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af

WILMA H. GREENWOOD)
)
VS.) IN THE FOURTH CIRCUIT COURT OF
) DAVIDSON COUNTY, TENNESSEE
) NO. 31258
RADFORD L. GREENWOOD)

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FINAL DECREE

This cause came on for hearing on this the 8th day of March, 1976, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the original complaint filed by the complainant, Wilma H. Greenwood, personal service of process upon the defendant, Radford L. Greenwood, with said defendant filing an answer and cross-complaint being duly answered by complainant, testimony of witnesses heard in open Court, argument of counsel and upon the entire record herein. From all of which the Court took said matter under advisement and found through it's memorandum under date of March 9, 1976, as follows:

MEMORANDUM

This cause came on to be heard upon the pleadings, upon the testimony of the principals, upon the testimony of corroborative witnesses, upon argument of the solicitors and the entire record herein. From all of which the court is of the opinion and finds as follows:

The Court is well aware that there is absolutely no reasonable hope of reconciliation, as testified to by each of the principals and as mentioned by each of the able solicitors during the argument of the trial. The Court therefore is of the opinion that the plaintiff should be awarded an absolute divorce on the statutorily alleged ground of cruel and inhuman treatment and the resulting final judgment will so reflect.

In regard to the homeplace and furnishings of the parties, it must be remembered that each of them now own one-half interest therein. Therefore, to divide the equity equally would leave the parties exactly where they are now. The Court does not feel this is just insofar as the plaintiff is concerned. The Court therefore is of the opinion that all right, title and interest in and to the homeplace, as well as the furnishings therein, should be and become the sole property of the plaintiff to be hers in fee simple title. The Court further is of the opinion that the motor vehicle she is now driving, identified as a pick up truck, should be and become her property free from any claim therein insofar as the defendant is concerned.

In regard to the interest in the savings account that is now in the name of the plaintiff, the Court is of the opinion that the equities would be served by the defendant being awarded a $1,000.00 interest therein and the remainder of said savings account shall be and become the sole property of the plaintiff.

In regard to the tractors, the Court is of the opinion that the one testified to having a value of $700.00 should be and become the sole property of the plaintiff and the other tractor should be and become the sole property of the defendant.

The Court is further of the opinion that all other properties of the parties, being in part the garden equipment as well as the chain saw, should be and become the sole property of the defendant.

The Court further is of the opinion that there should be no continuing alimony in that the plaintiff has received the properties and the sums above set forth.

Now that the matter has been decided a fair and equitable fee for the solicitors representing the plaintiff should be established. In the event the solicitors are able to agree upon a reasonable fee this will be approved by the court. In the event agreement cannot be reached and if the Court is so notified, without additional hearing, this matter will be decided. Until the fee has been ruled upon and payment has been made there will be declared a lien upon all properties of the parties. The resulting final judgment will so reflect.

The costs in this cause shall be assessed against the defendant for which execution may issue if necessary.

The solicitors representing the plaintiff will prepare a final judgment accordingly.

Dated this 9th day of March, 1976.

/s/ Benson Trimble
Benson Trimble, Judge
Fourth Circuit Court
Davidson County, Tennessee

It is, therefore, ORDERED, ADJUDGED and DECREED that the allegations of complainant's complaint have been fully sustained that is that the defendant, Radford L. Greenwood, has been guilty of such cruel and inhuman treatment and conduct towards complainant as renders further cohabitation unsafe and improper for her to remain under his dominion and control.

It is, therefore, ORDERED, ADJUDGED and DECREED that the bonds of matrimony heretofore subsisting by and between the

parties are hereby dissolved and the complainant, Wilma H. Greenwood, is hereby granted an absolute divorce from the defendant, Radford L. Greenwood, and she is hereby restored to all the rights and privileges of an unmarries person.

It is further ORDERED, ADJUDGED, and DECREED that the homeplace of the parties located at 312 Pitts Avenue, Old Hickory, Tennessee, is hereby awarded to the complainant, Wilma H. Greenwood, to be hers absolute and in fee simple and any right, title and interest the defendant, Radford L. Greenwood, has in and to the same is hereby divested from him and reinvested in complainant, Wilma H. Greenwood, absolutely. Said real property is described more particularly in words and figures as follows:

BEGINNING at a point in the center line of Pitts Avenue, formerly Old Hadley Bend Road or Old Hopewell Road, at the common corner of Tracts 5 & 6, being the northwesterly corner of Tract 6, conveyed to W. R. Kimbrough and wife, by deed of record in Book 965, Page 180, Register's Office for Davidson County, Tennessee; thence along Kimbrough's westerly line, south 8 degrees west 322.0 feet to York's northeasterly corner; thence westerly 93.6 feet to a point; thence northerly 325.5 feet more or less, to the center line of Pitts Avenue, formerly Old Hadley Bend Road or Old Hopewell Road; thence with the center line of said Avenue South 65 degrees 52 minutes East 100 feet to the point of beginning.

Being the same property conveyed to Radford L. Greenwood and wife, Wilma J. Greenwood by deed from William G. Wallis and wife, Ruth W. Wallis, as of record in Book 4005, page 36, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the complainant is hereby awarded the 1963 Chevrolet Pick-Up Truck and the household furniture and furnishings of the parties and any interest the defendant has therein is hereby divested from him and reinvested in the complainant to be hers absolute and in fee simple.

It is further ORDERED, ADJUDGED and DECREED that the defendant shall receive a $1,000.00 interest in the savings account of the parties and the remaining balance thereof is hereby awarded solely to the complainant, Wilma H. Greenwood.

It is further ORDERED and DECREED that the complainant, Wilma H. Greenwood, is awarded the tractor valued at $700.00 and the attachments thereto to be hers absolute. It is further ORDERED and DECREED that all other properties of the parties being in part the garden equipment and chain saw and other tractor is hereby awarded to the defendant, Radford L. Greenwood.

It is further ORDERED, ADJUDGED, and DECREED that the solicitors representing the complainant herein are hereby awarded a reasonable attorney's fee in the amount of $500.00 and they are hereby awarded a lien upon the defendant's interest of $1,000.00 in the joint savings account to secure payment thereof for all of which let execution issue if necessary.

The defendant shall pay the cost of this cause for all of which let execution issue if necessary.

JUDGE

3-16-76

APPROVED FOR ENTRY:

Robert B. Robinson

Darrell Robinson

Attorneys for Complainant

Attorney for Defendant

I certify that a copy of this Final Decree has been mailed to the Attorney for Defendant, Richard E. Rudesill, Wilson Pike Circle, Brentwood, Tennessee, this the 16th day of March, 1976.

Darrell Robinson

Attorney for Complainant

Mail
Mrs. Wilma Greenwood
P.O. Box 288
(Old) Hendersonville
37138

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99C/2254 Docket No. 81258

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* Wilma H. Greenwood *Plaintiff, and* Radford L. Greenwood *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* 28th *day of* April *in the year one thousand nine hundred and* seventy six *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L. Rutherford *D. C.*