2-22-77
103 B/898

BOOK 5122 PAGE 449

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

72-13
165
pw

RITA ANNE CATHEY	)	
	)	
	)	
-vs-	)	NO. 83656
	)	
	)	
THOMAS EUGENE CATHEY	)	

FINAL DECREE

This cause came on to be heard on the 13th day of December, 1976, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee, on a petition for absolute divorce filed by the original plaintiff herein, Rita Anne Cathey, and answer and cross bill of the defendant, Thomas Eugene Cathey. After testimony of principals, and that of their witnesses, argument of counsel, the dismissal of defendant's cross bill, and the entire record herein, the Court does find as follows; the allegations contained in plaintiff's original complaint has been fully sustained, that is that the defendant, Thomas Eugene Cathey, has been guilty of such cruel and inhuman treatment towards her as renders further cohabitation unsafe and improper for her to remain under his dominion and control.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore subsisting by and between the parties are hereby dissolved and the plaintiff, Rita Anne Cathey, is hereby awarded an absolute divorce from the defendant, Thomas Eugene Cathey, and she is hereby restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the homeplace of the parties located at 2004 Piedmont Avenue, Nashville, Tennessee, be and is hereby awarded to the plaintiff, Rita Anne Cathey, in fee simple, free from any right or claim the defendant may have therein, along with all the household furniture and furnishings located therein, with the exception of a tool box,

tools, and a desk given to the defendant by his mother, which shall become the sole property of the defendant.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the defendant shall become liable for a period of twenty (20) years from the date of this decree, for any health problems, operations, etc., on behalf of the plaintiff that are a direct result of a breast operation, which the plaintiff experienced prior to the filing of this divorce complaint. The Court is of the opinion and does find that since the operation was performed during the marriage of the parties that the defendant shall be responsible in a manner as heretofore set out.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the 1976 taxes due and owing on the home awarded the plaintiff, shall be plaintiff's obligation and shall be paid by her.

It appearing to the Court that the defendant herein, Thomas Eugene Cathey, owns 17.8 acres of unimproved land on Franklin Limestone Road, in Nashville, Davidson County, Tennessee,

it is therefore, ORDERED, by the Court that in the event this property is sold by the defendant within the next twenty (20) years from the date of this Decree, then the plaintiff herein shall receive one-half (1/2) of the value or sale price of said property. If the property is not sold at the expiration of the said twenty (20) years, said property shall become the sole property of the defendant, in fee simple, free from any claim on behalf of the plaintiff.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the defendant shall pay the full amount of the Sears and Cain-Sloan's accounts, for items purchased by the plaintiff pending the hearing of this divorce case. The amount due and owing Sears is $221.45. The amount due and owing Cain-Sloan's is $1,142.05. After these accounts have been paid in full, the defendant will then pay to the plaintiff the sum of $100.00 per month, representing alimony, for a period of twenty (20) years, or until the plaintiff remarries.

It is further ORDERED that if one of the accounts herein referred to (Sears and Cain-Sloan's) is paid in full prior to the

other, then the defendant shall begin making alimony payments to the plaintiff for the difference between the monthly payment on the remaining account and the $100.00 per month alimony heretofore awarded the plaintiff. In other words, the defendant will make up the prorata difference between the monthly payment on the remaining account and the $100.00 per month heretofore awarded the plaintiff.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the homeplace of the parties located at 614 Mullins Road, Nashville, Tennessee, be and is hereby awarded to the defendant, Thomas Eugene Cathey, free from any right or claim the plaintiff may have therein, along with all the household furniture and furnishings located therein.

It is further ORDERED, ADJUDGED AND DECREED that the plaintiff and the defendant shall be required to execute any and all necessary deeds, titles or other documents to properly convey title or ownership to the other in compliance with the orders of this Court as set forth in this final decree.

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the defendant, Thomas Eugene Cathey, will hence forth change the beneficiary on his present life insurance with New York Life Insurance Company, payable through his employer to the following; to wit; Linda Gail Cathey, Tommie Lynne Cathey, and Rita Ann Cathey, who will be joint beneficiaries and share in the proceeds of this policy of life insurance. These beneficiaries shall be irrevocable on this particular policy.

The costs of this cause are adjudged against the defendant, Thomas Eugene Cathey, for which execution may issue, if necessary.

ENTER this 22 day of February, 1977.

/s/ Benson Trimble
BENSON TRIMBLE, Judge

APPROVED FOR ENTRY:

/s/ Joe P. Binkley
JOE P. BINKLEY, Attorney for Plaintiff

/s/ James R. Omer
JAMES R. OMER, Attorney for Defendant

D 9 2 7 8 5

BOOK 5122 PAGE 452

IDENTIF. REFERENCE

MAR 9 3 46 PM '77

FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

MAR-9 MISC 8* 8.00 * 8.00

83656 103B/898

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* ~~correct transcript~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Rita Anne Cathey *Plaintiff, and* Thomas Eugene Cathey *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* 9th *day of* March *in the year one thousand nine hundred and* Seventy-Seventh *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, D. C.

Form #GR-117