BOOK 5131 PAGE 410

IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

MAP 118-5
PAR. 45 mp

GENA MARIE CARTER, Plaintiff,	]	
VS.	]	No. 78955
JAMES PUCKETTE CARTER, Defendant.	]	

APR-5 MISC B* 8.00 * 8.00

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 3rd day of March, 1976 and came on to be further heard on the 25th day of May, 1976 before the Honorable J. William Rutherford, Judge of the First Circuit Court for Davidson County, Tennessee upon the Complaint of the plaintiff, GENA MARIE CARTER and the Counter-Complaint of the defendant, JAMES PUCKETTE CARTER, the testimony of the parties, the testimony of witnesses, statements of counsel, the report of the special master, and the entire record in this cause, from all of which the Court finds that the defendant, JAMES PUCKETTE CARTER has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff, GENA MARIE CARTER, as to render further cohabitation unsafe and improper.

It is therefore, ORDERED, ADJUDGED AND DECREED that GENA MARIE CARTER be granted an absolute divorce from JAMES PUCKETTE CARTER, restored to all the rights and privileges of an unmarried person and that the bonds of matrimony subsisting between the parties be and same are hereby dissolved.

It is further ORDERED, ADJUDGED AND DECREED that the Counter-Complaint of JAMES PUCKETTE CARTER be and same is hereby dismissed.

It is further ORDERED, ADJUDGED AND DECREED that absolute care, custody and control of the parties' minor children, James P. Carter, Jr., Rebecca Louise Carter and Geoffrey Lundeen Carter be awarded to GENA MARIE CARTER and that JAMES PUCKETTE CARTER be granted reasonable visitation rights with the parties' minor children.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest to the parties' real property located at 1000 Gale Lane, together with all indebtedness thereon be vested in GENA MARIE CARTER and that JAMES PUCKETTE CARTER be divested of all right, title and interest in the real property. The real property is of record in Book 4221, Page 35, Register's Office for Davidson County, Tennessee and is more fully described as follows:

> "Being Lot No. 12 and part of Lot No. 11 on the Map of Dr. L. G. Noel's Subdivision, as of record in Book 547, page 105, Register's Office for said County, described according to a survey made by Z. J. Wilkinson, Surveyor, August 15, 1937, as follows:
> Said Lot No. 12 and part of Lot No. 11 adjoin and front together 146.5 feet on the northerly side of Gale Avenue and run back 150 feet on the westerly line and 153 feet on the easterly line, to a dead line on which they measure 117 feet.
> Being the same property conveyed to Elizabeth Brewster Meggs, by deed from A. M. Griffin, Jr. and wife, as of record in Book 2928, page 489, and by Deed of Correction of record in Book 2993, page 277, said Register's Office."

It is further ORDERED, ADJUDGED AND DECREED that JAMES PUCKETTE CARTER assume as his sole obligation the balance of the parties' outstanding home improvement loan.

It is further ORDERED, ADJUDGED AND DECREED that JAMES PUCKETTE CARTER pay to GENA MARIE CARTER $750.00 per month for the support of the parties' minor children, payable directly by the 5th day of each month commencing with the month of June, 1976.

It is further ORDERED, ADJUDGED AND DECREED that JAMES PUCKETTE CARTER pay to GENA MARIE CARTER $250.00 per month alimony for a period of two (2) years commencing with the month of June, 1976 with the final payment to be made for the month of May, 1978. Payments are to be made by the 5th day of each month.

It is further ORDERED, ADJUDGED AND DECREED that ownership of the $150,000 Provident Life Insurance policy and two smaller Fidelity Mutual policies, together with their cash surrender value, be awarded to JAMES PUCKETTE CARTER.

It is further ORDERED, ADJUDGED AND DECREED that JAMES PUCKETTE CARTER maintain a term life insurance policy he had in effect on May 25, 1976 in the amount of $135,000; that his minor

children be named as beneficiaries thereof; that he keep such policy in full force and effect until such time as his obligation for support of his minor children be distinguished; and that he provide to GENA MARIE CARTER documentation of payment of premiums by him each time premium payments are due.

It is further ORDERED, ADJUDGED AND DECREED that the personal property of the parties be divided in accordance with the report of the special master which has been previously approved by the Court and that any additional personal property owned by the parties be awarded to the party in whose possession the property is as of May 25, 1976.

It is further ORDERED, ADJUDGED AND DECREED that Tyree B. Harris, IV, the Special Master, be awarded a fee of $300.00, one-half to be paid by each of the parties within 30 days from the entry of this decree, for which execution may issue, if necessary.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest ot the parties' Ford automobile be vested in GENA MARIE CARTER and the defendant, JAMES PUCKETTE CARTER be divested of all right, title and interest in said automobile.

It is further ORDERED, ADJUDGED AND DECREED that each party will from time to time execute such additional instruments as are necessary to effectuate the provisions of this decree.

It is further ORDERED, ADJUDGED AND DECREED that JAMES PUCKETTE CARTER pay to Robert S. Brandt, Solicitor for the plaintiff, GENA MARIE CARTER, an attorney's fee in the amount of $1,000 together with expenses incurred of $65.00, for which execution may issue if necessary.

It is further ORDERED, ADJUDGED AND DECREED that the costs of this cause be taxed to the defendant, JAMES PUCKETTE CARTER, for which execution may issue, if necessary.

JUDGE

APPROVED FOR ENTRY:

BARRETT, BRANDT & BARRETT, P.C.

BY: RSBrandt

Robert S. Brandt
Attorney for the Plaintiff
9th Fl. Third National Bank Bldg.
Nashville, Tennessee 37219

BOOK 5131 PAGE 413

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a copy of the foregoing Divorce Decree to Rose Palermo, Attorney for the Defendant, 43 Music Square West, Nashville, Tennessee on this 7 day of June, 1976.

R B

IDENTIF. REFERENCE

APR 5 3 54 PM '77

FELIX [illegible] REGISTER
DAVIDSON COUNTY, TENN.

B 9 7 1 3 3

Min Book 140B/ 1852

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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Gena Marie Carter *Plaintiff, and* James Puckette Carter *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* 5 *day of* April *in the year one thousand nine hundred and* seventy-seven *and in the* 201st. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By [signature], *D. C.*