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Map 90-16
Par 305 11-26-75
1398/710

SYDNEY ESTELLE OVERBY	)	
	)	IN THE FIRST CIRCUIT COURT OF
VS.	)	DAVIDSON COUNTY, TENNESSEE
	)	
JAMES ROY OVERBY	)	NO. 79539

FINAL DECREE OF ABSOLUTE DIVORCE

NOV30 MISC B* 8.00 * 8.00

This cause came on to be heard this 17th day of November, 1975, before Hon. Muriel Robinson, Special Judge of the First Circuit Court of Davidson County, Tennessee, upon the original petition for absolute divorce filed in this cause, the order of default judgment against defendant, testimony of plaintiff and her witnesses, introduction of a property settlement agreement entered into by the parties, statement of counsel for plaintiff and upon the entire record.

From all of which the Court finds that defendant, James Roy Overby, was duly before the Court by personal service of process, that plaintiff, Sydney Estelle Overby, has sustained her allegation that defendant has been guilty of such cruel and inhuman treatment toward her as renders further cohabitation between the parties unsafe and improper and htat she should be entitled to an absolute divorce together with the custody of the minor children of the parties; that the property agreement should be approved and further sheshould be awarded the household furniture and furnishings in the home together with all other personal property located therein.

The property settlement agreement entered into by the parties is as follows:

November 15, 1975

James Overby
P.O. Bx. 241
Nashville, Tenn.

Harold Collins
51st. Ave.
Nashville, Tenn
37209

Dear Mr. Collins,

My wife, Sydney, and I have talked and have agreed

on the following settlement: I will pay $90.00 weekly for child support and all of the childrens' medical expenses. I will have my children named as beneficiaries in at least one of my life insurance policies. I will pay for Jeff and Steve's college education if they desire to attend college. I agree, also, that our house, located at 6420 Premier Dr. shall be put in Sydney Overbys' name and she will make the payments on the house as long as she is able to work. If she becomes unable to work I will make the house payments until she is able to work again.

We have agreed, also that the children shall continue to be listed as my tax dependents as long as I continue to pay the agreed upon child support.

/s/ James R. Overby

11/15/75 /s/ Sydney Overby

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that Sydney Estelle Overby be and hereby is granted an absolute divorce from James Roy Overby and that she be and hereby is restored to the rights and privileges of an unmarried person; that she be and hereby is granted custody of two minor children, namely, Jeffery T. Overby and James S. Overby and that defendant be and hereby is awarded visitation rights and privileges with the minor children at reasonable times and places; that defendant be and hereby is ordered to pay to plaintiff the amount of ninety (90.00) Dollars per week for the support of the minor children commencing Friday, November 22, 1975, and each week thereafter a like amount pending further orders of this Court; that plaintiff pay all medical expenses of the children and that defendant name the children as beneficiaries in at least one of his life insurance policies; that defendant be and hereby is ordered to pay for the college education of the children if they desire to attend college; that in the event plaintiff becomes unable to work or perform gainful employment then defendant will pay, in addition to the weekly child support payments, the house note on the home; that defendant be and hereby is allowed to claim the children as dependents for income tax purposes with the internal revenue service.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest defendant has in and to the household furniture, furnishings and personal property

located in the home of the parties be and hereby is divested out of defendant and vested in plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest defendant, James Roy Overby, has in and to the home located at 6420 Premier Drive, Nashville, Davidson County, Tennessee, be and hereby is divested out of defendant and vested in plaintiff, Sydney Estelle Overby, said property is described as follows:

> Being Lot No. 706 on the Plan of Sec. XII, Charlotte Park, as of record in Book 2900, pages 127 and 128.
>
> Said Lot No. 706 fronts 67 feet on the northwesterly side of Premier Drive, and extends back 148.6 feet on the southwesterly line and 167.2 feet on the northeasterly line, to a dead line in the rear on which it measures 84 feet.
>
> Being the same property conveyed to James Ray Overby and wife, Sydney E. Overby by deed from James E. White and wife, Sara Jo White, as recorded in Book 4183, page 875, R.O.D.C., Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that plaintiff pay the outstanding indebtedness owed on the real property payable to Murphree Mortgage Company as long as she is able to work, and if she becomes unable to work, James Roy Overby will pay the outstanding indebtedness owed on the real property until Sydney Estelle Overby is able to work again; that defendant pay to H. E. Collins, attorney for plaintiff, the amount of $150.00 for services rendered plaintiff and the minor children in this cause.

Defendant will pay the cost of this cause for which execution may issue.

This _____ day of _____, 1975.

APPROVED FOR ENTRY:

Harold E Collins
Attorney for Plaintiff

SPECIAL JUDGE

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I certify that I mailed a copy of the foregoing to the defendant, James Roy Overby, P.O. Box 241, Uptown Station, Nashville, Tennessee, this 19th day of November, 1975.

Harold E Collins
Attorney for Plaintiff

E 39263

IDENTIF. REFERENCE

Nov 30 10 30 AM '77

FELIX Z. WILSON TN. REGISTER
DAVIDSON COUNTY, TENN.

11-26-75 139A/710

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* Sydney Estelle Overby *Plaintiff, and* James Roy Overby *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* Nov. *in the year one thousand nine hundred and* 77 *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L. Bates, *D. C.*

Form 7 GR 117