BOOK 4524 PAGE 273

MARY FOY SWEANEY HEARD	]	IN THE PROBATE COURT OF
VS.	]	DAVIDSON COUNTY, TENNESSEE
THOMAS HOYTE HEARD	]	No. 60959

FINAL DECREE

M.B. 133-13 Pg 13

JUL 29 1971 MISC A* 6.00 * 6.00

This cause came on to be heard on this Monday, June 7, 1971, before the Honorable Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee, upon a Petition for Separate Maintenance, an Amended and Supplemental Petition for Absolute Divorce heretofore filed by the complainant and the Answer thereto filed by the defendant; it having been announced to the Court that the same would be heard on an uncontested basis on the original Petition and the amended and supplemental petition. After having heard testimony of witnesses in open Court, argument of counsel and from the entire record in the cause, the Court was of the opinion that the petition was well taken; that is to say, that the defendant had been guilty of such cruel and inhuman treatment and conduct towards the complainant as to render further cohabitation unsafe and improper for her to remaind under his dominion and control.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the complainant, Mary Foy Sweaney Heard, be, and she is hereby awarded an abeolute divorce from the defendant, Thomas Hoyte Heard, and she is restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the complainant is to have the exclusive care, custody and control of the minor children of the parties, to wit: Thomas Michael Heard and Stephen Foy Heard, iwth the defendant to have visitation rights at reasonable times and places.

It is further ORDERED by the Court that the defendant will pay to the complainant, as child support, the sum of $50.00 per week; the same to be paid to the Office of the Circuit Court Clerk of Davidson County, Tennessee, and the first of said payments to be paid on or before June 11, 1971.

It is further ORDERED by the Court that all right, title and interest the defendant have in and to the homeplace of the parties at 608 Dunston Drive and more particularly described as follows:

> Being Lot No. 659 on the Plan of Caldwell Hall, Section VII, as of record in Book 3300 Page 19, Register's Office for said County, as follows:
>
> Said Lot No. 659 fronts 80 feet on the north side of Dunston Drive and extends back 155.1 feet on the west line and 159.2 feet on the east line to a dead line in the rear on which it measures 80.2 feet.
>
> Being the same property conveyed to Michael V. Holmes and wife, Patricia R. Holmes by deed of record in Book 3572, page 281, said Register's Office.

be, and the same is hereby divested out of the defendant and vested in the complainant in fee. The complainant is to assume the balance of the mortgage on the property and the defendant is to pay the transfer costs involved.

It is further ORDERED by the Court that all right, title and interest the defendant have in and to the household furnishings located in the homeplace be divested out the defendant and vested in the complainant in fee.

It is further ORDERED by the Court that the defendant is to maintain in full force and effect a life insurance policy on his life in the amount of $25,000.00 with his wife as the beneficiary on the same; said sum to be payable at the rate of $50.00 per week in lieu of child support in the event of the defendant's death.

It is further ORDERED by the Court that the defendant is to assume the obligation of providing the children with a college education.

It is further ORDERED by the Court that the defendant is to pay all hospital, medical and dental expenses of the minor children of the parties.

It is further ORDERED by the Court that the defendant is to pay to the complainant the sum of $500.00 as alimony for which let execution issue if necessary.

It is further ORDERED by the Court that all right, title and interest the complainant have in and to the 1929 Chevrolet automobile of the parties be divested out of the complainant and vested in the defendant in fee.

It is further ORDERED by the Court that the defendant is to pay to Seth Norman, attorney for complainant, attorney's fees in the amount of $300.00 for which let execution issue if necessary.

The defendant will pay the costs of this cause for which let execution issue if necessary.

APPROVED FOR ENTRY:

Seth Norman

Seth Norman, Atty. for Complainant

John W. Kelley, Atty. for Deft.

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DAVIDSON COUNTY, TENN.

IDENTIF. REFERENCE

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I certify that I have mailed a copy of this Decree to Mr. John W. Kelley, attorney for defendant, Third National Bank Building, Nashville, Tennessee, this 14th day of June, 1971.

Seth Norman

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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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Mary Foy Sweaney Heard *Plaintiff, and* Thomas Hoyte Heard *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* 29th *day of* July *in the year one thousand nine hundred and* seventy-one *and in the* 196th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Nancy Edwards, *D. C.*