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED that Carol L. McCoy shall be and is hereby entitled to judgment against the Defendant in the amount of Four Hundred Dollars ($400) as her reasonable attorney's fees, for which execution may issue, if necessary.

IT IS FURTHER ORDERED that the Defendant shall be liable for all costs incurred in this cause, for which execution may issue if necessary, with the cost deposit to apply until collected.

ENTERED this 11th day of December, 1985.

Edward M. Turner
CHANCELLOR EDWARD TURNER

APPROVED FOR ENTRY:

Carol L. McCoy 12-5-85

CAROL L. McCOY
Attorney for Plaintiff
1128 J. C. Bradford Building
P. O. Box 2726
Nashville, TN 37219
(615) 256-8125

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of this pleading has been served upon counsel of record for Defendant, J. Stephen Brown, 225 East Market Street, P. O. Box 792, Lebanon, TN 37087, by placing same in the United States mail addressed to said counsel, this 5th day of December, 1985.

Carol L. McCoy

CHANCERY COURT OF WILSON COUNTY TENN. LEBANON

STATE OF TENN.
COUNTY OF WILSON
I hereby certify the foregoing to be a true and perfect copy originial instrument on file in this case.
10th day of November 1988.
Deputy Clerk

Filed for record Nov. 10 1988
at 2:16 O'Clock P M.
Noted in Note Book 25 Page # 185
Recorded in Deed Book # 412 Page # 642
In Register's office for
Wilson County, Tennessee.
On this 10 day of Nov. 1988
Margie Trice, Register
By: _____, Dep. Reg.

State Tax	$_____
Fee	$ .50
Recording Fee	$ 24.00
Total	$ 24.00
Receipt No.	2687

MARGIE L. TRICE
REGISTER OF DEEDS
WILSON CO. TENN.
By _____
Deputy