1-28-74 85C 1174

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

116-16 32 PW

CONSTANCE WILSON McADAMS BOOK 4813 PAGE 372

VS. No. 70974

ROBERT NEWTON McADAMS

D E C R E E

MAY-8 MISC A* 8.00 * 8.00

This cause came on to be heard before the Honorable Benson Trimble, Judge on the 21st day of January, 1974, upon the original complaint, a pro confesso heretofore entered against the defendant, the testimony of witnesses in open court and argument of counsel, from all of which the Court finds that the complainant has made out her case as charged to wit:

That the defendant has been guilty of such cruel and inhuman treatment as rendered cohabitation, unsafe and improper, and the complainant is entitled to an absolute divorce.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the complainant and the defendant be, and the same are hereby forever and perpetually dissolved, that complainant is hereby granted an absolute divorce from the defendant and restored to all the rights privileges of an unmarried.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the property acquired by these parties be distributed as per the property settlement agreement entered into by the parties on the 20th day of August, 1973, excepting the provision for voluntary contribution to child support and education of three children, which the Court feels should be more definite, and the defendant is hereby ordered to pay to the Clerk of the Court 1/3 of all monies coming into his hands each week for the support o f the minor child of these parties, Constance Penn McAdams, age 15, and the balance of the property

settlement is accepted verbatium as follows:

PROPERTY SETTLEMENT AGREEMENT

This agreement made this 20th day of August, 1973, between Constance Wilson McAdams and Robert Newton McAdams, both of Nashville, Tennessee

WHEREAS, certain differences have arisen between the parties which have caused them to determine that they can no longer continue the marriage relationship and cohabit as man and wife and they are now living separate and apart from each other and have been since June 27, 1973, and Constance Wilson McAdams is preparing to file a suit for absolute divorce, and the parties do desire to enter into an agreement with reapect to their property rights and child custody of the three children of this marriage;

IT IS THEREFORE, AGREED:

1. That this agreement shall become binding upon the parties immediately upon the granting of a decree of absolute divorce to Constance Wilson McAdams, provided that the provisions of this agreement are approved by the Court.

2. That Constance Wilson McAdams shall have the care, custody and control of the children of this marriage;

Anne Farron McAdams
Robert N. McAdams, Jr.
Constance Penn McAdams

and Robert McAdams shall have reasonable visitation rights.

3. That all right, title and interest to the house and lot located at 4014 Dorcas Drive, Nashville, Tennessee, shall be vested solely in the name of Constance Wilson McAdams and shall shall assume responsibility for the note and mortgage payments on this house. Said property legally described as follows:

Land in Davidson County, Tennessee, being lot #31 on the Plan of Evergreen Heights Part Two, as of record in Book 1835, page 19, Register's Office for said County. Said Lot 31 fronts 110 feet on the easterly side of Dorcas Drive and runs back 188.1 feet on the northerly line and 182 feet on the southerly line, to a deadline

in the rear, measuring 110.3 feet thereon.

Being the same property conveyed to Robert N. McAdams and wife, Constance Wilson McAdams by deed from Morris Construction Company, of record in Book 2029, page 309, said Register's Office.

4. That all right, title and interest to the 1969 Pontiac Lemans now in the possession of Robert Newton McAdams shall be vested solely in his name and he will assume whatever indebtedness there might be on this vehicle.

5. All right, title and interest to the 1971 Ford Galaxie now in the possession of Constance Wilson McAdams shall be vested solely in her name and she shall assume whatever indebtedness there is outstanding on this vehicle.

6. The furniture, appliances and furnishings located at 4014 Dorcas Drive, Nashville, Tennessee, shall become the sole property of Constance Wilson McAdams, excepting a dresser, chest of drawers and one bed all having an antiqued finish and presently in the attic, a coffe table located in the dining room, two chairs as selected by Constance Wilson McAdams, and the personal clothing, apparel and sporting equipment which items shall be vested solely in the name of Robert Newton McAdams.

7. Because Robert Newton McAdams is having finanacial problems at this time, there is no provision made for child support, with hopes that after he is able to improve his finances that he will as able to voluntarily contribute to the child support, and education of the three children,

8. Each party will execute and deliver to the other party any document required to accomplish the intention of this agreement.

9. Each party expressly certified that each has entered into this agreement upon due consideration and that it was executed without duress or undo influence by any persons and without collusion.

/S/ Constance Wilson McAdams
Constance Wilson McAdams

/S/ Robert Newton McAdams
Robert Newton McAdams

/S/ W. P. Ortale
Witness

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant pay the complainant's reasonable attorneys fee to W. P. Ortale, Attorney, $250.00 for legal services rendered.

The costs of this cause are taxed against the defendant and for all of which execution may issue if necessary.

Judge

1-28-74

Approved For Entry:

W. P. Ortale

Attorney for Plaintiff

IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

C 5 3 3 4 1

I hereby certify that I have mailed a copy of this decree to the defendant at his residence, Hidden Valley, Apartment B.111, 1150 Vultee Blvd., Nashville, Tennessee, this 25 day of January, 1974.

W. P. Ortale

W. P. Ortale

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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* CONSTANCE WILSON MCADAMS *Plaintiff, and* ROBERT NEWTON MCADAMS *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* 8th *day of* May *in the year one thousand nine hundred and* seventy-four *and in the* 198th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Gayle Jennings, *D. C.*