IN THE FIFTH CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT,

AT NASHVILLE

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PATSY GARRETT MITCHELL]
]
VS.] CIVIL ACTION NO. 79918
]
WALLACE PORTER MITCHELL]

Mag. 118-8-189

33 Pa 183

JUDGMENT

This cause came on to be heard on this, the 17th day of December, 1975, before The Honorable Stephen North, Judge, upon the original complaint, the answer and counter-claim, the answer to the counter-claim, testimony of witnesses, statement of the children's advocate, statement of counsel, the property settlement and child custody agreement as stated in open Court, and the entire record in this cause, from all of which it appears to the Court that the counter-defendant, Patsy Garrett Mitchell, has been guilty of such Cruel and Inhuman treatment or conduct toward him as renders cohabitation unsafe and improper, that the counter-plaintiff should have an absolute divorce from the counter-defendant and be restored to all rights and privileges of an unmarried person; that the property settlement be approved and made a part of this Judgment.

IT IS, THEREFORE, ORDERED AND ADJUDGED by the Court that the bonds of matrimony heretofore subsisting between the counter-plaintiff, Wallace Porter Mitchell, and the counter-defendant, Patsy Garrett Mitchell, be, and the same are hereby forever and perpetually dissolved and for nothing held; and that the counter-plaintiff, Wallace Porter Mitchell, be and is hereby granted an absolute divorce from the counter-defendant, Patsy Garrett Mitchell, and restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the property settlement agreement entered into between the parties by, and the same is hereby, approved and made the Judgment of the Court as follows:

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-defendant shall have the custody of the minor children, Monday through Friday, for the two weeks beginning December 22, 1975; that the counter-plaintiff shall have the custody of said children on the week-ends during such period; that the counter-plaintiff shall have the custody of the minor children, Monday through Friday, for the two weeks beginning January 5, 1976; that the counter-defendant shall have the custody of said children on the week-ends during such period; that the counter-plaintiff shall have the custody of the minor children for four consecutive weeks, beginning January 18, 1976; that the counter-defendant shall have the custody of the minor children for four consecutive weeks, beginning February 15, 1976; that the award of custody of said children from and after February 29, 1976, is reserved by the Court pending the report of The Honorable Michael Miller, advocate for said children.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-plaintiff shall pay to the counter-defendant, as and for child support, the sum of One Hundred (100.00) Dollars per week during such times as the children are in her custody and the sum of Fifty ($50.00) Dollars per week at all other times, pending further orders of the Court,

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-plaintiff shall pay the medical expenses of the minor children of the parties.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-plaintiff shall pay the fee of The Honorable Michael Miller for his services in representing the minor children and that the amount of said fee is hereby reserved by the Court pending a final report from said children's advocate.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that all right, title and interest of the counter-plaintiff in and to the furniture of the parties, be and is hereby divested out of the counter-plaintiff and vested in the counter-defendant.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-plaintiff pay to the counter-defendant, within thirty days, the sum of Five Thousand ($5,000.00) Dollars.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that all right, title, and interest of the counter-plaintiff in and to the following described real property be and is hereby divested out of him and vested in the counter-defendant, such property being described as follows:

Land in Davidson County, Tennessee, being Lot No. 78 on the Plan of Grandview Heights, at of record Book 161, pages 14 and 15, Register's Office for said County.

118-8-189

Said Lot No. 78 fronts 50 feet on the easterly side of Eugenia Avenue, and runs back between parallel lines with the southerly margin of Newsome Street, 150 feet to an alley.

Being the same property conveyed to the parties hereto by deed of record in Book 4703, page 25, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that all right, title and interest of the counter-defendant in and to the following described real property be and is hereby divested out of her and vested in the counter-plaintiff, subject to the indebtedness thereon, such property being described as follows:

Land in Davidson County, Tennessee, being the westerly part of Lot No. 4 on the Map of D.M. Moore's land on Dickerson Pike as of record in Book 843, page 63, Register's Office for said County, described as follows:

BEGINNING at a point in the northwesterly margin of the Dickerson Pike the common corner of Lots Nos. 3 and 4; thence with the line between said lots, north 30° west 676.3 feet to the southerly margin of Dry Creek Road; thence with the margin of same, South 87° East 166.21 feet to the northwesterly corner of a part of said lot conveyed to Robert J. Hastings by deed from D.M. Moore and wife, of record in Book 919, page 101, said Register's Office; thence with Hastings' line, south 30° east 585.5 feet to the northwesterly margin of the Dickerson Pike or Dixie Highway; thence with the margin of the same, South 60° West 139.3 feet to the point of beginning, containing 2.01 acres, more or less.

33-2-102.8

Being the same property conveyed to the parties hereto by deed of record in Book 4868, page 174, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that all right, title, and interest of the counter-defendant in and to the real property owned by the parties in Spring Hill, Tennessee,

consisting of 190 acres, more or less, be and is hereby divested out of her and vested in the counter-plaintiff subject to the indebtedness thereon, and that the counter-defendant shall execute a deed conveying said property to the counter-plaintiff.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that all right, title, and interest of the counter-defendant in and to the 1974 Chevrolet truck and inventory of groceries located at Old Center Grocery, be and is hereby divested out of her and vested in the counter-plaintiff, subject to any indebtedness thereon.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-plaintiff shall pay to Dennis Wright, attorney for the counter-defendant, the sum of Six Hundred-Fifty ($650.00) Dollars, such amount to be in addition to the amount heretofore paid to said attorney by the counter-defendant.

IT IS FURTHER ORDERED AND ADJUDGED by the Court that the counter-defendant shall pay the costs of this cause.

The foregoing constitutes the agreement of the parties as stated by the attorneys of record in open Court on December 17, 1975.

For all of which execution may issue, if necessary.

Enter This 7 Day of June, 1976

JUDGE

TO BE ENTERED:

Dennis Wright
Attorney for Counter-Defendant

I certify that a copy of the foregoing has been delivered to each adversary party, or his attorney of record, by depositing the same in the United States mail, postage prepaid, addressed to such person at his last known address on the 6 day of January, 1976.

Dennis Wright, Attorney

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JUN27'77 MISC

B* 10.00 * 10.00

Mail

James Smith

140 No. Main St.

Goodlettsville, Tn. 37072.

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IDENTIF. REFERENCE

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Fee

DAVIDSON COUNTY, TENN.

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* Patsy Garrett Mitchell *Plaintiff, and* Wallace Porter Mitchell *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* 27th *day of* June *in the year one thousand nine hundred and* seventy-seven *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By D. Buttrey, *D. C.*