Map 42-13
Par 62 2nd 11-7-1962

JUNE 18th, 1976.

EVELYN JUNE MILLER WADDEY, Plaintiff,	)	IN THE SECOND CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
Vs.	)	NO. 76873 BOOK 5255 PAGE 832
ROBERT BRITTON WADDEY, Defendant.	)	MINUTE BOOK 113-C, PAGE 1962

F I N A L D E C R E E

This cause came on to be heard on June 18, 1976 and prior days, before Honorable John Henderson, sitting as Judge by designation of the Chief Justice of the Supreme Court of Tennessee, upon plaintiff's complaint, defendant's complaint which was heretofore ordered to be treated as an answer and counterclaim, plaintiff's reply to defendant's said counterclaim, testimony of witnesses in open court and the entire record herein from all of which the Court finds that the allegations of plaintiff's complaint are sustained by the proof; that defendant is guilty of such cruel and inhuman treatment toward plaintiff as renders cohabitation unsafe and improper; that the allegations of defendant's said counterclaim are not sustained by the proof; and that plaintiff should be awarded alimony, property and attorney's fees as hereinafter ordered.

It is therefore ORDERED AND DECREED by the Court as follows:

1. Plaintiff, Evelyn June Miller Waddey, is hereby awarded an absolute divorce from defendant, Robert Britton Waddey, and the bonds of matrimony heretofore subsisting between said parties are perpetually dissolved.

2. Plaintiff's maiden name prior to her marriage to defendant, Evelyn June Miller, is hereby restored to her.

3. All right, title and interest of defendant, Robert Britton Waddey, in the real estate at 701 Tuckahoe Drive, Davidson County, Tennessee, is hereby divested out of said defendant and vested in plaintiff, Evelyn June Miller, and said defendant is ordered to pay the mortgage encumbering said property, which property is described as follows:

> Land in the 11th Civil District of Davidson County, Tennessee, being Lot No. 59 on the plan of Sherry Heights, Section III, as of record in Book 2331, Pages 126 and 127, Register's Office for said County, and described as follows:
>
> Beginning on the southerly margin of Tuckahoe Drive at the corner of Lots Nos. 58 and 59; thence with lines between said two lots southerly 287.2 feet, to the corner of Lots 58, 59 and 93; thence with the line between Lots Nos. 59 and 93, easterly 175 feet to the westerly margin of Port Drive; thence with the same, northerly 238 feet to the beginning of a curve; thence around said curve, having a radius of 25 feet, northwesterly 37.2 feet to the southerly margin of Tuckahoe Drive; thence with the same, westerly 107.8 feet to the point of beginning.
>
> Being the same property conveyed to Evelyn June Miller, by deed from Charles W. Palmer and wife, Gertrude Brown Palmer, of record in Book 3707, page 91, Register's Office for Davidson County, Tennessee.

4. The insurance proceeds of $7,645 paid for the theft of the contents of the above described real estate on Tuckahoe Drive shall be divided equally between plaintiff and defendant.

5. All remaining contents of said home at 701 Tuckahoe Drive shall be the property of plaintiff except for men's clothing, men's personal effects and guns which shall be the property of defendant.

6. All right, title and interest of defendant in the real estate at 2411 Brasher Avenue, Davidson County, Tennessee, is hereby divested out of defendant and vested in plaintiff and defendant is ordered to pay all indebtedness encumbering said real estate.

7. All interest of defendant in the 1975 Chevrolet automobile in plaintiff's possession is hereby divested out of defendant and vested in plaintiff. Defendant shall execute and deliver to plaintiff such instruments as are necessary to cause title to said Chevrolet automobile to be transferred to plaintiff. Plaintiff shall be responsible for payment of the mortgage encumbering said automobile.

8. Defendant shall take such action as is necessary to transfer to plaintiff in her name 50% of the outstanding stock of Athens Transit Corporation or, defendant may pay plaintiff $20,000 cash in lieu of transferring said stock to her.

9. The balance of approximately $11,000 plus interest on deposit in joint account of plaintiff and Earl Hawkins, Clerk, No. 0484256 in Commerce Union Bank, Parkway Towers Branch, Nashville, Tennessee, is hereby awarded to plaintiff and defendant shall take such action as is necessary to cause said account to be released to plaintiff free from any liability or encumbrance for bonds or other indebtedness of Waddey Bonding Company.

10. The entire balance remaining in the joint account of plaintiff and defendant, No. 630-902-5 in the Commerce Union Bank, Parkway Towers Branch, Nashville, Tennessee, is hereby awarded to plaintiff.

11. Defendant, Robert Britton Waddey, shall pay plaintiff, Evelyn June Miller, alimony in futuro of $500 each month for 12 consecutive months on the first day of each month, beginning July 1, 1976.

12. Defendant, Robert Britton Waddey, shall pay plaintiff's attorney, Maclin P. Davis, Jr., a fee of $7,000 in addition to the amount of fee heretofore paid said attorney.

13. A lien is hereby declared upon the certificate of defendant for 1,000 shares of common stock in Athens Transit Corporation in his name which was made an exhibit to defendant's testimony in this cause. Defendant shall cause said certificate to be delivered to the Clerk of this Court to be retained by said Clerk until said defendant shall have caused a certificate to be delivered to plaintiff for 50% of the outstanding stock in said corporation and defendant shall have performed all other acts he is ordered to perform in this decree.

14. The costs of this cause are taxed against defendant.

15. Defendant respectfully excepts to the foregoing decree and is hereby granted an appeal to the next term of the Court of Appeals at Nashville conditioned upon the filing by defendant of an appeal bond within 30 days. Defendant is allowed 60 days in which to file a bill of exceptions.

John A. Henderson
JUDGE

Entered this 18th day of June, 1976.

APPROVED FOR ENTRY:

Martin P. Davis, Jr.
Attorney for Plaintiff

Attorney for Defendant

Copy of this decree has been furnished James McKinney, Esq., and James Everett, Esq., attorneys for defendant, this June 21, 1976.

Martin P. Davis, Jr.

E 5 1 7-7-5

IDENTIF. REFERENCE

FEB 23 11 23 AM '78

BOOK 5255 PAGE 836

FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TENN.

FEB23'78 MISC B* 10.00 * 10.00

76873 113C/1962

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* EVELYN JUNE MILLER WADDEY *Plaintiff, and* ROBERT BRITTON WADDEY *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* 23rd *day of* February *in the year one thousand nine hundred and* seventy-eight *and in the* 202nd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By V. L. Rowland, *D. C.*

Form #GR-117