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140A/148

BOOK 5057 PAGE 852

IN THE FIRST CIRCUIT COURT
OF DAVIDSON COUNTY, TENNESSEE

JACQUELINE SUE DOUGLAS ROSE	)	
v.	)	Civil Action No. 79723
ROBERT EDWARD ROSE	)	

DECREE OF DIVORCE

This cause came on to be heard on the 5th day of April, 1976, before the Hon. J. William Rutherford, Circuit Judge, upon the complaint, the answer and counterclaim, the answer to the counterclaim, the testimony witnesses, the argument of counsel, and the entire record in this cause. It appears to the satisfaction of the Court, as evidenced by the signatures of the respective counsel, that the parties have reached an oral agreement disposing of the property accumulated during the marriage which is set forth herein, and have further agreed that the answer and counterclaim of the defendant, Robert Edward Rose, be withdrawn, and that the complaint of the plaintiff, Jacqueline Sue Douglas Rose, be tried as an uncontested matter. Having heard the testimony of witnesses, the argument of counsel, and having considered the entire record, and upon a consideration of all of which, it appears to the satisfaction of the Court that the allegations of the plaintiff's complaint are true and that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff as renders cohabitation unsafe and improper and that the plaintiff is entitled to an absolute divorce from the defendant and to be vested with all the rights and privileges of an unmarried person. It is, accordingly;

ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between the plaintiff, Jacqueline Sue Douglas Rose, and the defendant, Robert Edward Rose, be, and the same are hereby dissolved and the plaintiff is awarded

an absolute divorce from the defendant and vested with all rights and privileges of an unmarried person.

It is further ORDERED that the oral property settlement of the parties, as stated in open Court, be, and the same is hereby approved and the property of the parties is divided as follows:

1. All right, title, and interest of the defendant, Robert Edward Rose, in a 1973 Cadillac automobile, presently in the possession of the plaintiff, be, and the same is hereby divested out of the defendant and vested in the plaintiff. The defendant is ordered to pay, satisfy, or discharge the remaining indebtedness outstanding against this vehicle and to execute the necessary document to title this vehicle in the name of the plaintiff.

2. All right, title, and interest of the defendant, Robert Edward Rose, in the following described real property, be, and the same is hereby divested out of him and vested in the plaintiff, Jacqueline Sue Douglas Rose, absolutely and in fee simple subject to the conditions hereinafter set forth:

Land in Davidson County, Tennessee, being part of the west part of Lot No. 3 on the Map of the Lands of K. J. Morris, deceased, as of record in Book 57, page 49, Register's Office for said County, and described as follows:

MAP - Parcel 41-64

BEGINNING at a point in the center line of Bells Lane, 508 feet east of Mrs. Jackson's southeast corner, said point being 5 feet west of the center line of a 20-foot Avenue as located by this instrument; thence northerly 830 feet more or less to a point in the west margin of said 20-foot Lane, which point is South 87° 45' East 416 feet from Mrs. Jackson's east line; thence South 87° 45' East 164.3 feet to a point at the nrothwest corner of the property conveyed to Henry T. Beasley, Jr., and wife, by deed from C. L. Parker and wife, as of record in Book 1880, page 237, Register's Office; thence with Beasleys' west line, southerly 830 feet more or less to the center line of Bells Lane; thence with the center line of said Lane, North 87° 45' West 184 feet to the point of beginning.

Being the same property conveyed to Jean Shepard, now Hawkins, by deed from Carlean Hand as of record in Book 2796, page 103, said Register's Office.

An agreement relative to roadway being 20-feet wide along the easterly line of the premises, as set out in deed of correction of record in Book 2444, page 235, said Register's Office, which said roadway shall be located as follows:

BEGINNING at a point in the northerly margin of the present Bell Grimes Lane, 508 feet east of Mrs. Jackson's southeast corner, said point being 5 feet west of the centerline of a 20-foot Avenue; thence North 2° 30' East 8.5 feet to a point where the west margin of said 20-foot Lane intersects the new relocated northerly margin of Bell Grimes Lane; thence South 88° 44' 30" East 184.0 feet along the new relocated northerly margin of Bell Grimes Lane, North 88° 44' 30" West 184.0 feet to the point of beginning, and containing 0.04 acres, more or less.

Being the same property conveyed to Robert E. Rose and wife, Jacqueline D. Rose, by deed from Jean Shepard, now Hawkins, a widow, of record in book 3994, page 231, Register's Office for said county.

The defendant is hereby ordered to pay, satisfy, or otherwise discharge any and all outstanding mortgage indebtedness against the above-described real property; however, the defendant, Robert Edward Rose, is given the option of paying to the plaintiff, Jacqueline Sue Douglas Rose, the fair market value of the above-described real property as determined by Floyd Adkisson, Jr., appraiser, within 90 days following entry of this decree. If the defendant, Robert Edward Rose, pays to the plaintiff the fair market value of the above-described real property, as determined by Floyd Adkisson, Jr., appraiser, within the time herein specified, all right, title, and interest of the plaintiff in the above-described property shall, upon payment to her in cash of the appraised value of the above-described property, determined in the manner as herein set forth, shall be divested out of her and vested in the defendant, Robert Edward Rose, subject to any indebtedness which may constitute a lien against the property.

3. All right, title, and interest of the plaintiff, Jacqueline Sue Douglas Rose, in the following described real property be, and the same is hereby divested out of her and vested in the defendant, Robert Edward Rose, in fee simple, subject to any indebtedness which may be a lien against the property:

Parcel #1:

MAP-PARCEL 41-7

Land in Davidson County, Tennessee, being part of Lot No. 3 on the K. J. Morris lands, a plan of which is of record in Book 57, page 49, Register's Office in said County, and described according to a survey made by Wm. Collier Parrish Associates, Civil Engineers, dated April 28, 1959, as follows:

Beginning at a point on the northerly margin of Bell Grimes Land, being the southwest corner of the property known as Tract "B" conveyed to R. R. Mincy et ux, Mariam Mincy, by deed of record in Book 2904, page 131, said Register's Office; thence north 3 deg. 40' east 202.91 feet to a point; thence north 83 deg. 06' west 30.9 feet to a point; thence north 1 deg. 20' west 568.8 feet to a point in the southerly margin of the J. B. Jackson property; thence north 87 deg. 51' west 238.6 feet to a point; thence south 3 deg. 48' west 558.0 feet to a point; thence south 83 deg. 06' east 270.3 feet to a point; thence south 3 deg. 40' west 203.41 feet to a point in the northerly margin of Bell Grimes Lane; thence with the margin of said land south 86 deg. 20' east 50 feet to the beginning.

Being the same property conveyed to Robert E. Rose and wife, Jacqueline D. Rose, by deed from W. E. Batey, et ux, of record in book 2962, page 591, Register's Office for Davidson County, Tennessee.

Parcel #2:

MAP-PARCEL 116-12

Land in Davidson County, Tennessee, being Lot No. 27 on Block "D" on the Map of Woodmont Lane Homesites, as of record in Book 1130, page 13, Register's Office of Davidson County, Tennessee.

Said Lot No. 27 fronts 75 feet on the easterly side of Tulane Court and runs back 185.9 feet on the northerly line and 181.2 feet on the southerly line to a dead line, measuring 118.3 feet thereon.

Being the same property conveyed to Robert E. Rose and wife, Jacqueline D. Rose, by installment deed from Grainger Williams of record in book 4624, page 376, Register's Office of Davidson County, Tennessee.

4. All right, title, and interest of the plaintiff, Jacqueline Sue Douglas Rose, in any and all other property of the parties, accumulated during the marriage, be, and the same is hereby divested out of her and vested in the defendant, Robert Edward Rose, absolutely.

All costs of this cause are taxed against the defendant, Robert Edward Rose, for which execution may issue, if necessary.

Entered this 13 day of April, 1976.

/s/ J. W. Gilbreath
Circuit Judge

Approved for entry:

Charles Hampton White
Charles Hampton White
Attorney for the Plaintiff

B* 10.00 * 10.00

S. Ralph Gordon
S. Ralph Gordon
Attorney for the Defendant

TO PATTY REFERENCE

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REGISTER
DAVIDSON COUNTY, TENN.

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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* Jacqueline Sue Douglas *Plaintiff, and* Robert Edward Rose *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 13th *day of* August *in the year one thousand nine hundred and* Seventy-Six *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Bertha Eddings, *D. C.*