5-1-75
962/974

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

CAROL ELEISE HENSON SMALLWOOD	)	BOOK 4977 PAGE 791
	)	
VS.	)	NO. 75913
	)	
TOMMY RAY SMALLWOOD	)	

map 44-5
par 20

FINAL JUDGMENT

This cause came on to be heard on this the 14th day of April, 1975, before the Honorable Jack Butler, sitting
DEC-9 MISC B* 6.00 * 6.00
specially for the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee upon the original petition filed by the plaintiff and personal service on the defendant, answer of the defendant, testimony of witnesses in open Court and the record as a whole. From all of which the Court is of the opinion that the plaintiff, Carol Eleise Henson Smallwood, should be granted a divorce upon the grounds of cruel and inhuman treatment. Further, the Court is of the opinion that the property settlement wherein the plaintiff is to receive the home owned by the parties, receive the furniture owned by the parties, is to have custody of the minor children with reasonable visitation rights granted to the defendant so long as he does not have the children in the presence of other women while they are visiting with him and wherein the defendant is to pay the sum of $60.00 per week as child support, be allowed to claim the children as dependents on his income tax return each year and should pay the plaintiff's attorney of record, James R. Everett, Jr., an attorney's fee of $250.00 for representing plaintiff in this cause should be approved.

It is therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, Carol Eleise Henson Smallwood, be granted an absolute divorce from the defendant on the grounds of cruel and inhuman treatment. Further, it is ORDERED, ADJUDGED and

DECREED that the plaintiff is to receive the home owned by the parties being described as follows:

> Land in the 4th Civil District of Davidson County, Tennessee, being Lot No. 76 on the Plan of Scenic View Subdivision, not of record, described according to a survey made by W. W. Turner Company, Engineers, August 20, 1948, as follows:
>
> Starting with a concrete monument at the south end of the return at the northwest corner of the intersection of Havron Avenue and Hillman Place and running thence the following courses and distances: in a northwesterly direction along the north margin of Havron Avenue a distance of 138.2 feet to a concrete monument at the beginning of a curve and in the north margin of Havron Avenue; thence continuing in a northwesterly directing along the north margin of Havron Avenue, a distance of 44.6 feet to an iron pin, being the common corner between Lots 77 and 78; thence continuing in a northwesterly direction along the north margin of Havron Avenue and around a curve, a distance 45 feet to a concrete monument in the north margin of Havron Avenue; thence continuing in a northwesterly directing along the north margin of Havron Avenue a distance of 50.7 feet to an iron pin on a line between Lots 76 and 77 and the point of beginning; thence continuing in a northwesterly directing along the north margin of Havron Avenue a distance of 95 feet to an iron pin in the north margin of Havron Avenue on a line between Lots 75 and 76; thence in a northeasterly direction along the line between Lots 75 and 76; a distance of 165.9 feet to an iron pin in the center of a 20 foot utility easement and on the line between Lots 76 and 59; thence in a southeastelry direction along the center line of the 20 feet public utility easement a distance of 95 feet to an iron pin in the center line of the said easement and on the line between Lots Nos. 76 and 60 on the northwesterly margin of Lot No. 77 on the northeasterly margin; thence in a southwesterly direction along the line between Lots Nos. 76 and 77, a distance of 165.2 feet to an iron pin in the north margin of Havron Avenue and on the line between Lots Nos. 76 and 77 and the point of beginning.
>
> Being the same property conveyed to Tommy R. Smallwood and wife, Carol H. Smallwood, by deed from Jackie Coleman Stroud and wife, Gail Lynn Stroud of record in Book _____, page _____, Register's Office for Davidson County, Tennessee.

and that said property should vest absolutely and solely in the plaintiff's name and her name alone, and she is to pay the outstanding indebtedness on the property and that the defendant will sign all papers necessary to effectuate such transfer, and further, plaintiff is to receive the furniture owned by the parties.

It is further, ORDERED, ADJUDGED and DECREED that the plaintiff is to have the custody of the parties' minor children with reasonable visitation rights granted to the defendant with the stipulations as previously herein stated, and that the defendant

shall pay the sum of $60.00 per week as child support for the support and maintenance of the parties' minor children directly to the plaintiff.

It is further, ORDERED, ADJUDGED and DECREED that the defendant should be allowed to claim the parties' minor children as dependents on his income tax return each year.

It is further, ORDERED, ADJUDGED and DECREED that the defendant, Tommy Ray Smallwood, shall pay the plaintiff's attorney of record, James R. Everett, Jr., the sum of $250.00 attorney's fees for representing plaintiff in this cause, and defendant shall pay all costs of this cause, for all of which execution may issue if necessary.

Enter this _____ day of _____, 1975.

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IDENTIF. REFERENCE T

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FELIX A. [illegible] REGISTER
DAVIDSON COUNTY, TENN.

Honorable Jack Butler, Special Judge

Enter This 1- Day of MAY 1975

APPROVED FOR ENTRY:

JAMES R. EVERETT, JR.
Attorney for Plaintiff

RICHARD HEDGEPATH,
Attorney for Defendant

960/971

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* Carol Eleise Henson Smallwood *Plaintiff, and* Tommy Ray Smallwood *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* 9th *day of* December *in the year one thousand nine hundred and* seventy-five *and in the* 199 *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By D. Buttrey, *D. C.*