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IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

67-B
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DAISY ELLEN PARTON OAKES

VS.

STEWART S. OAKES

RULE NO. 49502

DECREE

This cause came on to be heard on this the 15th day of December, 1967, before the Honorable Benson Trimble, Judge, upon the Cross-Bill filed by the defendant, the original bill having previously been dismissed, the pro confesso duly entered against the cross-defendant, Daisy Ellen Parton Oakes, testimony of witnesses examined in open Court and statement and argument of counsel.

From all of which it satisfactorily appears to the Court that the allegations of the Cross-Bill have been fully sustained, that is, that the cross-defendant, Daisy Ellen Parton Oakes, has been guilty of such cruel and inhuman treatment or conduct as to render further cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the cross-complainant, Stewart S. Oakes, be granted an absolute divorce from the cross-defendant and that he be restored to all the rights and privileges of an unmarried person.

It further appears to the Court that the parties, prior to the trial of this cause, had entered into a property settlement, which property settlement in words and figures is as follows:

"1. Party of the second part agrees and does hereby transfer and convey to Muriel Denise, Beverly Ann, Cynthia Gale and Barbara Elaine Oakes, the minor children of the parties, all of his right, title and interest that he now has in a certain house and lot located at 3609 Brush Hill Road, Nashville, Tennessee, together with all the household furniture and effects owned by the parties and which are now

in the said house. A legal description of the said house and lot is as follows:

> Land in Davidson County, Tennessee, being Lot No. 7 on the Map of Subdivision of part of Lot No. 28 in Riverwood Subdivision of record in Book 843, page 11, Register's Office for Davidson County, Tennessee, and more particularly described as follows:
>
> Said Lot No. 7 fronts 60 feet on the northerly side of Brush Hill Court and extends back between lines 246 feet on the westerly side and 250 feet on the easterly side to dead line in the rear on which it measures 100 feet.
>
> Being the same property conveyed to Stewart S. Oakes and wife, Ellen P. Oakes, by deed from Twin Lawn Company, Inc., of record in Book 2635, page 569, Register's Office for Davidson County, Tennessee.

2. Party of the second part further agrees that he will pay to the party of the first part the sum of twenty dollars ($20.00) per week for the support of the four (4) minor children of the parties, hereinabove named, the first payment to be paid on the first Monday following the granting of the divorce decree.

3. The parties further agree that the party of the second part will have the right to see and be with the said four minor children at all reasonable times and places.

4. Party of the first part further agrees that she will pay her own solicitor and will not require the party of the second part to pay any amount as solicitor's fee to her solicitor of record.

5. Party of the second part agrees to pay the balance of the Court costs of this cause after deducting costs advanced by both parties."

It further appears to the Court, however, that the cross-complainant's interest in the property located at 3609 Brush Hill Road should be conveyed to a Trustee for the use and benefit of the said four minor children with the further provision that the Trustee could not encumber or dispose of the said minor children's

interest in this property without specific authority from this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that all right, title and interest that the cross-complainant, Stewart S. Oakes, now has in the real estate located at 3609 Brush Hill Road, Nashville, Tennessee, be divested out of him and vested in Robert L. Taylor, Trustee, for the use and benefit of the four minor children of the parties, namely, Muriel Denise, Beverly Ann, Cynthia Gale and Barbara Elaine Oakes, equally share and share alike.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Trustee be required to apply to this Court for specific authority to sell, encumber or dispose of in any way the interest of the said minor children in the said property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Items 2, 3, 4 and 5 of the said property settlement as hereinabove set out be and in all things they are approved and become the orders of this Court.

APPROVED FOR ENTRY:

JUDGE

THOMAS H. PEEBLES III, Solicitor for Complainant and Cross-Defendant

ROBERT L. TAYLOR, Solicitor for Cross-Complainant and Defendant

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IDENTIF. REFERENCE

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REGISTER
DAVIDSON COUNTY, TENN.

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STATE OF TENNESSEE

I, ~~ALF RUTHERFORD~~ Geo. Rooker, Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between Daisy Ellen Patton Cakes Plaintiff, and Stewart S. Cakes 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 24th day of June in the year one thousand nine hundred and 18 and in the 142nd year of American Independence.

~~ALF RUTHERFORD~~, Clerk.

By [illegible], D. C.