MARY STUMB FARRAR)
)
Vs.)
)
SAMUEL F. FARRAR)

NO. 41602

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE.

FH. 017835

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- D E C R E E -

This cause came on to be heard by the Honorable Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee, on Tuesday, December 10, 1963, upon the original bill filed by the complainant, Mary Stumb Farrar, and the answer filed on behalf of the defendant, Samuel F. Farrar.

From the pleadings in the cause, oral testimony heard in open court by agreement of the parties, and from the entire record in the cause, the Court was of the opinion that the allegation of the original bill were fully sustained by the proof, that is, that the defendant, Samuel F. Farrar, has been guilty of such cruel and inhuman treatment and conduct towards the complainant, Mary Stumb Farrar, as renders it unsafe and improper for her to further cohabit with him and be under his dominion and control.

It is, therefore, ORDERED, ADJUDGED, and DECREED by the Court that the bonds of matrimony heretofore subsisting between the complainant, Mary Stumb Farrar, and the defendant, Samuel F. Farrar, be and the same are hereby forever and perpetually dissolved; the complainant, Mary Stumb Farrar, is hereby decreed an absolute divorce from the defendant, Samuel F. Farrar, and she is further restored to all the rights and privileges of an unmarried person.

It is FURTHER ORDERED, ADJUDGED, and DECREED by the Court that the custody of the minor children of these parties, namely, Samuel Fleming Farrar, Jr., and Mickie Lee Farrar, be, and the same is hereby, committed to the mother and complainant, Mary Stumb Farrar, with the right and privilege to the father and defendant, Samuel F. Farrar, to see and have them visit with him at reasonable times and places. In order to clarify visitation rights in view of the extreme differences on this subject between the parties, it is further ORDERED that the minor children be allowed to visit with the father and defendant on the first week-end of each month hereafter from 5 o'clock P. M. on Friday until 8 o'clock P. M. the following Sunday evening. The defendant and father shall also have the right to have the children visit with him on the third week-end of each month hereafter from 5 o'clock P. M. on Friday evening until 8 o'clock P. M. on Sunday evening. The above visitation rights will be continued on the condition that the defendant-father see that the children attend Sunday School while in his custody on visitation. It is FURTHER ORDERED that both the complainant-mother and defendant-father shall have the right to talk over the telephone to the children

when they are in the other's custody at any reasonable time. And it is FURTHER ORDERED that the complainant-mother and defendant-father shall divide the school vacations equally, including summers, so that the children shall spend one-half of each vacation with each of the parents on an uninterrupted basis. Similarly, the children shall be allowed to spend part of each of their birthday with each of the parents. In case of illness or injury, the father shall be told of same and allowed reasonable visitation privileges with either or both children during such periods. Both the defendant-father and complainant-mother are hereby directed, and specifically enjoined, not to engage in any conduct or conversations with the children to the prejudice of either parent, and any violation of this injunction should be reported immediately to the Court.

It is FURTHER ORDERED, ADJUDGED, and DECREED by the Court that the defendant, Samuel F. Farrar, pay to the complainant, Mary Stumb Farrar, the sum of Seventy-Five ($75.00) Dollars per month for the support of each of the minor children, or a total of One Hundred Fifty ($150.00) Dollars, until either or both of the children shall have reached the age of twenty-one (21) years, or become married, or is self-supporting, or obtains a Bachelor's Degree in their educational pursuit, whichever occurs first.

It is FURTHER ORDERED, ADJUDGED, and DECREED by the Court that all right, title, and interest in and to the following described real estate located at City No. 2037 Castleman Drive in Metropolitan Davidson County, Tennessee, which has heretofore been occupied by the parties as their home, and owned by the parties as tenants by the entirety, and more particularly described as follows:

> Being Lot No. 4 of Block 7 on the Plan of Overton Hills, as of record in Book 843, Page 66, Register's Office for said county. Said Lot No. 4 fronts 100 feet on the southerly side of Castleman Drive and runs back 194.1 feet on the westerly line and 182.3 feet on the easterly line to a dead line, and measures 118 feet thereon.
> Being the same property conveyed to Sam F. Farrar and wife, Mary S. Farrar, by deed from Alice Norrish Bell, as of record in Book 2698, page 321, Register's Office for Davidson County, Tennessee.

now vested in the defendant, Samuel F. Farrar, be, and the same is, divested out of the said Samuel F. Farrar and the same is vested in and with the complainant, Mary Stumb Farrar, so as to make the title in the said Mary Stumb Farrar in fee simple, subject to the existing encumbrances thereon.

It is FURTHER ORDERED, ADJUDGED, and DECREED by the Court that all right, title, and interest in and to the household furniture heretofore owned by these parties and now located in their home at 2037 Castleman Drive, now vested in the defendant, Samuel F. Farrar, be, and the same is hereby divested out of the said Samuel F. Farrar and title to the same is vested in the complainant, Mary Stumb Farrar, absolutely;however, it appearing to the Court that among the furniture and personal effects mentioned above there is a corner cabinet, a china cabinet, a love seat, a mirror, a sofa, and a bed which were loaned to the parties from

members of the defendant's family, and in which the defendant has a sentimental interest for this reason; it is FURTHER ORDERED, ADJUDGED and DECREED that the complainant surrender these specific articles of furniture to the defendant, if and when the defendant either replaces the same in kind or pays the complainant a reasonable market price therefor.

It is FURTHER ORDERED, ADJUDGED and DECREED by the Court that within thirty (30) days of the entry of this decree the defendant, Samuel F. Farrar, will deliver to the complainant, Mary Stumb Farrar, her original American Bank stock unencumbered.

It is FURTHER ORDERED, ADJUDGED and DECREED by the Court that the defendant, Samuel F. Farrar, assume, and he is directed to pay and discharge, any and all note obligations which the complainant has signed with the defendant, and to effect her complete release from said obligations, except the mortgage note which is an encumbrance on the home at Castleman Drive and which mortgage is to be assumed by the complainant, Mary Stumb Farrar.

It is FURTHER ORDERED, ADJUDGED and DECREED by the Court that the defendant, Samuel F. Farrar, pay to the complainant, Mary Stumb Farrar, the sum of Five Thousand ($5,000.00) Dollars in cash, for which execution may issue if necessary.

As further, final, and complete settlement of all of their marital property rights, and as alimony, the defendant, Samuel F. Farrar, will pay to the complainant, Mary Stumb Farrar, for her further maintenance and support, the additional sum of Six Thousand Fifty ($6,050.00) Dollars, to be paid in monthly sums of Fifty ($50.00) Dollars for a period of ten (10) years and one (1) month, or until the final amount of $6,050.00 has been thus paid, or until the said Mary Stumb Farrar remarries; and provided further that said payments would cease in the event of her death before the entire obligation has been discharged. This latter amount of $6,050.00 is in addition to the $5,000.00 hereinabove provided for.

It is FURTHER ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest in and to the following real estate located in Davidson County, Tennessee, which is unimproved property, heretofore owned by the parties as tenants by the entirety, and located on Crater Hill Drive, and more particularly described as follows:

> A certain tract or parcel of land in Davidson County, Tennessee, described as follows, to-wit:
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> Lot No. 67 on the Plan of Chickering Hills, Section 3, as of record in Book 2663, page 17, Register's Office for said county, described as follows:
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> Beginning on the northeasterly margin of Crater Hill Drive at the corner of Lots Nos. 67 and 68; thence with the line between said two lots northeastwardly 375 feet to the westerly margin of a 25 foot unnamed street; thence with the same southeastwardly 213.91 feet to the beginning of a curve; thence around said curve with a 25 foot and a 50 foot unnamed street having a radius of 250 feet southeastwardly 261.80 feet to a concrete monument, and continuing with said 50 foot

unnamed street southwardly 57.64 feet to the beginning of a curve; thence around said curve having a radius of 25 feet southwestwardly 39.27 feet to the northeasterly margin of Crater Hill Drive; thence with the same northwestwardly 187.17 feet to the beginning of a curve; thence around said curve having a radius of 540 feet northwestwardly 282.74 feet to a concrete monument; thence northwestwardly 18 feet to the beginning.

Being the same property conveyed to Samuel F. Farrar and wife, Mary Farrar, by deed from W. L. Bainbridge, Jr., Trustee, and individually, and wife, Julia W. Bainbridge, by deed of record in Book 2650, page 113, Register's Office for Davidson County, Tennessee.

now vested in the complainant, Mary Stumb Farrar, be, and the same is, divested out of the said Mary Stumb Farrar, and title to said real estate is hereby vested in and with the said Samuel F. Farrar in fee simple; however, a lien is hereby declared on the above described real estate to be owned in fee simple by the defendant, Samuel F. Farrar, to insure the payment of the initial $5,000.00 by the said Samuel F. Farrar to the complainant, Mary Stumb Farrar, as hereinabove decreed; and further to insure the payment of attorney fees hereinafter provided for to complainant's attorney.

It is FURTHER ORDERED, ADJUDGED and DECREED by the Court that the defendant, Samuel F. Farrar, pay to Jack Norman, Attorney of the Nashville Bar, the sum of $1,000.00 as attorney fee for professional services rendered the complainant in this cause, for which execution may issue, if necessary.

The defendant will pay the costs of this cause, for which execution may issue, if necessary.

FOR ENTRY:

Mary Stumb Farrar
Mary Stumb Farrar, Complainant

Samuel F. Farrar
Samuel F. Farrar, Defendant

Jack Norman
Jack Norman, Solicitor for Complainant

Henry W. Hooker
Henry W. Hooker, Solicitor for Defendant

Walter Leathers
Judge, Probate Court, Davidson County, Tennessee

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REGISTER'S OFFICE
DAVIDSON COUNTY, TENN.

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Patricia Heim Chancery Clerk

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2/315 Docket No. 41602

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* ~~Xerox~~ true copy *transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Mary Stumb Farrar *Plaintiff, and* Samuel F. Farrar *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* 2nd *day of* July *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.*