Copy for Jean Smith

REBECCA JEAN RODGERS SMITH	)	IN THE FOURTH CIRCUIT COURT
	)	
VS	)	DAVIDSON COUNTY, TENNESSEE
	)	
JAMES OWEN SMITH	)	NUMBER 68572

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FINAL DECREE OF ABSOLUTE DIVORCE

This cause came on to be heard before the Honorable Benson Trimble, Judge, Fourth Circuit Court of Davidson County, Tennessee, upon the pleadings, upon the statement of counsel for the defendant, James Owen Smith, that he wished to dismiss his cross-complaint, and upon the further statement of counsel that a property settlement agreement had been reached which would be submitted to the Court for approval in the form of a final decree, and said cause was heard upon interrogatories, permission having first been granted by the Court.

From all of which the Court finds that the allegations of the complaint are sustained by the proof and that the defendant, James Owen Smith, has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff, Rebecca Jean Rodgers Smith, as renders cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that an absolute divorce be and the same is hereby awarded to Rebecca Jean Rodgers Smith and she is restored to all the rights and privileges of an unmarried person and the bonds of matrimony heretofore existing between the parties are hereby dissolved.

IT IS FURTHER ORDERED that the cross-complaint of the defendant is hereby dismissed.

Upon suggestion of the parties, and the Court finding same to be proper,

IT IS ORDERED that custody of the minor children be vested in the plaintiff, with reasonable rights of visitation to the defendant.

It further appearing to the Court that the parties have agreed upon a property settlement and that same is reasonable, such property settlement is hereby approved by the Court and it is accordingly

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ORDERED, ADJUDGED AND DECREED as follows:

1. Plaintiff is to receive the homeplace hereinafter described as her sole and separate property and plaintiff shall pay to defendant the sum of $5,000.00 for his interest therein within ninety days from the date of this decree. Plaintiff will assume and pay the remaining indebtedness on the homeplace. Defendant will retain a lien on the property to secure the payment due from the plaintiff. Upon receipt of the said $5,000.00 payment the defendant will execute a release of lien which will be filed in the Register's Office.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that all right, title and interest of the defendant in and to the property hereinafter described is hereby divested out of the defendant and all right, title and interest is hereby vested in the plaintiff, so that hereafter the plaintiff, Rebecca Jean Rodgers Smith, shall own the property hereinafter described in fee simple absolute, and the property is more particularly described as follows:

> Being Lot No. 57 on the Plan of Stanford Country Club Estates, Section 1, of record in Book 2900, page 50, Register's Office for said County.
>
> Said Lot No. 57 fronts 95 feet on the northerly side of Eldon Court, and runs back 207 feet on the easterly line and 239.77 feet on the westerly line, to a dead line in the rear on which it measures 100.47 feet.
>
> Being part of the property conveyed to Brentwood Homes, Inc., a Tennessee Corporation, by deed from Carl Batson and wife, as of record in Book 2997, page 177, said Register's Office.

2. Plaintiff will retain household furniture, furnishings and effects as her sole and separate property.

3. Defendant has the right to remove certain items which belong to him which are in the basement of the home.

4. It is ordered that defendant will pay to plaintiff as child support the sum of $100.00 per child per month making a total payment of $200.00 per month. Plaintiff will take one child as a dependent and defendant will take one child as a dependent for income tax purposes.

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

5. IT IS ORDERED that defendant will maintain major medical and hospitalization insurance for the use and benefit of the two minor children.

6. The defendant is not to pay any monthly alimony to the plaintiff.

7. The defendant will pay to Charles H. Warfield, attorney for the plaintiff, the sum of $300.00 as a portion of his attorney fee and upon such payment the defendant shall have no further obligation to Charles H. Warfield.

8. The defendant shall pay the court costs.

9. The defendant will retain the 1974 Pontiac and the plaintiff will retain the 1969 Oldsmobile.

10. The parties will maintain any bank accounts that are in their respective names, the plaintiff retaining her bank accounts and the defendant retaining his bank accounts.

This the _____ day of _____, 1973.

APPROVED FOR ENTRY:

_____
CHARLES H. WARFIELD

_____
TOM H. PROCTOR, JR.

S/ Benson Trimble
JUDGE
10-25-73

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Mail Rebecca Smith
219 Eldon Ct
Nash-Tenn
37214

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IDENTIFICATION REFERENCE

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FEE [illegible] WILSON JR REGISTER
DAVIDSON COUNTY, TENN.

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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* Rebecca Jean Rodgers Smith *Plaintiff, and* James Owen Smith *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* 21st *day of* October *in the year one thousand nine hundred and* Seventy Five *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By [illegible], *D. C.*