P

March 27, 1973

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IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

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PW

ALICE ANN FOSTER)
)
)
VS.) NO. 62349
)
)
BOBBY GENE FOSTER)

FINAL DECREE

This cause came on to be heard this 26th day of February, 1973 before the Honorable Thomas C. Binkley, Special Judge, upon the original bill of divorce, a plea of res judicata, coupled with an answer and cross-bill, an answer to the cross-bill, a supplemental and amended bill for divorce filed by the cross-complainant, an answer thereto, the testimony of witnesses heard in open Court, the statement of counsel and the entire record.

From all of which it appears to the Court that the plea of res judicata should be denied, the bill for divorce of the complainant, Alice Ann Foster should be dismissed, the defendant and cross-complainant, Bobby Gene Foster has sustained his allegations of cruel and inhuman treatment and should be granted a divorce on such grounds, that it is to the best interest and welfare of all the children to deny their custody to the mother and complainant herein and award the custody of all the children to the defendant, Bobby Gene Foster with visitation rights in the complainant at reasonable times and places to be agreed upon by the parties, that all right, title and interest in and to the home of the parties located at 627 Old Hickory Boulevard in Davidson County, Tennessee should be divested out of the complainant, Alice Ann Foster and vested in the defendant, Bobby Gene Foster with him being chargeable with paying the remaining amount due on the mortgage held by Fremont Mortgage Company, that all right, title and interest in the seven (7) acres of land located at [illegible]

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

Old Hickory Boulevard, Davidson County, Tennessee be divested out of the defendant, Bobby Gene Foster and vested in the complainant, Alice Ann Foster with her being chargeable for the balance due on the mortgage held by Mrs. Fred C. Pickney, that the furniture, furnishings and fixtures located in the home of the parties shall hereafter be owned in equal shares as tenants in common and each party shall keep the automobiles which are presently registered in their names.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. That the plea of res judicata shall be denied.

2. That the bill of divorce of the complainant, Alice Ann Foster shall be dismissed.

3. That the bonds of matrimony subsisting between the complainant Alice Ann Foster and the defendant Bobby Gene Foster, be absolutely and forever dissolved and that the defendant Bobby Gene Foster be and is hereby granted an absolute divorce from the complainant Alice Ann Foster and the defendant is restored to all the rights and privileges of an unmarried person.

4. That it is to the best interest and welfare of all the children to deny their custody to the mother and complainant herein and award the custody of all the children to the defendant, Bobby Gene Foster with visitation rights in the complainant at reasonable times and places to be agreed upon by the parties.

5. That all right, title and interest in and to the home of the parties located at 627 Old Hickory Boulevard in Davidson County, Tennessee be divested out of the complainant, Alice Ann Foster and vested in the defendant, Bobby Gene Foster with him being chargeable with paying the remaining amount due on the mortgage held by Wronne Mortgage Company.

6. That all right, title and interest in the seven (7) acres of land located at 630 Old Hickory Boulevard, Davidson County,

RECORDER'S MEMO:
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Tennessee be divested out of the defendant, Bobby Gene Foster and vested in the complainant, Alice Ann Foster with her being chargeable for the balance due on the mortgage held by Mrs. Fred C. Pickney.

7. That the furniture, furnishings and fixtures located in the home of the parties shall hereafter be owned in equal shares as tenants in common.

8. That each party shall keep the automobiles which are presently registered in their names.

The complainant shall pay the cost of this cause for which let execution issue.

JUDGE

APPROVED FOR ENTRY:

Attorney for Complainant

William D. Burton Jr.
Attorney for Defendant

I certify that I have mailed a copy of this final decree to Mr. Jack Hicks, attorney for the complainant, 338 - 46th Ave., N. Nashville, Tennessee this the 27th day of March, 1973.

William D. Burton Jr.

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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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* ~~correct transcript~~ TRUE COPY *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Alice Ann Foster *Plaintiff, and* Bobby Gene Foster *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* 27th *day of* Sept *in the year one thousand nine hundred and* Seventy Three *and in the* 198th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Jim Henry *D. C.*