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MARY ELIZABETH STRICKLAND CUMMINGS] IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

VS.]

NO. 71400

RAYMOND LEAMON CUMMINGS]

Map 147-10
Par. 16

D E C R E E

This cause came on to be heard before the Honorable Muriel Robinson, Special Judge, on this the 3rd day of May, 1974, upon the original petition filed by the plaintiff and default judgment subsequently taken, the defendant having failed to plead, answer or demur within the time allowed by law. From the testimony of plaintiff, her corroborating witnesses, statement of counsel, and from a review of the entire matter, it is the opinion of the Court that the plaintiff did successfully sustain her grounds for divorce, that is, that the defendant has been guilty of such cruel and inhuman treatment towards her as renders further cohabitation unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, Mary Elizabeth Cummings, is awarded an absolute divorce from the defendant, Raymond Leamon Cummings, and the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved, and plaintiff is restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that the absolute care, custody and control of the minor children of the parties shall be vested in the plaintiff, with the right and privilege of the defendant to see and visit said aforementioned children at all reasonable times and places.

It further appearing to the Court that the parties had entered into a property settlement agreement, and that at the hearing of this cause, that the same was presented to the Court

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

for the Court's approval and ratification, and the Court having ratificd said agreement, it is further ORDERED, ADJUDGED AND DECREED that the agreement in its entirety shall be made a part of this final decree, as well as the conditions and agreements set forth therein and as follows:

PROPERTY SETTLEMENT AGREEMENT

WHEREAS, Mary Elizabeth Cummings, hereinafter known as "Wife", has filed a petition for absolute divorce in the Domestic Relations Court of Davidson County, Tennessee, against Raymond Cummings, hereinafter known as "Husband"; and

WHEREAS, at this time, the parties desire to settle certain questions concerning personal property and custody and support of the minor children; and

WHEREAS, in so doing, neither party acquiesces in or agrees that the other might obtain a divorce, but solely for the purpose of settling certain questions as hereinabove set forth; the parties agree as follows:

The Husband will get the money that has been deposited in the Nashville City Bank, and in the approximate amount of $5,815.00. In addition thereto, the Husband will receive bonds with the approximate value of $2,000.00, and money in the Credit Union in the approximate amount of from $600.00 to $700.00. The Husband will receive the boat formerly owned by the parties.

The Wife will get the money in the Third National Bank, in the approximate amount of $200.00. The Wife will be awarded all of Husband's interest in and to the real property owned by the parties, and located at 5045 Suter Drive, in Nashville, Tennessee, together with the household furnishings

located therein. The Wife will have the custody and control of the two minor children of the parties, with the right and privilege of the Husband to see and visit said aforementioned children at reasonable times and places, and the Husband will pay to the Wife the sum of $150.00 per month for the support of said aforementioned minor children.

The Buick automobile will become the property of the Husband, and the Opal automobile will become the property of the Wife.

This property settlement agreement will be submitted to the Court at the hearing of the Wife's petition for divorce, and if ratified by the Court, shall become binding on both parties, and in addition thereto, shall become incorporated in the final decree of divorce.

This agreement entered into on this the 7 day of November, 1973.

Mary E. Cummings
Mary Elizabeth Cummings, "Wife"

Raymond Cummings
Raymond Cummings, "Husband"

Jean P. Smith
Witness

It is, therefore, ORDERED, ADJUDGED and DECREED that all of defendant's right, title and interest in and to the real property, together with the household furnishings located therein, all of which is located at 5045 Suter Drive, as is now vested in the defendant, shall be divested from the defendant and awarded to the plaintiff in fee simple. Said property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 241 on the plan of Caldwell Country Estates, Section 5, of record in Book 3300, page 16, Register's Office for said County as follows:
>
> Said Lot No. 241 fronts 94 feet on the northwesterly margin of Suter Drive and runs back 193.8 feet on the southwesterly line and 206.5 feet on the northwesterly line to a dead line measuring 85.33 feet thereon.
>
> Being the same property conveyed to Raymond L. Cummings and wife, Mary S. Cummings, by deed from Bill Wheeler Construction Co., Inc., of record in Book 4082, page 66, R.O.D.C.

The defendant will pay the costs of this cause, for which execution may issue, if necessary.

Entered this _____ day of May, 1974.

s/ Marvil Robertson
SPECIAL JUDGE

APPROVED FOR ENTRY:

5-6-74

s/ Jack Norman, Jr.
Jack Norman, Jr., Attorney for Plaintiff

I certify that I have mailed a copy of this Decree to the defendant, Raymond Leamon Cummings, at his last known address, 303 Cain Ridge Road, Apartment 518, Antioch, Tennessee 37013, this 6th day of May, 1974.

s/ Jack Norman, Jr.
Attorney

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IDENTIF. REFERENCE

JUL 31 11 17 AM '74

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

Mail
Elizabeth Cummings
5045 Suter Dr.
Nash. Tenn
37211

JUL 31 MISC A* 12.00 * 12.00

71400 87C/1318

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* Mary Elizabeth Strickland Cummings *Plaintiff, and* Raymond Leamon Cummings *Defendant, a 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* 31 *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 Eddings, *D. C.*