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BOOK 5030 PAGE 788

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

5-18-76
140A/512

JUN-1* MISC B* 10.00 * 10.00

JAMES TERRIL PHILLIPS]

-vs-] NO. 82248

SANDRA SAWYER PHILLIPS]

FINAL DECREE

This cause came on to be heard on the 17th day of May, 1976 before the Honorable J. William Rutherford, Judge, upon the petition for absolute divorce filed by complainant, personal service of process upon the defendant, default judgment being duly entered, submission to the Court of property settlement agreement for approval, testimony of complainant and his two corroborative witnesses, statement of counsel in open court and from the entire record in this cause. From all of which the Court finds that the defendant has been guilty of such cruel and inhuman treatment or conduct toward complainant as renders further cohabitation unsafe and improper. It is therefore

ORDERED AND ADJUDGED that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby forever and perpetually dissolved and the complainant, James Terril Phillips, is granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED AND ADJUDGED that the property settlement heretofore signed by the parties is approved in all respects and made a part of this decree, by inclusion, as follows:

WHEREAS, there is presently pending in the Circuit Court of Davidson County, Tennessee a petition for absolute divorce filed by JAMES TERRIL PHILLIPS, hereinafter referred to as Husband, against SANDRA SAWYER PHILLIPS, hereinafter referred to as Wife, and

WHEREAS, these parties are presently living separate and apart and desire to enter into a property settlement agreement and tender same to the Court for approval in the event a decree of divorce is granted in this cause, and

WHEREAS, these parties have been advised of their rights and responsibilities, one to the other,

NOW, THEREFORE, in consideration of $1.00 cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties do agree as follows:

(1) Husband to obtain the divorce on a non-contested basis.

(2) The custody of the two minor children of the parties, to-wit: Scott Allen Phillips and Stacy Ross Phillips, shall be awarded to the Wife, with the right of reasonable visitation reserved to the Husband. Wife shall further have the right to remove the children from the State of Tennessee without prior consent of the Court, and in the event of this action, shall not relieve Husband from the payment of child support to Wife.

(3) Husband agrees to pay $165.00 child support, said payments to be made directly to Wife.

(4) All the household furniture, furnishings, household goods and contents of the home located in their present dwelling, shall be awarded to the Wife.

(5) All right, title and interest which the Husband has in and to the house and lot of the parties located at 209 Joann Court, Nashville, Davidson County, Tennessee, is divested out of Husband and vested solely in the Wife, in fee simple absolute ownership and Wife agrees to pay the balance of mortgage indebtedness thereon and hold Husband harmless and indemnify him from any responsibility thereon.

(6) All right, title and interest which the Wife has in and to the lots of the parties located on Kentucky Lake shall be awarded to the Husband, in fee simple absolute ownership, it being his responsibility to pay the balance of mortgage indebtedness thereon and hold Wife harmless and indemnify her from any responsibility thereon.

(7) The 1974 green and white Penthouse mobile home shall be awarded to Husband, it being his responsibility to pay the balance of mortgage indebtedness thereon.

(8) The VIP runabout boat, 70 hp. Chrysler motor and trailer will be awarded to Husband.

(9) Husband agrees to pay all of the attorney fees and court costs in this matter.

Both parties agree to sign any and all documents, deeds, titles, or instruments necessary to carry out the full purpose and intent of this agreement. Both parties acknowledge that they have read this agreement in its entirety prior to signing and have signed same voluntarily. Both parties acknowledge that this Agreement shall be binding upon them upon and after the date of the execution hereof.

WITNESS OUR HANDS, this 12th day of March, 1976 as to Husband, and the 12th day of March, 1976 as to Wife.

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IDENTIF. REFERENCE

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FELIX [illegible] REGISTER
DAVIDSON COUNTY, TENN.

James Terril Phillips
HUSBAND

Sandra Sawyer Phillips
WIFE

Robert L. Jackson
SOLICITOR FOR HUSBAND

It is further ORDERED AND ADJUDGED that all right, title and interest which the complainant, James Terril Phillips, has in and to the real property of the parties located at 209 JoAnn Court, Nashville, Davidson County, Tennessee, more particularly described as follows:

> Being Lot No. 88 on the Plan of Fair Oaks, Section II, as of record in Book 4460, page 52, Register's Office for Davidson County, Tennessee.
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> Said Lot No. 88 fronts 71 ft. on the southerly margin of JoAnn Court and extends back on the easterly margin 138.90 ft. and 135.48 ft. on the westerly margin to a dead line in the rear on which it measures 80.70 ft.
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> Being the same property conveyed to James T. Phillips and wife, Sandra Phillips, by deed from Gardner Construction Company, of record in Book 4687, page 308, Register's Office for Davidson County, Tennessee.

is divested out of him and the sole and exclusive ownership of said real property is vested in the defendant, Sandra Sawyer Phillips, in fee simple absolute, it being her responsibility to pay the balance of mortgage indebtedness thereon.

It is further ORDERED AND ADJUDGED that all right, title and interest which the defendant, Sandra Sawyer Phillips, has in and to the real property of the parties located in Perry County, Tennessee, and more particularly described as follows:

> Being Lot No. 9 of the Crooked Creek Sports Marina, Inc., Subdivision, Sec. I, according to a plat of record in Book B, Page 360, Register's Office of Perry County, Tennessee, to which plat reference is hereby made for a more complete description.
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> Being the same property conveyed to James T. Phillips and wife, Sandra Phillips, by deed from Virgil L. Martin, and wife, Ethel Ruth Martin, of record in Deed Book _____, page _____, Register's Office for Perry County, Tennessee.
>
> AND
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> Lying and being in the Second Civil District of Perry County, Tennessee and being Lot # 6 of the Crooked Creek Sports Marina, Inc., Subdivision, Section I, according to a plat made by R. V. Sims, Surveyor, of record in Survey Book B, page 360, said Register's Office, to which plat reference is here made for a more complete description.
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> Being the same property conveyed to James T. Phillips and wife, Sandra Phillips, by deed from Oma H. Bone, Jr., et ux, et al, of record in Warranty Deed Book L-13, page 290, Register's Office for said County.

is divested out of her and the sole and exclusive ownership of said real property is vested in the complainant, James Terril Phillips, in fee simple absolute, it being his responsibility to pay the balance of mortgage indebtedness thereon, if any.

The costs of this cause are taxed against the complainant, for all of which execution may issue, if necessary.

JUDGE 5-15-76

APPROVED:

Robert L Farb
Attorney for Complainant

I hereby certify that this is a true copy of original instrument filed in my office this 1 day of June 1976
GEORGE L. ROOKER Clerk
By Brenda West
Deputy Clerk

Counsel's copy not received

The undersigned hereby certifies that a true copy of this pleading has been served upon all parties at interest in said cause by delivering a true copy of said pleading to counsel or party in the following manner: on this the 12 day of May 76.