4-6-73
80B/955

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BOOK 5003 PAGE 740

IN THE FOURTH CIRCUIT COURT

OF DAVIDSON COUNTY, TENNESSEE

Mag. Recd
12-16
SD

GENEVA DALE FITZGERALD)
)
VS.) NO. 67546
)
BILLY RAY FITZGERALD, SR.)

MAR-8 MISC B* 6.00 * 6.00

FINAL DECREE OF DIVORCE

This cause came on to be heard this second day of April, 1973, before the Honorable Benson J. Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee. The original bill was filed on the fourth day of October, 1972. The defendant was served by personal service and a pro-confesso was duly taken, the defendant having failed to answer as required by law.

Upon the testimony of the complainant and her witnesses, the Court was of the opinion that an absolute divorce should be granted on the grounds of cruel and inhuman treatment, and the Court approved the oral property settlement agreement and awarded an attorney's fee to the complainant's attorney of $250.00.

IT IS THEREFORE ORDERED, ADJUDGED AND AGREED that:

1. The defendant, Billy Ray Fitzgerald, Sr., is guilty of such cruel and inhuman treatment towards the complainant, Geneva Dale Fitzgerald, as renders co-habitation unsafe and improper.

2. That the bonds of matrimony heretofore subsisting between the complainant, Geneva Dale Fitzgerald, and the defendant, Billy Ray Fitzgerald, Sr., are here now perpetually dissolved, and that the complainant, Geneva Dale Fitzgerald,

is awarded an absolute divorce from the defendant, Billy Ray Fitzgerald, Sr., and is restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the Court approve the oral property settlement agreement entered into between the parties, of which is as follows:

1. That the complainant, Geneva Dale Fitzgerald, is awarded custody of the minor children, Tina Carline, age 8, and Billy Ray, Jr., age 4, and that the defendant is to pay the sum of $35.00 (thirty five dollars) per week as child support for said children.

2. That title for the real estate owned by the parties, at 1805 Hayden Drive, Nashville, Tennessee, be vested solely in the complainant, Geneva Dale Fitzgerald, and that title to said property be divested out of the defendant, Billy Ray Fitzgerald, Sr., and that should the complainant, Geneva Dale Fitzgerald, sell said property within two years of the date of entry of this order, that she agrees to share this profit or equity in the house with the defendant, Billy Ray Fitzgerald, Sr.

3. That the title to the furniture, personal property located in the house at 1805 Hayden Drive, Nashville, Tennessee be vested solely in the complainant, Geneva Dale Fitzgerald, and is divested out of the defendant, Billy Ray Fitzgerald, Sr.

4. That the defendant, Billy Ray Fitzgerald, Sr., have reasonable visitation rights with the minor children born of this marriage.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT the costs of this action are taxed against the defendant, Billy Ray Fitzgerald, Sr., of which execution may issue if necessary, and

that a reasonable attorney's fee is awarded to the attorney for the complainant, Howard D. Bridges, in the amount of $250.00, for which execution may issue if necessary.

This 6 day of April, 1973.

Benson E. Trimble
Judge

Approved for Entry

Howard D. Bridges

FELIX A. ... REGISTER
DAVIDSON COUNTY, TENN.

MAR 8 3 40 PM '76

IDENTIF. REFERENCE

D 3 9 3 0 5

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* Geneva Dale Fitzgerald *Plaintiff, and* Billy Ray Fitzgerald, Sr. *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* 5th *day of* March *in the year one thousand nine hundred and* Seventy-six *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By D. A. McDougal, *D. C.*