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BOOK 5188 PAGE 854

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

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Book 227
S.T.

RONALD FREEMAN SMILEY)
)
VS.) NO. 82745
)
BEVERLY JO SMILEY)

FINAL DECREE

This cause came to be heard on this the 17th day of September, 1976, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davdison County, Tennessee, upon the original complaint filed by the complainant, Ronald F. Smiley, personal service upon the defendant, judgment by default entered against the defendant, property settlement agreement offered to the Court for approval, testimony of witnesses heard in open Court, statement of counsel, and upon the entire record herein. From all of which the Court finds the allegations in complainant's complaint have been fully sustained; that is, that the defendant has been guilty of such cruel and inhuman treatment and conduct towards the complainant as renders further cohabitation unsafe and improper;

It is, therefore, ORDERED, ADJUDGED, and DECREED that the bonds of matrimony heretofore subsisting by and between the parties are hereby dissolved and the complainant, Ronald F. Smiley, is hereby awarded an absolute divorce from the defendant, Beverly Jo Smiley, and he is hereby restored to all the rights and privileges of an unmarried person.

It further appears that the parties have entered into a custody and property settlement agreement which is in words and figures as follows:

A G R E E M E N T

This agreement made and entered into at Nashville, Tennessee, on this the 4th day of May, 1976, by and between Ronald Freeman Smiley, hereinafter called the "husband" and Beverly Jo Smiley, hereinafter called the "wife".

WITNESSETH:

That whereas the parties are man and wife and serious marital problems have arisen and the differences are such between the parties as a reconciliation is impossible and desiring to settle their property rights and subject to the approval of the Court, the parties agree as follows:

1. The husband shall have the care, custody and control of the two minor children of the parties; to wit, Ronald Derick Smiley and Jody Triston Smiley.

2. The husband shall receive the homeplace of the parties located at 6277 Eaton Creek Road, Nashville, Tennessee. The wife is to have her choice of the furniture and furnishings located therein.

3. The wife shall receive all of the equipment and furniture now in her possession used by her in conducting her beauty salon business.

4. The wife shall receive the 1974 Regal Buick automobile and the husband will keep current the payment thereon. The husband shall receive the 1964 El Camino automobile.

5. The husband shall receive the house trailer, boat and motor, and his personal tools.

6. The husband agrees to pay all the debts of the parties incurred during the marriage.

7. The husband and wife respectively are to retain all of their personal porperty consisting of jewelry and other similar personal items.

8. The parties agree each will be responsible for payment of their own attorney's fees in this matter.

Both parties understand that this agreement is subject to the approval of the Court in the event a divorce is granted to either party. However, in the event that a divorce is not granted to either party or the parties reconcile, this agreement shall be of no force and effect. If approved by the Court, the said agreement is a full, final and complete settlement of the property rights as between the parties and the same is entered into without any collusion between the parties, but solely of their own free will and accord.

/s/ Ronald Freeman Smiley
HUSBAND

/s/ Judy Spencer
WITNESS

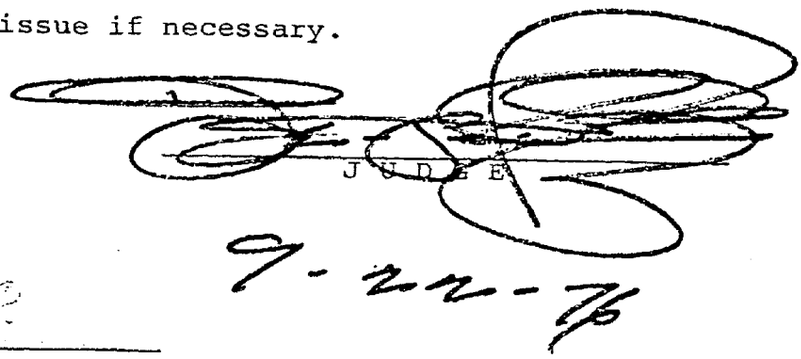
/s/ Beverly Jo Smiley
WIFE

/s/ Douglas Spencer
WITNESS

It is, therefore, ORDERED, ADJUDGED, and DECREED that the property settlement agreement hereinabove set out is hereby

approved and made the judgment of this Court.

The defendant will pay the costs of this cause for all of which let execution issue if necessary.



JUDGE

9-22-76

APPROVED FOR ENTRY:

Phillip Robinson
Attorney for Complainant

cc: Beverly Jo Smiley

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FELIX [illegible] 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 ~~correct~~ transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Ronald Freeman Smiley *Plaintiff, and* Beverly Jo Smiley *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 26th *day of* Aug *in the year one thousand nine hundred and* 77 *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Louise Bates, *D. C.*

Form #GR-117