BOOK 4599 PAGE 732

CLARA NIXON WINTERS) IN THE PROBATE COURT OF

VS.) DAVIDSON COUNTY, TENNESSEE

BENJAMIN WINTERS) NO. 64220 Map 63-8 Map 64-5 Par. 17 Par. 16 pt'd pt'd

DECREE

This cause came on for hearing April 4, 1972, before Honorable Shelton Luton, Judge, Probate Court, Davidson County, Tennessee, upon the original bill filed by the complainant, answer and cross-bill filed by the defendant and cross-complainant and answer thereto, testimony of witnesses heard in open Court, statement of counsel and upon the entire record. From all of which the Court finds that the allegations in the cross-bill are not sustained by the proof and therefore the same should stand forthwith dismissed, however, the allegations in the original bill are fully sustained by the proof, that is, that the defendant, Benjamin Winters, is guilty of such cruel and inhuman treatment towards the complainant as renders further cohabitation unsafe and improper for her to remain under his dominion and control. The Court further finds that even though the complainant prayed for a divorce from bed and board that an absolute divorce should be granted in this cause;

MAY-9[illegible] MISC A* 6.00 * [illegible]

It is therefore ORDERED and DECREED that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby dissolved, and the complainant, Clara Nixon Winters, is awarded an absolute divorce from the defendant, and cross-complainant, Benjamin Winters, and she is restored to all the rights and privileges of an unmarried person.

It is further ORDERED and DECREED that the cross-bill as filed by the defendant and cross-complainant, Benjamin Winters, be and the same is hereby dismissed.

It is further ORDERED and DECREED by the Court that all the right, title and interest that the defendant has in and to the following described property be and the same is divested from the defendant and vested in the complainant, Clara Nixon Winters:

> Land in Davidson County, State of Tennessee, being Lots Nos. 3 and 5 in Block "P" on the map of the Hadley Bend City Subdivision, which plan is of record in Book 421, page 120 Register's Office for Davidson County, Tennessee.

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RECORDER'S MEMO
Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received.

Said Lots Nos. 3 and 5 adjoin and front together 75 feet on the easterly side of Hadley Pond Boulevard and run back 220 feet on the southwesterly side of Lot No. 5 and 222.8 feet on the northerly side of Lot No. 3, this being a broken line, to a dead line in the rear, measuring 100 feet thereon.

Land in the 4th Civil District of Davidson County, Tennessee, being Lots Nos. 25, 26 and 27 of Block "B" as shown on the Map of Hadley Pond City Subdivision of record in Book 421, page 120, Register's Office for Davidson County, Tennessee.

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Said Lots join and front together 150 feet on the easterly side of Hadley Pond Boulevard and runs back between parallel lines 225 feet to a dead line in the rear measuring 150 feet thereon.

Being the same property conveyed to Benjamin Winters and wife, Clara Winters by warranty deeds from James Winters, et ux, of record in Book 3341, page 507, Register's Office, Davidson County, Tennessee, and by warranty deed from James Winters, et ux, of record in Book 2743, page 293, Register's Office, Davidson County, Tennessee.

It is further ORDERED and DECREED that all the right, title and interest that the defendant has in and to the furniture, fixtures and contents located at their homeplace, 235 Capitol Avenue, Old Hickory, Tennessee, be and the same is divested from the defendant and vested in the complainant, Clara N. Winters, and all the right, title and interest that the complainant, Clara Nixon Winters, has in and to the furniture and furnishings that Benjamin Winters has at his apartment, be and the same is hereby divested from her and vested in the said Benjamin Winters.

It is further ORDERED and DECREED that the defendant will pay to Earl A. McNabb, attorney for complainant, a fee in the amount of $500.00, and the complainant, Clara Nixon Winters, is awarded a judgment against the defendant, Benjamin Winters, for the sum of $302.50, representing the amount of arrears for support payments heretofore decreed, and the defendant shall pay and hold the complainant harmless on all the joint debts of the parties, except the mortgage on the two parcels of real estate herein described, there being two such bills, Cain Sloan Company and Castner Knott Company.

It is further ORDERED and DECREED that the defendant is given 30 days within which to pay to the complainant and Mid State Educators Credit Union the sum of $6,500.00, and upon payment of the same, the complainant will

deed to the defendant what has been identified as the small house as owned by the parties, together with the real estate on which the same is situated, and the organ, and provided that if this option be not exercised within 30 days from the date of this decree, then the same shall be no force and effect.

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

JUDGE

APPROVED FOR ENTRY:

Solicitor for Complainant

Solicitor for Defendant

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IDENTIFICATION REFERENCE
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FILED & RECORDED
DAVIDSON COUNTY, TENN.

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 transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* _____ *Plaintiff, and* _____ *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* _____ *day of* _____ *in the year one thousand nine hundred and* _____ *and in the* _____ *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By _____, *D. C.*