BOOK 4831 PAGE 703

3-5-74
86B/889

KATHERINE HIBDON)
) IN THE FOURTH CIRCUIT COURT OF
VS)
) DAVIDSON COUNTY, TENNESSEE
PEYTON E. HIBDON, SR.)

NUMBER 69966

Map 73-7
Par. 64

FINAL DECREE OF ABSOLUTE DIVORCE

This cause came on to be heard on this the 5th day of February, 1974, before the Honorable Bendon Trimble, Judge, Fourth Circuit Court of Davidson County, Tennessee, upon the bill for divorce heretofore filed by the plaintiff, the answer filed by the defendant, upon the testimony of the principals, upon the testimony of the corroborative witnesses, and upon the argument of the solicitors and the entire record herein,

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From all of which the Court finds as set forth in its Memorandum dated February 6, 1974, which Memorandum is hereby made a part of the record in this cause.

It appearing to the Court that the plaintiff did, by her testimony and that of her corroborative witnesses, sufficiently prove that the defendant has been guilty of such cruel and inhuman treatment or conduct towards plaintiff as renders cohabitation unsafe and improper,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that an absolute divorce be and the same is hereby granted to plaintiff, KATHERINE HIBDON, and she is restored to all the rights and privileges of an unmarried person, and the bonds of matrimony heretofore existing between the plaintiff and the defendant are hereby dissolved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as partial alimony, all right, title and interest of the defendant in and to the real estate hereinafter described, and the furniture therein, be divested out of the defendant, Peyton E. Hibdon, Sr., and be vested in plaintiff, Katherine Hibdon, in fee simple title.

Land in Davidson County, Tennessee, being Lot No. 367 on the Plan of Sunset View, Section 6, as of record in Book 2900, pages 54 and 55, Register's Office for Davidson County, Tennessee.

Said Lot No. 367 fronts 115 feet on the easterly side of Fairbrook Drive and runs back 290 feet on the northerly line and 288.8 feet on the southerly line to a dead line, measuring 80.85 feet thereon.

Being the same property conveyed to Hurley E. Campbell and wife, Catherine B. Campbell by deed of record in Book 3770, page 577, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED that the plaintiff, Katherine Hibdon, will assume the mortgage indebtedness on the above described real estate.

IT IS FURTHER ORDERED that, as partial alimony, all right, title and interest of the defendant in and to the 1968 Plymouth automobile be divested out of defendant and be vested in plaintiff, Katherine Hibdon, in fee simple title.

IT IS FURTHER ORDERED that the defendant, Peyton E. Hibdon, Sr., will pay to plaintiff, Katherine Hibdon, each month as child support the sum of Two Hundred ($200.00) Dollars. This shall be paid either by check or money order,said payments being made directly to plaintiff.

IT IS FURTHER ORDERED that the defendant will pay to plaintiff the sum of Two Hundred ($200.00) each month as alimony. This shall be paid directly to plaintiff, either by check or money order. The alimony payments will continue so long as plaintiff lives and does not remarry. Upon either one of these events taking place, the alimony will be discontinued.

IT IS FURTHER ORDERED that all right, title and interest that the plaintiff has in and to the Gravley Tractor, the Roto Tiller, the antique clock, the wheels for defendant's automobile, the defendant's work shop tools, be divested out of plaintiff and become the sole property of the defendant, Peyton E. Hibdon, Sr., in fee simple title.

IT IS FURTHER ORDERED that the defendant shall have the right of visitation with the minor child on each Sunday from immediately after the child's Sunday School hour until 6 p.m. If, for any reason, defendant is unable to partake of any of these visitation privileges, it shall be his duty to so notify the plaintiff by 5 p.m. on the day preceding the

visit. It will be left up to the discretion of the defendant as to where he will pick up the minor child. It will also be left to the discretion of the defendant and minor child in the event the defendant and minor child wishes to partake of viewing a sporting activity that possibly would interfere with the Sunday School hour.

IT IS FURTHER ORDERED that the matter of a fee for the solicitors representing the plaintiff will remain under advisement, pending the solicitors in the cause agreeing upon a fee or a motion being filed in the event an agreement regarding the fee cannot be reached.

IT IS FURTHER ORDERED that the costs of this cause are adjudged against defendant, for which execution may issue if necessary.

APPROVED FOR ENTRY:

Charles H Warfield

CHARLES H. WARFIELD

JACK NORMAN, JR.

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IDENTIF. REFERENCE

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FELIX Z. WILSON II CLERK

DAVIDSON COUNTY, TENN.

JUDGE

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I certify that I have mailed a copy of this Decree to Mr. Jack Norman, Jr., Attorney, 213 Third Avenue, North, Nashville, Tennessee, this the 13 day of February, 1974.

Charles H Warfield

CHARLES H. WARFIELD

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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* Kathleen Hubdon *Plaintiff, and* Peyton E. Hubdon, Sr *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* 5th *day of* July *in the year one thousand nine hundred and* Seventy Four *and in the* 199 *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddins *D. C.*