12-19-74
151B/710

BOOK 5021 PAGE 822

MARY ELOIS GIBSON FRANKS,	**	IN THE SIXTH CIRCUIT COURT
	**	OF
Plaintiff	**	DAVIDSON COUNTY, TENNESSEE
	**	
VS.	**	NO. 74539
	**	
ROBERT LEWIS FRANKS,	**	
	**	
Defendant	**	

Map. 94-1
Par. 449

O R D E R

This cause came on to be heard on the 17th day of December, 1974 before the Honorable James M. Swiggart, Judge of the Sixth Circuit Court of Davidson County, Tennessee, upon the original complaint, judgment by default heretofore taken and entered against the defendant, Robert Lewis Franks, property settlement agreement, oral testimony of witnesses examined in open court and the entire record in this cause.

And it appears to the Court from the evidence, that the facts charged in the complaint are true; that the defendant has been guilty of such cruel and inhuman treatment or conduct toward the plaintiff as renders further cohabitation unsafe and improper and further, since their marriage the defendant has become a habitual drunkard.

It is therefore ORDERED, ADJUDGED and DECREED by the Court, that the bonds of matrimony subsisting between the plaintiff and defendant be absolutely and forever dissolved; that the plaintiff be given an absolute divorce and vested with all the rights and privileges of an unmarried woman.

It is further ORDERED, ADJUDGED and DECREED by the Court that the property settlement entered into between the parties, having been examined by the Court, is in all things approved. Said property settlement is in the following words and figures, towit:

PPOPERTY SETTLEMENT AGREEMENT

WHEREAS, MARY ELOIS GIBSON FRANKS has filed suit for divorce against ROBERT LEWIS FRANKS, which is pending in the Circuit Court of Davidson County, Tennessee; and,

WHEREAS, it is agreed between the parties that should a divorce be granted by the Court after hearing all evidence, that property acquired by them, shall be divided as follows:

Mary Elois Gibson Franks is to receive the house at 1601 Electric Avenue, Nashville, Tennessee, being Lot No. 77 on the Plan of Shelby Village No. 3, recorded in Book 2083, Page 6, R. O. D. C., Tennessee, and all household furniture therein;she is also to receive Franks Diary Bar, 726 McFerrin Avenue, Nashville, Tennessee, free of any claims of Robert Lewis Franks, including any investment he may have in same.

Robert Lewis Franks is to receive the two (2) Ford Trucks, welders and all tools he works with, his checking and savings accounts, free from any claims of Mary Elois Gibson Franks.

IT IS FURTHER agreed that this Property Settlement be submitted to the Court, for approval, in the event a divorce is granted.

This the ____ day of _____, 1974.

_____
MARY ELOIS GIBSON FRANKS

_____
ROBERT LEWIS FRANKS

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

It is further ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest of the defendant, Robert Lewis Franks, in and to property conveyed to the parties by deed of record in Book 4512, Page 474, Register's Office for Davidson County, Tennessee, being property situated in Davidson County, Tennessee, described as follows, towit:

> BEING Lot No. 77 on the Plan of Shelby Village No. 3, as of record in Book 2083, Page 6, Register's Office for Davidson County, Tennessee, described as follows:
>
> BEGINNING at a point in the northwesterly margin of Electric Avenue, the common corner of Lots Nos. 76 and 77; thence northwesterly with the line between said two lots, 79.5 feet to the common corner of Lots Nos. 76, 77 and 78; thence southwesterly with the line between said Lots Nos. 77 and 78, 78.7 feet to a point in the northeasterly margin of South 16th Street; thence southeasterly with the margin of the same, 65.2 feet to the beginning of a curve; thence around said curve in a southeasterly direction, 37.4 feet to a point in the northwesterly margin of said Electric Avenue; thence northeasterly with the margin of the same, 65 feet to the point of beginning;

be and the same is hereby divested out of the defendant, Robert Lewis Franks, and vested in the plaintiff, Mary Elois Gibson Franks. Plaintiff is also to receive all household furniture in said property; plaintiff is to receive Franks Diary Bar, located at 726 McFerrin Avenue, Nashville, Tennessee, free of any claims of Robert Lewis Franks, including any investment he may have in same. The title to all of said property is divested out of defendant and vested in the plaintiff.

It is further ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest of the plaintiff, Mary Elois Gibson Franks, in and to two (2) Ford Trucks, welders and other tools, checking and savings accounts, be divested out of the plaintiff, Mary Elois Gibson Franks, and vested in the defendant, Robert Lewis Franks.

It is further ORDERED, ADJUDGED and DECREED by the Court that all costs of this cause be taxed against the defendant, for which let execution issue.

This the 19th day of December, 1974.

Enter This 19th Day of Dec., 1974

JUDGE

Jacobs H. Doyle
Attorney for Plaintiff
428 Stahlman Building
Nashville, Tennessee 37201

D 47625

IDENTIF. REFERENCE

MAY 5 9 08 AM '76

REGISTER DAVIDSON COUNTY, TENN. BOOK 5021 PAGE 825

MAY-5 MISC B* 8.00 * 8.00

Docket No. 74539 15B/710

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* Mary Elois Gibson Franks *Plaintiff, and* Robert Lewis Franks *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* May *in the year one thousand nine hundred and* seventy-six *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Patty Fraser, *D. C.*