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IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Map-29
Par-148 2d

IRENE G. LEHMAN )
)
VS. ) NO. 88540
)
HENRY A. LEHMAN )

FINAL DECREE

This cause was heard on November 29, 1977, before the Honorable Stephen North, Judge, on the complaint and answer, the counter-complaint and reply thereto, the temporary injunction previously entered herein, testimony heard in open court, and the entire record in this cause.

The Court finds that plaintiff is entitled to an absolute divorce on grounds of cruel and inhuman treatment, that the parties' real property should be awarded to plaintiff, that plaintiff should pay the sum of Seven Thousand Dollars ($7,000.00) to defendant with interest at eight percent (8%) per annum, payable at $100 per month and secured by a first mortgage on the property, that personal property shall be awarded as stated herein, and that the temporary injunction previously entered shall be made a permanent injunction.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff is entitled to and is hereby granted an absolute divorce from the defendant on the grounds of cruel and inhuman treatment, and the plaintiff should be and is hereby restored to all the rights and privileges of an unmarried person. The counter-complaint is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the real property owned by the parties known as 5720 Eatons Creek Road, Joelton, Davidson County, Tennessee, its improvements, appurtenances, and fixtures, is

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hereby awarded to and vested in plaintiff in fee simple, with possession to be surrendered to plaintiff on or before December 15, 1977.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that taxes and insurance shall be prorated between the parties as of the date the property is surrendered by defendant to the plaintiff. Responsibility for payment of utilities shall remain with defendant until he surrenders possession of the property to plaintiff, at which time plaintiff shall assume responsibility for the utilities.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that defendant's interest in the real property, fixtures, pedigree dogs, and other personalty owned by the parties in common, shall be compensated by plaintiff's paying to the defendant the amount of Seven Thousand Dollars ($7,000.00) to be paid at a rate of $100 per month, bearing interest at eight per cent (8%) per annum, and secured by a first mortgage on the real property to be executed by plaintiff. Plaintiff shall have the right to prepay any or all of the said Seven Thousand Dollars ($7,000.00) at any time without penalty. The monthly payment shall be due on or before the fifth (5th) day of each month. Defendant shall have right of foreclosure as provided by law if payments become in arrears more than two months. Payment for December, 1977 is prorated.

IT IS FURHTER ORDERED, ADJUDGED AND DECREED that defendant shall be responsible for any damage to the real property, improvements, and fixtures occurring prior to the date of his surrender of the property to plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that title in all the pedigree dogs owned by the parties shall vest in plaintiff along with all the equipment and food related to the care and raising of said animals. Defendant shall pay half of the proceeds of the sale of dog

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or dogs sold by him while this cause was pending to plaintiff and shall be responsible to plaintiff for the value of any dog or dogs lost after the date of the hearing in this cause until the date of surrender of the real property by defendant to the plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff shall maintain ownership and possession of all personal property owned by her prior to the parties' marriage and all personalty purchased by her during the marriage, including the television, washer-dryer, sewing machine, iron, toaster, and mixer. Defendant shall maintain ownership and possession in the personalty owned by him prior the parties' marriage and also in the refrigerator, air conditioner, and stove purchased during the marriage. In addition, defendant shall have the bedroom suite and chair owned by him prior to the marriage. Linens and towels shall be divided between the parties. Other miscellaneous personalty purchased during the marriage shall be divided between the parties.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the temporary injunction previously issued shall remain in full force and effect as a permanent injunction so long as relevant to the position of the parties. Court costs are taxed equally between the parties.

Entered this the 5 day of January, 1978.

STEPHEN NORTH, Judge

APPROVED FOR ENTRY:

E. E. Edwards, III
Attorney for Plaintiff

COPY TO:

Walter Clark
Attorney for Defendant

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IDENTIF. REFERENCE

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FELIX Z. WILSON II 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~~ Xerox Copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Irene D Lehman *Plaintiff, and* Henry R. Lehman *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* 14th *day of* Feb. *in the year one thousand nine hundred and* 78 *and in the* 202nd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

*By* L. Dyer, *D. C.*

Form #GR-117