V

BOOK 4771 PAGE 220

11-12-73
848/826

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

103-1
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MARGARET ANN (TAYLOR) DANIEL)
)
-VS-) NO. 69993
)
WILLIAM BUREN DANIEL)

103-3
79
pw

FINAL DECREE

This cause came on to be heard before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, on the 2nd day of November, 1973, upon the original bill filed herein; the order pro confesso heretofore duly entered; the oral testimony of Complainant and that of her corroborative witnesses examined in open Court; argument of Counsel, and the entire record; from all of which the Court is of the opinion that the allegations of the original bill have been fully sustained; that is, that the Defendant has been guilty of such cruel and inhuman treatment and conduct toward the Complainant as renders cohabitation unsafe and improper. It is, therefore,

DEC 11 MISC A* 8.00 * 8.00

ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the Complainant and the Defendant be, and they hereby are, forever and perpetually dissolved, and that the Complainant be, and she hereby is, granted an Absolute Divorce from the Defendant and restored to the status of a single person. It is, further,

ORDERED, ADJUDGED AND DECREED by the Court that the Property Settlement Agreement heretofore signed and executed by both parties be, and the same hereby is, ratified and approved by the Court and made a part of this decree as follows:

PROPERTY SETTLEMENT AGREEMENT

WHEREAS, William Buren Daniel and Margaret Ann (Taylor) Daniel are husband and wife, having been married on February 11, 1956, in Corinth, Mississippi; and,

WHEREAS, two children have been born of this union, namely William Ray Daniel, age 16, and Theresa Ann Daniel, age 15; and,

WHEREAS, Margaret Ann (Taylor) Daniel has filed the original Complaint for Absolute Divorce against William Buren Daniel, in the Fourth Circuit Court of Davidson County, Tennessee; and

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WHEREAS, both parties, in order to avoid expense, have reached an amicable settlement of the question of the rights of each party in their marital estate, and the question of custody of the children;

It is, therefore, HEREBY UNDERSTOOD AND AGREED by Margaret Ann (Taylor) Daniel and William Buren Daniel, that in the event the Court in this cause of action, grants an absolute divorce to the said Margaret Ann (Taylor) Daniel, then, and only in that event the following understanding and agreement and settlement will be submitted to the Court for its approval, ratification and inclusion in any final divorce decree entered in this cause.

1. It is agreed that the father and Defendant, William Buren Daniel, is a fit and proper person to have custody and control of the minor children of the parties, and that it be recommended to the Court that in the final decree the custody be given to the Defendant, with the understanding that if the children ever want to come and live with the Complainant and mother, it is agreeable with the Defendant. It is further agreed that the Complainant shall have reasonable visitation rights with the children at reasonable times and places.

2. Possession and ownership of the real property of the parties located at 201 Orlando Avenue in Davidson County, Tennessee, shall be vested solely in the Defendant, William Buren Daniel.

3. All the household furniture and furnishings now belonging to the parties shall become the property of the Defendant, William Buren Daniel, with the exception of the Complainant's own personal property.

4. William Buren Daniel hereby releases and disclaims any interest in the 1968 Ford automobile currently in the possession of the Complainant, Margaret Ann (Taylor) Daniel, and the Defendant agrees to have the title to the said automobile changed over to the Complainant.

5. Margaret Ann Daniel hereby releases and disclaims any inter in the 1964 Ford truck currently in the possession of the Defendant, Willi Buren Daniel.

6. William Buren Daniel agrees to pay the sum of Two Hundred and Fifty Dollars ($250.00) to Complainant's attorney of record, as his attorney's fee in this cause.

It is distinctly understood by and between the parties, as evidenced by their signatures below, that each party has read this instrument, that each party understands it fully, and that both have signed for the purposes mentioned therein.

DATED this 30th day of May 1973.

/s/ Margaret Ann Daniel

WITNESS:

/s/ Edward Nave

/s/ William Buren Daniel

WITNESS:

/s/ Betty Ezell

It is further ORDERED, ADJUDGED AND DECREED by the Court that all the right, title, equity and interest which the Complainant has or may have in and to the realty located at 201 Orlando Avenue and Hill Circle, Nashville, Davidson County, Tennessee, be, and the same hereby is, divested out of the Complainant and vested into the Defendant, William Buren Daniel, as his sole and separate property, free from all claims of the Complainant. The legal description of the said realty is as follows:

TRACT ONE:

Being part of Lot No. 20 on the Map of the C.C. Vernon Farm, as of record in Book 161, page 164, Register's Office for said County, being the southerly 55 feet of Lot No. 3 on the unrecorded plan of a subdivision of part of said Lot No. 20 in C.C. Vernon's Farm, described according to a survey made by W.B. Southgate, Surveyor, May 30, 1929, as follows:

Beginning at the northwest corner of Burgie Street and Orlando Avenue; thence with the northerly margin of Burgie Street, westwardly 130 feet to the southeast corner of Lot No. 4; thence eastwardly and parallel with the northerly margin of Burgie Street 130 feet to the westerly margin of Orlando Avenue; thence with said Avenue, southwardly 55 feet to the beginning.

Being the same property conveyed to William B. Daniel and wife, Margaret Ann T. Daniel by

Deed from Samuel U. Housley and wife, as of record in Book 3369, page 34, said Register's Office.

TRACT TWO

Beginning on a stone in the south boundary of the north part of Hill Circle Drive 400 feet east of Cowden Avenue; thence with the boundary of Hill Circle Drive 80° 30" East 100 feet to a stone; thence South 22° 15" West 106.7 feet to a stake the North-East corner of the Hill Top Lot; thence South 75° 15" West 65 feet to a stake; thence North 2° 15" 125.2 feet to the beginning.

Being Lot No. 5, Section 5 in Cowden Subdivision and being part of a tract of land conveyed by John T. Lellyette to Lillian S. Cowden by deed of record in Register's Office of Davidson County, Tennessee, Book 505, page 506.

Being the same property conveyed to William B. Daniel and wife Margaret Daniel by deed from John S. Cowden and wife Ruby Cowden as of record in Book 3575, page 626, said Register's Office.

The Defendant is ordered to pay the costs of this cause.

For all of which execution may issue if necessary.

JUDGE

11-12-73

APPROVED FOR ENTRY:

EDWARD NAVE,
Attorney for Complainant

WILLIAM E. HIGGINS,
Attorney for Defendant

I hereby certify that this instrument was filed in the Chancery Court Clerk's Office on the 16 day of NOV 73
Clerk & Master
By Jane Smith
Deputy Clerk

C 3 4 7 7 6

IDENTIF. REFERENCE

Dec 11 10 58 AM '73

FELIX J. ... REGISTER
DAVIDSON COUNTY, TENN.