8-2-74
89C/474

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

ELEANOR CHIPPEY GRIER)
)
VS.) No. 67469
)
JOHN T. GRIER)

72-10
261/pd

FINAL DECREE

This cause came on to be heard on the 30th day of May, 1974, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee, on the original plaintiff's complaint for absolute divorce, answer and counter complaint having been filed by the original defendant and counter plaintiff, answer having been filed by the original plaintiff and counter defendant. This cause was set for trial originally on the 13th day of May, 1974. The cause was continued because of original defendant and counter plaintiff's attorney of record having withdrawn from the case. It appearing that the original defendant and counter plaintiff did not employ present counsel until the day before the hearing. After counsel's motion to continue the case, the Court overruled said motion and the cause was tried. After testimony of the original plaintiff and counter defendant and her two corroborating witnesses and testimony of the defendant and counter plaintiff who failed to submit corroborating proof, the original defendant and counter plaintiff's complaint for absolute divorce was dismissed on motion of the plaintiff.

It appearing to the Court that primarily due to the fact that there appears to be no reasonable hope of reconciliation by and between the parties, the Court concludes thatthe defendant and counter plaintiff, John T. Grier, has abandoned and turned the original plaintiff, Eleanor Chippey Grier, out of doors, and failed and refused to provide for her.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the original plaintiff, Eleanor Chippey Grier, be and is hereby granted an absolute divorce from the original defendant, John T. Grier, and is

restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED that upon plaintiff's payment to the defendant in the sum of Five Thousand Dollars ($5,000.00), for which let judgment be entered and execution issued, if necessary, all interest which the defendant, John T. Grier, may have in the house and lot located at 1305 Otay Street, Nashville, Davidson County, Tennessee, be divested out of John T. Grier and vested in Eleanor Chippey Grier, for her sole and separate use. Said property is described as follows:

Land in Davidson County, Tennessee, being Lot No. 2 on the Plan of Northview Subdivision, not of record and the south ½ of a 13 foot alley adjacent to and north of Lot No. 2 on said Plan, which alley was closed by instrument of record in Book 3072, page 185, Register's Office, and being described according to a copy of plan attached to said alley closing above referred to appearing on Page 187 of said instrument, as follows:
BEGINNING at a point in the northerly margin of Otay Avenue, 75 feet east of the east margin of Northview Avenue, being the corner of Lots Nos. 1 and 2; thence northerly parallel to the east line of Northview Avenue, along the line between Lots Nos. 1 and 2, 116.5 feet to the center line of an alley now closed; thence easterly, parallel to the north margin of Otay Avenue, 75 feet to a point; thence southerly, parallel to the first line, 116.5 feet to the north margin of Otay Avenue, thence with the margin of the same, westerly 75 feet to the point of beginning.
Subject property is improved with a one family residence and is known as 1305 Otay Avenue, Nashville, Tennessee.
Being the same property conveyed to John T. Grier and wife, Erna Chippey Grier by deed from Mrs. Dewey Be. Gilliam Averitt of record in Book 107, Page 246, Davidson County Register's Office.

IT IS FURTHER ORDERED that the following personal property should be the sole property of the original defendant, John T. Grier, with the original plaintiff having no resultant claim thereto:

The camping equipment
Record collection
Susie's Set
Stereo components
Personal Books

IT IS FURTHER ORDERED that all personal property which the original plaintiff now has in her possession as well as all other personal property in the home of the parties, shall be and become the sole property of the original plaintiff, original defendant having no resultant claim thereto.

IT IS FURTHER ORDERED that if at a later date, it is determined by any competent proof that the silver that appears to be missing

from the home, is located, then action will be taken by the Court as far as this is concerned.

IT IS FURTHER ORDERED that the original defendant, John T. Grier, pay the sum of Three Hundred Fifty Dollars ($350.00) to the original plaintiff's attorney of record, for which let judgment be entered and execution issued, if necessary; and that, if necessary, said fee will become a lien upon his interest in the equity in the real property until satisfied in toto.

IT IS FURTHER ORDERED that the original defendant's motion to dismiss the cause at the conclusion of the original plaintiff's proof, is respectfully denied.

IT IS FURTHER ORDERED that all costs of the cause be assessed against the original defendant, John T. Grier, for which let judgment be entered and execution issued, if necessary.

JUDGE

8-2-74

JOE P. BINKLEY, JR.
Attorney for Original Defendant and
Counter Plaintiff

cc: Carlton Petway, Attorney for Original Plaintiff
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Nashville, Tennessee 37219

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APR 14 1 10 PM '75

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

APR 14 75 MISC A* 8.00 * 8.00

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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* ELEANOR CHIPPEY GRIER *Plaintiff, and* JOHN T. GRIER *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* 14 *day of* APRIL *in the year one thousand nine hundred and* SEVENTY-FIVE *and in the* 199th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By James Smith, D. C.

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