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BOOK 4836 PAGE 740

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

ELIZABETH ADAMS LUTHER)
)
VS.) NO. 70618
)
WILLIAM VAUGHN LUTHER)

MAP NO. 162582

O R D E R

This cause came on to be heard February 1, 1974, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the cross-bill of the cross-complainant, witnesses introduced in open Court and the entire record in this cause.

From all of which the Court was of the opinion that the allegations contained in the cross-bill were fully sustained, that is, that the cross-defendant has been guilty of such cruel and inhuman treatment or conduct toward cross-complainant as renders cohabitation unsafe and improper.

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It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the cross-complainant be and he is hereby granted an absolute divorce from the complainant and cross-defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that cross-complainant is awarded the absolute care, custody and control of the minor children of the parties.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the cross-defendant has or may have in the real estate hereinafter described be and the same is hereby divested out of her and vested in the cross-complainant as his sole property, said real estate being described as follows:

> Land in Davidson County, Tennessee, being Lot No. 163 on the Plan of Hickory Valley Subdivision, as of record in Book 4175, page 75, Register's Office for said County, to which plan reference is hereby made for a more particular description.
>
> Being the same property conveyed to Willie V. Luther and wife, Betty J. Luther, by deed from Randall Phillips Builders, Inc., of record in Book 4485, Page 489, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the cross-defendant has or may have in the household furniture and furnishings and a 1973 Vega station wagon be divested out of her and vested in cross-complainant as his sole property.

It is further ORDERED, ADJUDGED and DECREED by the Court that the cross-defendant will pay into the hands of the Clerk of the Circuit Court one-third (1/3) of all monies coming into her hands from any source whatsoever as child support, said payments to be made no later than 4:00 p.m. on Friday of each week.

Cross-defendant will pay the costs of this cause for which execution may issue.

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IDENTIF. REFERENCE

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FELIX Z. WILSON JR. REGISTER DAVIDSON COUNTY, TENN.

O. K. FOR ENTRY:

JUDGE

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Howard F. Butler, Howard F. Butler, Attorney for Cross-Complainan

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* ELIZABETH ADAMS LUTHER *Plaintiff, and* WILLIAM VAUGHN LUTHER *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* 23 *day of* JULY *in the year one thousand nine hundred and* SEVENTY FOUR *and in the* 199TH *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Jean Henry, *D. C.*