95A/28

ETHEL JUANITA LEWIS) IN THE FOURTH CIRCUIT COURT

VS.) DAVIDSON COUNTY, TENNESSEE

CHARLES BEECHER LEWIS) No. 71557

133-16

FINAL DECREE

BOOK 4997 PAGE 291

This cause came on to be heard on this Tuesday, February 4, 1975, before the Honorable Robert H. Jennings, Special Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the cross-bill heretofore filed in this cause, the original bill having been withdrawn. After having heard testimony of witnesses in open Court and argument of counsel, the Court was of the opinion that the cross-bill was well taken; that is to say, that the cross-defendant had been guilty of such cruel and inhuman treatment and conduct towards the cross-complainant as to render further cohabitation improper.

FEB 17 MISC B* 8.00 * 8.00

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the cross-complainant, Charles Beecher Lewis, is awarded an absolute divorce from the cross-defendant, Ethel Juanita Lewis, and the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved and the cross-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 original bill for divorce heretofore filed in this cause shall be, and the same is hereby dismissed.

It is further ORDERED by the Court that the cross-defendant shall have the exclusive care, custody and control of the minor child of the parties, to wit: Elizabeth Ann Lewis, with the right of open and free visitation privileges vested in the cross-complainant.

It is further ORDERED by the Court that the cross-complainant shall pay the sum of $75.00 per month, as child support, said monies to be paid into a trust hereinafter to be established by the parties to be paid for the best interest, education and welfare of the minor child of the parties.

It is further ORDERED by the Court that all right, title and interest the cross-defendant may have in and to the homeplace of the parties located at 4851 Aster Drive, Nashville, Davidson County,

Tennessee, and more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 36 on the Plan of Highview Acres, of record in Book 2331, page 52, Register's Office for said County, described as follows:
>
> Beginning at a point in the northerly margin of Verbena Drive, the common corner of Lots Nos. 36 and 44 on said Plan; thence with the line between said two lots northwardly 128 feet to the common corner of Lots Nos. 36, 37 and 44; thence with the line between said Lots Nos. 36 and 37 eastwardly 135.7 feet to a point in the westerly margin of Aster Drive; thence with the margin of said Aster Drive southwardly 103 feet to the beginning of a curve; thence around said curve having a radius of 25 feet, in a southwesterly direction 39.3 feet to a point in the northerly margin of said Verbena Drive; thence with the margin of the same westwardly 110.7 feet to the beginning.
>
> Being the same property conveyed to Charles B. Lewis and wife, Ethel J. Lewis, by deed from M. D. Hale and wife, Margaret E. Hale, of record in Book _____, page _____, Register's Office for Davidson County, Tennessee.

shall be, and the same is hereby divested out of the cross-defendant and vested in the cross-complainant in fee.

It is further ORDERED by the Court that the cross-defendant shall retain all articles of personal property now in her possession.

It is further ORDERED by the Court that both parties shall be responsible for his or her attorney's fees.

The cross-defendant shall pay the costs of this cause, for execution may issue if necessary.

Enter This 25 Day of FEB 1975

Robert L. Fleming Jr.
SPECIAL JUDGE

APPROVED FOR ENTRY:

Seth Norman, Atty. for Cross-Complainant

Melvin Butler, Atty. for Cross-Defendant

cc: Mr. Melvin Butler

D36294

T REFERENCE
IDENTIF.

FEB 17 12 59 PM '76
REGISTER
DAVIDSON COUNTY, TENN.

PROPERTY SETTLEMENT AGREEMENT

WHEREAS, ETHEL JUANITA LEWIS, hereinafter called "Wife", and CHARLES BEECHER LEWIS, hereinafter called "Husband", are married, but have experienced marital difficulties, and

WHEREAS, there is pending in the Fourth Circuit Court of Davidson County, Tennessee, a Petition for Absolute Divorce filed by the Wife bearing docket no. 71557, and

WHEREAS, Husband and Wife desire to settle their property matters subject, however, to the approval of the Court, which Property Settlement Agreement, upon approval of the Court, would become a part of the final decree entered in this cause.

NOW, THEREFORE, IT IS AGREED by and between the parties as follows:

1. The Wife is to have the care, custody and control of the minor child of the parties, Elizabeth Ann Lewis; however, the Husband shall have open and free visitation with the child at any and all times.

2. All right, title and interest the Wife may have in and to the homeplace of the parties at 4851 Aster Drive and the furnishings located therein shall be divested out of the Wife and vested in the Husband in fee.

3. Husband agrees that he will pay as child support the sum of Seventy-Five ($75.00) Dollars per month. Said monies to be paid into a trust fund hereafter to be established by the

parties for the best interest, education and welfare of the minor child, Elizabeth Ann Lewis.

IT IS AGREED by the parties that said funds can only be withdrawn should it be shown that the same are needed for the best interest, education and welfare of the minor daughter of the parties, Elizabeth Ann Lewis.

4. Each party will be responsible for and pay their reasonable attorneys' fees.

5. The Wife is to have all of those personal articles of the parties, which she presently has in her possession.

The parties have signed this Property Settlement Agreement this the 5 day of February, 1975.

Ethel Juanita Lewis

Ethel Juanita Lewis

Charles Beecher Lewis

Charles Beecher Lewis

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* ETHEL JUANITA LEWIS *Plaintiff, and* CHARLES BEECHER LEWIS *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* 17th. *day of* FEBRUARY *in the year one thousand nine hundred and* SEVENTY-SIX *and in the* 200th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By June Smith, D. C.

MINUTE BOOK 95A PAGE 28