Map 165 par. 64
" " " 64.1

BOOK 4363 PAGE 431

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

ELMER E. McBRIDE,
Complainant &
Cross-Defendant

VS.

COLLEEN KEATON McBRIDE,
Defendant &
Cross-Complainant

NO: 52935

FINAL DECREE

This cause came on to be heard this 15th day of July, 1969, before the Honorable Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee, upon the original Bill filed by the complainant, the answer and cross bill of the defendant, the answer of the cross-defendant, and the entire record. After testimony of the complainant it appeared that the parties reached a property settlement and child custody agreement and the original complainant moved to dismiss his own original bill which the Court was pleased to do. The defendant and cross-complainant, Colleen Keaton McBride then testified along with her corroborating witnesses and the Court found from the proof that the allegations of the cross bill are fully sustained by the proof. In that the cross-defendant Elmer McBride has been guilty of such cruel and inhuman treatment as renders continued cohabitation unsafe and improper, and the cross-complainant, Colleen Keaton McBride is granted an absolute divorce. Counsel for the parties then stated for the Court the property settlement agreement between the parties which is to be set out in this decree verbatim and the Court hereby expressly approves the said agreement.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the cross-complainant, Colleen Keaton McBride be and is hereby granted an absolute divorce from the cross-defendant, Elmer E. McBride, upon the grounds of cruel and inhuman treatment and the cross-complainant, Colleen Keaton McBride is restored to all the rights and privileges of an unmarried person.

IT IS, FURTHER, ORDERED, ADJUDGED AND DECREED that the following property settlement agreement, which agreement was announced in open Court, be and is hereby made the decree of this Court, which agreement is as follows:

The wife, Colleen Keaton McBride shall have the custody, care and control of the minor child of the parties, Pattie Sue McBride, with the husband, Elmer E. McBride having visitation privileges at reasonable times and places.

Any interest of the husband, Elmer E. McBride in two bed room suits, one dining room set, one early American sofa, and one washer and dryer, which is in the possession of the wife, Colleen Keaton McBride, shall become the sole property of the wife, and the interest of the husband is hereby divested from him and vested in Colleen Keaton McBride.

The husband, Elmer E. McBride, will pay Twenty Dollars ($20.00) as support for the first two weeks of July to the wife which shall be paid on or before July 25, 1969.

Both the husband and wife own a parcel of real estate which has residences located thereon as tenants by the entirety and it is agreed by and between each of them that this real property shall be owned by the wife, Colleen Keaton McBride for her life so that she has a life estate in the real property including both residences and the vested remainder shall go to the three children, Pattie Sue McBride, Charles Elmer McBride, and Barbara Ann Cole, equally share and share alike. A description of this real property is as follows:

> "A tract of land in the 4th District of Davidson County, Tennessee, formerly the 2nd District of Rutherford County, Tennessee, and bounded on the north by John Griffin, on the west by William J. Waldren, on the south by W. H. House, and on the east by John Griffin, and contains two acres more or less. Except this does not include a portion of this property which has been deeded to Estel R. Hill and wife, Elsie P. Hill as found in Book 3534, page 541, which excluded property from the above description is as follows:

"Beginning at a common corner of Lavergne-Couchville Pike and Old County Road; thence S 56°30' E 166.85 feet to a point; thence S 32° 07' W 95.0 feet to a point; thence S 37° 47' West 142.3 feet to a point; thence N 1° 39' E 113.03 feet to a point; thence 39°N 05' W 128.0 feet to a point; thence N 46°17' E 105.15 feet to the point of beginning.

Being a part of the same property conveyed to Elmer E. McBride and wife, Colleen McBride by deed of record in Book 2960, page 187 Register's Office for Davidson County, Tennessee."

It is agreed by both Elmer E. McBride and his wife, Colleen Keaton McBride that the title to this property shall be held by Mrs. Colleen Keaton McBride, having a life estate and the vested remainder to Pattie Sue McBride, Charles Elmer McBride, and Barbara Ann Cole, equally, and that the interest of Elmer E. McBride be and is hereby divested from him and vested in his wife and three children.

In exchange for the conveyance of real property by the husband, Elmer E. McBride, the wife agrees to provide all of the necessary support for the minor child, Pattie Sue McBride, which she has custody of.

The husband agrees to pay off any and all indebtedness which exists upon the real property herein described as his sole obligation.

IT IS, ACCORDINGLY ORDERED, ADJUDGED AND DECREED that the interest and ownership of the defendant Elmer E. Mcbride in the herein described real property be and is hereby divested from him and transfered and re-invested in the complainant, Colleen Keaton McBride, for her life and the remainder to Pattie Sue McBride, Charles Elmer McBride and Barbara Ann Cole, equally as tenants in common.

IT IS, FURTHER ORDERED,ADJUDGED AND DECREED that the defendant, Elmer E.McBride, shall pay up any and all indebtedness which exists upon and against this real property herein described as his sole obligation.

IT IS, FURTHER, ORDERED, ADJUDGED AND DECREED that the Honorable John W. Nolan, III have and recover a judgment against the cross-defendant, Elmer E. McBride in the amount of Three Hundred, Fifty ($350.00) Dollars as a final attorney fee for the valuable services rendered to the cross-complainant in this cause, for which an execution may issue if necessary.

IT IS, FURTHER, ORDERED, ADJUDGED AN DECREED that the costs of this cause be and are hereby adjudged and taxed against the cross-defendant, Elmer E. McBride for which an execution may issue if necessary.

S/ S Sutton Sutton
JUDGE

APPROVED FOR ENTRY:

Attorney for Complainant, Elmer E. McBride

Attorney for Defendant, Colleen Keaton McBride

A 53416

IDENTIF. REFERENCE

SEP 9 12 59 PM '69

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

SEP-9 MISC A* 7.50 * 7.50

#52935 M.S 143/475 7-15-69

STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a* ~~correct~~ true copy *transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Edmund E McBride *Plaintiff, and* Colleen Keaton McBride *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 28 *day of* August *in the year one thousand nine hundred and* 69 *and in the* 194 *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Nellie Byrn *D. C.*