7-9-75
1124/973

BOOK 4947 PAGE 428

SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Mag. #2.1
Pac 54

BILLY RAY NELSON)
)
)
-vs-) No. 78213
)
)
KATHLEEN SEBASTIAN NELSON)

FINAL DECREE

SEP-3 75 MISC A* 10.00 * 10.00

This cause came on to be heard this 9th day of July, 1975, before the Honorable Donald Arkovitz, Special Judge, sitting for the Honorable John L. Uhlian, Judge of the Second Circuit Court for Davidson County, Tennessee, upon the original Petition for Absolute Divorce filed by the original plaintiff, Billy Ray Nelson, the Answer and Petition for Separate Maintenance filed by the original defendant, Kathleen Sebastian Nelson, and the Answer to the Cross-Petition for Separate Maintenance, the motion in open Court by the attorney for the original defendant to withdraw the Answer and Cross-Petition for Separate Maintenance, which motion the Court granted, the testimony of the original plaintiff and two (2) witnesses in open Court, the statement of counsel for the original plaintiff, the agreement of the parties announced in open Court by counsel for both parties, and the entire record in this cause, whereupon the Court found that the plaintiff had proved his grounds for divorce, to-wit--such cruel and inhuman treatment as renders further cohabitation unsafe and improper, and further approved the agreement of the parties announced in open Court that all right, title and interest of the original plaintiff, Billy Ray Nelson, in and to the real estate which

has been the home of the parties, located at 706 North Graycroft Avenue in Davidson County, Tennessee, more particularly described hereinafter, be divested out of him and vested in the original defendant, Kathleen Sebastian Nelson, that said original defendant hereby assumes all liability and responsibility for the payment of the first mortgage indebtedness to the Nashville Mortgage Company, in the approximate amount of Eleven Thousand ($11,000.00) Dollars, of record in Book 4668, Page 840, Register's Office for Davidson County, Tennessee, that the original plaintiff, Billy Ray Nelson, hereby assumes all responsibility and liability for the payment of the second mortgage indebtedness to Associates Capital Corporation, in the approximate amount of Eight Thousand ($8,000.00) Dollars, which payments are Two Hundred Seventy-Three ($273.00) Dollars per month for twenty-nine (29) months from July, 1975, of record in Book 4876, Page 253, R.O.D.C., and that after said twenty-nine (29) months and the payment in full of said second mortgage indebtedness, that the original plaintiff will pay the original defendant the sum of One Hundred ($100.00) Dollars per month for five (5) years, that the original plaintiff will pay the Honorable Robert H. Schwartz, attorney for the original defendant, the sum of Three Hundred Fifty ($350.00) Dollars as his attorney's fee, in Fifty ($50.00) Dollars monthly installments, beginning August 1, 1975, and finally that said original plaintiff will keep in full force and effect all insurance upon his life and payable to any or all of the three (3) children of the parties, and will not change the beneficiary on any of said insurance, and will pay the costs of this cause.

It is, therefore, ORDERED, ADJUDGED and DECREED that the original plaintiff, Billy Ray Nelson, is hereby awarded an absolute divorce from the bonds of matrimony heretofore existing between him and the original defendant, Kathleen Sebastian Nelson, and is hereby restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that all right, title and interest of the original plaintiff, Billy Ray Nelson, in and to the following described real estate, be and the same is hereby divested out of him and vested in the original defendant, Kathleen Nelson:

> Land in Davidson County, Tennessee, being the southerly 115 feet of Lot No. 18 on the Map of Section I, Morning View Subdivision, as of record in Book 2133, Page 95, Register's Office for said County.
>
> Said part of Lot No. 18 fronts 115 feet on the easterly side of Graycroft Avenue and runs back between lines 341.75 feet on the southerly side and 342 feet, more or less, on the northerly side to a dead line in the rear, on which it measures 115 feet.
>
> Being the same property conveyed to Billy Ray Nelson and wife, Kathleen Nelson, by deed from Douglas W. Cotton and wife, Pauline Cotton, as of record in Book 4138, Page 402, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the original defendant, Kathleen Sebastian Nelson, hereby assume all responsibility and liability for the payment of the first mortgage indebtedness on the real estate immediately hereinabove described, in the approximate amount of Eleven Thousand ($11,000.00) Dollars, of record in Book 4668, Page 840, Register's Office for Davidson County, Tennessee; and that the original plaintiff, Billy Ray Nelson, hereby assumes all responsibility and liability for the payment of the second

mortgage indebtedness in the approximate amount of Eight Thousand ($8,000.00) Dollars, which payments are Two Hundred Seventy-Three ($273.00) Dollars per month for twenty-nine (29) months from July, 1975, of record in Book 487½, Page 253, R.O.D.C.

It is further ORDERED, ADJUDGED and DECREED that after said twenty-nine (29) months referred to above, and the payment in full of said second mortgage indebtedness, that the original plaintiff will pay the original defendant the sum of One Hundred ($100.00) Dollars per month for five (5) years.

It is further ORDERED, ADJUDGED and DECREED that the original plaintiff, Billy Ray Nelson, will keep in full force and effect all insurance upon his life and payable to any or all of the three (3) children of the parties, and will not change the beneficiary on any of said insurance, and will pay the costs of this cause.

It is further ORDERED, ADJUDGED and DECREED that the original plaintiff, Billy Ray Nelson, will pay the Honorable Robert H. Schwartz, attorney for the original defendant, the sum of Three Hundred Fifty ($350.00) Dollars, as his attorney's fee, in Fifty ($50.00) Dollars monthly installments, beginning August 1, 1975, and the costs of this cause, for all of which let execution issue, if necessary.

JUDGE

Entered This 9th Day of July 1975

APPROVED FOR ENTRY:

J. L. THOMPSON, III
Attorney for Original Plaintiff

ROBERT H. SCHWARTZ
Attorney for Original Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree has been mailed to the Honorable Robert H. Schwartz, Attorney at Law, 213 Third Avenue, North, Nashville, Tennessee, this 10th day of July, 1975.

J. L. THOMPSON, III

D 13877

IDENTIF. REFERENCE

SEP 3 10 08 AM '75

FELIX Z. "KIL SCOTT" REGISTER
DAVIDSON COUNTY, TENN.

Docket No. 78213 112C/973

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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Billy Ray Nelson *Plaintiff, and* Kathleen Sebastian Nelson *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* 29th *day of* August *in the year one thousand nine hundred and* seventy-five *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Patty Traquer, *D. C.*