BOOK 4933 PAGE 540

ROBERT LEON MANNERS	)	IN THE FOURTH CIRCUIT COURT
VS.	)	DAVIDSON COUNTY, TENNESSEE
JANET MARILYN NOLL MANNERS	)	No. 76208

129-11
31pw

FINAL DECREE

This cause came on to be heard on this Tuesday, April 8, 1975, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the original bill for divorce heretofore filed by Robert Leon Manners and the original bill for divorce filed by Janet Marilyn Noll Manners, an order having been entered whereby said cases were consolidated and the original petition of Janet Marilyn Noll Manners was declared to be treated as a cross-bill in the consolidation of these causes and the answer to said

JUL 21 MISC A* 8.00 * 8.00

cross-bill filed by Robert Leon Manners. After having heard testimony of witnesses in open Court and argument of counsel, the Court was pleased to take the matter under advisement and did thereafter render its opinion wherein the Court found that the allegations of the original bill were sustained by the proof; that is to say, that the defendant had been guilty of such cruel and inhuman treatment and conduct towards the complainant as to render further cohabitation improper. The Court was further of the opinion that the allegations of the cross-bill were not sustained by the proof and that the same should be dismissed.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the complainant, Robert Leon Manners, is awarded an absolute divorce from the defendant, Janet Marilyn Noll Manners, and the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved and the complainant is restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the cross-bill heretofore filed by Janet Marilyn Noll Manners shall be, and the same is hereby dismissed.

It is further ORDERED by the Court that the absolute care, custody and control of the minor children of the parties, to wit: Pamela Ann Manners and Sheri Lynn Manners is hereby vested in the complainant, Robert Leon Manners, with the right vested in the defendant

to continue the visitations which had previously been established by and between the parties and was so testified to in open Court, to wit: the defendant shall have the minor children with her each and every weekend.

It is further ORDERED by the Court that the equity of the parties in the homeplace at 927 Neuhoff Lane, is hereby found to be in the amount of $28,500.00; one-third of which equity is hereby awarded to the defendant and two-thirds of said equity is hereby awarded to the complainant.

It is further ORDERED by the Court that all right, title and interest the defendant may have in and to the homeplace of the parties located at 927 Neuhoff Lane, Nashville, Davidson County, Tennessee, and more particularly described as follows:

> Being Lot No. 176, on the plan of Warner Park Valley, Section I, as of record in Book 3600, pages 12, 13 and 14, Register's Office for said County.
>
> Said Lot No. 176, fronts 100 feet on the westerly side of Neuhoff Lane and runs back between parallel lines 150 feet to a dead line.
>
> Being the same property conveyed to Robert L. Manners and wife, Janet M. Manners, by deed from Murphree Realty Company, of record in Book 3921, page 862, Register's Office Davidson County, Tennessee.

is hereby divested out of the defendant and vested in the complainant in fee, however, the defendant shall be awarded the sum of $9,500.00, which sum represents her one-third interest in the equity in the home as set out above; said sum being fixed by the Court as a lien against said property. Said lien shall be secondary only to the first mortgage on the home of the parties as it is determined to be as of the date of the entry of this decree and the complainant shall be ordered to insure that there are no other liens or mortgages placed upon said property which would in any way or manner interfere with defendant's lien.

It is further ORDERED by the Court that the complainant shall have the right to maintain said home until the youngest child of the parties has reached her majority, at which time said home shall be either sold and the defendant's lien be satisfied or the complainant shall at that time personally satisfy the lien of the defendant, which right the complainant may exercise at any time he so chooses.

It is further ORDERED by the Court that in the event said property is sold by the complainant prior to the time as set out above, he shall personally be responsible for the satisfaction of the above set out lien.

It is further ORDERED by the Court that the complainant is entitled to the use and benefit of the household furnishings now located in the home, however, in the event the same is sold before the youngest child of the parties reaches her majority, the defendant shall be entitled to one-third of the net proceeds of the sale of said household furnishings. In the event they are not sold before the youngest child of the parties reaches her majority, then at such time as she does attain her majority, the household furnishings located in the home at the time of this decree shall be sold and the defendant shall be entitled to one-third of the net proceeds of the sale of said household furnishings, or should the parties so desire, the furniture will be divided at the same ratio in kind.

It is further ORDERED by the Court that the complainant will continue in full force and effect, for the use and benefit of the defendant, for a period of 12 consecutive months next to and preceding the date of this decree, the lease agreement on the automobile which defendant presently has in her possession, or provide her with other suitable transportation.

It is further ORDERED by the Court that the stock which is presently held by the parties, which is as follows: Synercon Corporation, 6,773 shares; Republic National Life Insurance Company, 280 shares; and Victoria Algoma Mineral Company Limited, 100 shares, are hereby divided by the Court in the following manner: one-third of said stocks to be awarded to the defendant and two-thirds of said stocks to be awarded to the complainant and each party shall immediately execute all papers necessary for the transfer of said stocks.

It is further ORDERED by the Court that all property, real, personal, mixed or otherwise, not specifically awarded to the defendant, in which the complainant may own or have interest in, shall become the sole and separate property of the complainant.

It is further ORDERED by the Court that the said Robert Leon Manners and Janet Marilyn Noll Manners hereinafter have no rights against one another arising out of the marital relationship, including but not limited to homestead, dower, curtesy, inheritance, dissent, distribution, alimony rights of election against the other's will, and all other rights arising out of the marital relationship, except such rights as are expressly given in this decree.

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

JUDGE

APPROVED FOR ENTRY:

Seth Norman, Atty. for Complainant

Roy A. Miles, Jr., Atty. for Deft.

cc: Mr. Roy A. Miles, Jr.

IDENTIF. REFERENCE

D 0 7 4 8 1

JUL 21 10 14 AM '75

FELIX A. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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* Robert Leon Manners *Plaintiff, and* Janet Marilyn Noll Manners *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* 21 *day of* July *in the year one thousand nine hundred and* Seventy- five *and in the* 200 th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By _____, *D. C.*