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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE, AT NASHVILLE

JO EDITH NOLEN]
]
]
VS] NO. 86281
]
]
GEORGE VERNON NOLEN]

SEP 30 77 MISC B* 12.00 * 12.00

FINAL DECREE

This cause came on to be heard on the 16th day of September, 1977, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee. Upon statement of counsel, testimony of the complainant and two corroborating witnesses in open court, and a review of the entire record in this cause, it appears to the Court that the allegations contained in the complaint are fully sustained by the proof. That is, that the defendant has been guilty of such cruel and inhuman treatment or conduct toward the complainant as renders further cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that the bonds of matrimony heretofore subsisting between the parties is hereby perpetually and permanently dissolved and held for naught.

IT IS FURTHER, ORDERED, ADJUDGED AND DECREED that the property settlement agreement entered into by the parties is hereby approved and made a part of this final decree as follows:

1. The real estate at 1208 Sussex Court, Nashville, Tennessee, owned by the parties as tenants by the entirety, is hereby divested from the complainant and revested in the defendant, George Vernon Nolen, who takes said property subject to any and all encumbrances existing on the said property and shall hold the complainant harmless of any liability which may be incurred as a result of such encumbrances. This property is more particularly described as follows:

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IDENTIF. REFERENCE

SEP 30 10 54 AM '77

FEE $ PAID
DAVIDSON COUNTY, TENN.

Land in Davidson County, Tennessee, being Lot No. 344, on the Plan of Bellshire Estates, Section A of record in Book 2331, Page 115, Register's Office for said county.

Said Lot No. 344 fronts 136 feet on the northeasterly side of Sussex Court and extends back 225 feet on the southeasterly line, and 232.6 feet on the northwesterly line to a dead line on which it measures 139 feet.

Being the same property conveyed to George V. Nolen and wife, Jo Edith Nolen, by deed from Albert Tolbert, Jr., and wife, Barbara E. Tolbert, of record in Book 3889, Page 604, RODC, Tennessee.

The map number of the above property is 41-11; the parcel number is 74.

2. All right, title and interest which the defendant has in the real property located on Due West Avenue, Davidson County, Tennessee, which the parties own as tenants by the entirety, are hereby divested from the defendant and revested in the complainant, Jo Edith Nolen, in fee simple. This property, identified as Map 51-1, Parcel 22, is further described as follows:

Being Lot No. 28 on the Map of Due West Acres, not of record, in the 11th Civil District of Davidson County, Tennessee, and described according to a copy of a survey thereof made by H. R. Swann, Jr., surveyor, Dated April 20, 1947 as follows:

Beginning at a point in the northerly margin of Due West Avenue at the corners of Lots No. 27 and 28, thence with the line between said lots, northerly 500 feet to a point; thence easterly 151.02 feet to the corner of Lots No. 28 and 29; thence with the line between said lots southerly 500 feet to the north margin of Due West Avenue; thence with the margin of the same westerly 100.07 feet to the beginning.

Being the same property conveyed to George V. Nolen and wife, Jo Edith Nolen, by deed from W. B. Hogan, substitute trustee, of record in Book 3346, Page 175, Register's Office for Davidson County, Tennessee.

All right and interest of the defendant in a certain note and first mortgage on real estate which the parties formerly owned at 2807 Alhambra Circle, Nashville, Davidson County, Tennessee, is hereby divested from the defendant and revested in the complainant.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant shall endorse to and convey and deliver the said note to the complainant who shall hereafter be the sole holder and owner of this note as of August 16, 1977. The defendant shall effect this endorsement and delivery to the complainant forthwith.

The defendant is further ordered to record the deed to the said property to the new owners and to hold the complainant harmless for expenses incurred in so doing. The new owners of this property, Hoyt Neal and wife, Dot Neal, shall make payments on the said note directly to the complainant.

The defendant is further ordered to record the deed of trust on the said property and to hold the complainant harmless for any expenses incurred therein. The recording of both the warranty deed and the deed of trust shall be done forthwith. The property in question, 2807 Alhambra Circle, Nashville, Tennessee, identified as Map 60-16, Parcel 33, is further described as follows:

> TRACT I. Land in Davidson County, Tennessee, being the southerly 60 feet of the westerly part of Lot No. 40 and the northerly 5 feet of the westerly part of Lot No. 69 on the Plan of Capitol View Subdivision, as of record in Book 974, Pages 52 and 53, Register's Office for Davidson County, and described according to a copy of the survey thereof made by E. R. Southgate & Son, Surveyors, dated April 21, 1947, as follows:
>
> Beginning at a point in the easterly margin of Alhambra Circle, 5 feet south of the common corner of Lots Nos. 69 and 40; thence easterly, parallel with the line between said lots 240 feet to a point; thence northerly 65 feet to a point; thence westerly 242 feet, more or less, to a stake in the east line of Alhambra Circle; thence with the margin of the same, southerly 65 feet to the point of the beginning.
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> Being the same property conveyed to George V. Nolen and wife, Jo Edith Nolen, by deed from James E. Simmons and wife, Mary Ruth Simmons, of record in Book 2094, Page 575, Register's Office for Davidson County, Tennessee.
>
> TRACT II. Land in Davidson County, Tennessee, being part of Lot No. 40 in the Capitol View Subdivision, a plan of which is of record in Book 974, Page 42, Register's Office for Davidson County, Tennessee, more accurately described as follows:

Beginning at a point on the easterly margin of Alhambra Circle 50 feet south of the dividing line between lots 40 and 41, which point is the south east corner of an unnamed street and Alhambra Circle, running thence easterly along the southern margin of said unnamed street 240 feet, more or less, to a point, thence at right angles southerly 20 feet to a point, thence westerly 240 feet, more or less, to the easterly margin of Alhambra Circle, thence northerly 20 feet along the easterly margin of Alhambra Circle to the point of beginning.

Being the same property conveyed to George V. Nolen and wife, Jo Edith Nolen, by deed from James E. Simmons and wife, Mary Ruth Simmons, of record in Book 2094, Page 575.

3. All interest of the defendant in the following scheduled personal property is hereby divested from the defendant and the same revested in the complainant.

1. Portable dishwasher
2. Dishes and kitchenware
3. Trinkets and bric-a-brac in the divided kitchen and den
4. One of two identical swinging hanging bamboo chairs
5. Kitchen appliances: blender, rotisserie, perculator, Mixmaster, ice cream freezer and toaster
6. Family Bible that was gift from Mrs. Nolen's parents.
7. Orotable TV
8. Divided family photos
9. Washer and dryer
10. One of the two freezers in basement
11. Divided phonographic records
12. Sewing machine
13. Outside swinging love seat
14. Magnolia tree in front yard
15. Both dogs - poodle and dachshund

4. All right, title and interest which the wife has in the hereinafter scheduled property shall be specifically divested from her and reinvested in the husband so that he will have the entire interest in the said property which personalty is as follows:

1. Furniture in living room, which consists of couch, two end tables, two chairs, wall framed mirror, lamps, coffee tables, ash tray stand, magazine rack.
2. Dining room furniture, table and chairs, and antique hutch.
3. Stove in kitchen
4. Refrigerator in kitchen
5. One of two freezers in basement
6. One of two swinging bamboo chairs
7. Furniture in both bedrooms
8. Den desk
9. Stereo in den
10. The two televisions in home (one color and one black and white)

It is further ORDERED, ADJUDGED, AND DECREED that the defendant shall release the above scheduled personal property (paragraph 3 supra) to the complainant upon the request of the complainant and at the convenience of the complainant.

11. Two recliner chairs in den
12. Den couch
13. End table in den
14. Outdoor hammock on stand
15. Refrigerator in basement
16. Farm tractor and equipment
17. All hand tools and lawn mowers
18. Buick automobile (presently in wife's name)

5. It is further agreed that each party will be responsible for their own debts and obligations incurred by them from and after the date of their separation on November 26, 1976, and that each will hold the other harmless from any claim made by a creditor for a debt or obligation incurred by the other spouse after the above mentioned date of separation.

6. It is agreed by and between the parties that the husband shall owe no further obligation of alimony to the wife except as provided herein in items two and three dealing with divesting his interest in certain real and personal property and the wife agrees that she will make no further claim for alimony as a result of their marriage from and after the date of this agreement.

7. It is further agreed that this document contains the entire understanding between the parties and all prior oral negotiations and agreements are hereby merged into this agreement and the same cannot be amended in the future except by the consent of both the husband and the wife in writing.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs of this cause are taxed to the defendant, George V. Nolen, for which execution may issue if necessary.

JUDGE

9-22-77

APPROVED FOR ENTRY:

GERALD ARTHUR BURKETT
1411 Parkway Towers
Nashville, Tennessee 37219
Phone: 256-4747
Attorney for Complainant

JAMES W. RUTHERFORD
306 Nashville City Bank & Trust Building
Nashville, Tennessee 37201
Attorney for Defendant

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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* true copy ~~xxxxxxxxxxxxx~~ *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Jo Edith Nolen *Plaintiff, and* George Vernon Nolen *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* 30th *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 Robbie McCoy *D. C.*