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JAMES EDWARD BIGGERS)
)
-VS-) NO. 52178
)
WILLIE PEARL JONES BIGGERS)

FINAL DECREE

THIS CAUSE CAME ON TO BE HEARD THIS 1ST DAY OF JULY, 1968 BEFORE THE HONORABLE SHELTON LUTON, JUDGE OF THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE, UPON THE ORIGINAL BILL, THE ANSWER AND CROSS-BILL, THE ANSWER THERETO AND THE PROOF HEARD BY THE COURT. FROM THE FOREGOING IT APPEARS TO THE COURT THAT THE ALLEGATIONS OF THE ORIGINAL BILL ARE SUSTAINED BY THE PROOF, THAT IS, THE DEFENDANT, WILLIE PEARL JONES BIGGERS, IS GUILTY OF SUCH CRUEL AND INHUMAN TREATMENT AS RENDERS IT UNSAFE AND IMPROPER FOR COMPLAINANT, JAMES EDWARD BIGGERS, TO LONGER LIVE AND COHABIT WITH HER.

IT IS ACCORDINGLY ORDERED, ADJUDGED, AND DECREED BY THE COURT THAT COMPLAINANT HAVE AN ABSOLUTE DIVORCE FROM DEFENDANT AND THAT HE BE RESTORED TO ALL THE RIGHTS AND PRIVILEGES OF AN UNMARRIED PERSON.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT THAT COMPLAINANT HAVE THE CUSTODY AND CONTROL OF THE MINOR CHILD, GLEN EDWARD BIGGERS, WITH REASONABLE VISITATION PRIVILEGES AFFORDED TO DEFENDANT.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT THAT ALL RIGHT, TITLE AND INTEREST OF DEFENDANT IN AND TO THE REAL ESTATE HEREINAFTER DESCRIBED, TOGETHER WITH THE HOUSEHOLD AND KITCHEN FURNISHINGS CONTAINED THEREIN, BE DIVESTED OUT OF DEFENDANT AND VESTED IN COMPLAINANT IN FEE SIMPLE. SAID PROPERTY IS DESCRIBED AS FOLLOWS:

"BEING THE SOUTH PART OF LOT NO. 21 ON THE PLAN OF JOYWOOD HEIGHTS, SECTION 3, NOT OF RECORD, DESCRIBED ACCORDING TO A SURVEY MADE BY W. W. TURNER COMPANY, ENGINEERS, MARCH 14, 1947, AS FOLLOWS: BEGINNING AT AN IRON PIN IN THE WESTERLY MARGIN OF JONES AVENUE, BEING THE SOUTHEAST CORNER OF THE PROPERTY CONVEYED TO ANDREW B. McCLURKAN AND WIFE, BY DEED FROM GUY EDWARD PARDUE AND WIFE, OF RECORD IN BOOK 2880, PAGE 141, SAID REGISTER'S OFFICE; THENCE WITH SAID McCLURKAN'S SOUTHERLY LINE, NORTH 81° 30' WEST 825 FEET TO AN IRON PIN IN THE EASTERLY MARGIN OF A 2-FOOT RESERVED STRIP; THENCE WITH THE SAME, SOUTH 1° 15' WEST 71 FEET TO THE CORNER OF LOTS NOS. 21 AND 22; THENCE WITH THE LINE BETWEEN SAID TWO LOTS, SOUTH 81° 30' EAST 815 FEET TO THE WESTERLY MARGIN OF JONES AVENUE; THENCE WITH THE SAME, NORTH 6° 15' WEST 71 FEET TO THE BEGINNING.

BEING PART OF THE REAL PROPERTY CONVEYED TO T. W. STREET AND WIFE, BEULAH MAI STREET, BY DEED FROM H. F. PRICE AND WIFE, DATED FEBRUARY 21, 1957, FILED MARCH 7, 1957, AND RECORDED IN BOOK 2640, PAGE 73, SAID REGISTER'S OFFICE.

THIS CONVEYANCE IS MADE SUBJECT TO A TEN-FOOT EASEMENT FOR PUBLIC UTILITIES ALONG THE WESTERLY LINE OF PREMISES AND 35-FOOT BUILDING SETBACK LINE FROM JONES AVENUE, AS SHOWN ON THE UNRECORDED PLAN OF JOYWOOD HEIGHTS, SECTION 3, AND TO RESTRICTIVE COVENANTS CONTAINED IN AN INSTRUMENT OF RECORD IN BOOK 1373, PAGE 98, SAID REGISTER'S OFFICE."

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT THAT COMPLAINANT IS ORDERED TO PAY A FEE TO MORRIS LEVINE, ATTORNEY FOR DEFENDANT IN THE SUM OF $ 300.00 .

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THE CROSS-BILL IS NOT SUSTAINED BY THE PROOF AND IS DISMISSED AND THE COSTS ARE ADJUDGED AGAINST THE DEFENDANT, WILLIE PEARL JONES BIGGERS.

TO THE ACTION OF THE COURT DEFENDANT EXCEPTS AND PRAYS AN APPEAL TO THE NEXT TERM OF THE COURT OF APPEALS WHICH IS GRANTED, AND SHE IS ALLOWED SIXTY DAYS FROM AND AFTER THIS DATE TO PREPARE AND FILE HER BILL OF EXCEPTIONS.

Shelton Luby
JUDGE

APPROVED FOR ENTRY:

J. W. Rutherford
J. W. RUTHERFORD FOR COMPLAINANT

Morris Levine
MORRIS LEVINE FOR DEFENDANT

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IDENTIF. REFERENCE

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FEE DAVIDSON COUNTY, TENN. ROOKER

Docket Number 52178 12A/617

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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* James Edward Biggers *Plaintiff, and* Willie Pearl Jones Biggers *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* 28th *day of* September *in the year one thousand nine hundred and* seventy-seven *and in the* 202nd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Patty Hodges, *D. C.*

Form #GR-117