I hereby certify that this is a true copy of original instrument filed in my office this 9th day of March 1978
GEORGE L. ROOKER Clerk
By N. L. Rowland
Deputy Clerk

2-22-78
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par. 60

BOOK 5260 PAGE 573

LINDA DARLENE STUART) IN THE FOURTH CIRCUIT COURT FOR
VS.) DAVIDSON COUNTY, TENNESSEE
JAMES M. STUART) NO. 88335

FINAL DECREE OF DIVORCE

MAR-9 MISC 6.00 * 6.00

This cause came on to be heard before the Hon. Benson Trimble, Judge of the Fourth Circuit Court on January 10, 1978, upon the complaint filed by the plaintiff, answer of the defendant, testimony of witnesses introduced and examined in open Court, statements of counsel and upon the entire record.

From all of which the Court finds the defendant was duly before the Court by personal service of process. That the allegations contained in the compalint are sustained by the evidence and that the defendant has been guilty of such cruel and inhuman treatment towards the plaintiff as renders further co-habitation unsafe and improper and in plaintiff's case to remain any longer under the dominion and control of the defendant. That the plaintiff is entitled to an absolute divorce from defendant and custody of the minor child of the parties, Kevin Michael Stuart. That the defendant is entitled to visitation privileges with the child on an every other weekend basis either on a Saturday or Sunday and he shall give the plaintiff notice of his intention to exercise visitation at least 24 hours before hand. Visitation shall be at the homeplace of the plaintiff. The times for visitation, if the visitation is on a Saturday, shall be from 11:00 A.M. until 4:00 P.M. and if on Sunday, from 1:00 P.M. until 6:00 P.M.

The defendant shall continue to make child support payments of $35.00 per week plus $1.75 per week clerk's commission through the Circuit Court Clerk's Office and in addition the Court finds an arrearage in child support of $350.00 and this arrearage shall be paid at the rate of $5.00 per week in addition to the regular child support payment for a total payment of $41.75.

This amount shall be paid until the arrearage is paid off at which time the amount to be paid will be $35.00 per week plus the clerk's commission.

The Court further finds that the house and lot owned by the parties should become the sole property of the plaintiff and that the defendants interest in the said property at 5303 1/2 Elkins Avenue, Nashville, Tennessee, shall be divested out of defendant and into plaintiff. The Court further finds that all household furniture and furnishings in the homeplace shall become the sole property of the plaintiff. The Court further finds that the 1968 Oldsmovile ID # shall become the sole property of the plaintiff. The Court further finds that the defendant shall pay as a part of the alimony awarded the plaintiff an attorney fee of $350.00 to Richard R. Hedgepath, attorney for plaintiff. That the plaintiff shall pay the note and obligations owed on the real property as well as continue the payment of the note to C.I.T. Financial Services.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaitniff be and hereby is entitled to an absolute divorce from the defendant and awarded the absolute care, custody and control of the minor child of the parties, Kevin Michael Stuart. The defendant has the privilege of visiting with the child at the homeplace of the parties on an every other weekend basis either on a Saturday or Sunday. That if he visits on Saturday it shall be from 11:00 A.M. until 4:00 P.M. and if on Sunday from 1:00 P.M. until 5:00 P.M. and he shall give the plaintiff at least 24 hours notice of his intention to exercise visitation.

It is further ordered by the Court that defendant continue the child support payment of $35.00 per week plus the $1.75 clerk fee payable through the Circuit Court Clerk's Office. In addition, the Court finds an arrearage in child support of $350.00 and the defendant shall pay this amount $5.00 per week with his regular child support payment until paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the

Court that the hereinafter described real property located at 5303 1/2 Elkins Avenue, Davidson County, shall become the sole and separate property of the plaintiff and the defendant's right, title and interest be and hereby is divested out of him and into plaintiff and the property is described as follows:

> Beginning at a point on the south side of Elkins Avenue, (Formerly Second Avenue) West Nashville 82 feet west of the southwest corner of Elkins Avenue and Fifty-Third Avenue, (formerly Twelfth Street) running thence in a westerly direction along the south margin of Elkins Avenue 78 feet to a point thence in a southerly direction parallel to Fifty-third Avenue, 180 feet to an alley; thence in an easterly direction along said alley 78 feet to a point; thence in a northerly direction along a line parallel to and 82 feet west of Fifty-Third Avenue, 180 feet to the point of beginning.
>
> Being the same property conveyed to James M. Stuart and Linda D. Stuart by deed from Allie T. Thomas, unmarried, of record in Book 5023, page 404, R.O.D.C.

It is further ordered by the Court that all household furniture and furnishings located at the homeplace be divested out of defendant and into plaintiff as her sole property. That the 1968 Oldsmobile ID #336778M153395 become the sole property of the plaintiff and any interest which the defendant has be and hereby is divested from him. The defendant will pay to Richard Hedgepath, attorney for plaintiff, the sum of $350.00 as a part of the alimony awarded the plaintiff. The plaintiff will pay the outstanding notes and obligations owed on the hereinabove described real property as well as the C.I.T. Financial Services note.

DEFENDANT WILL PAY THE COSTS OF THIS CAUSE.

From all of which execution may issue if necessary.

Entered this ____ day of January, 1978.

J U D G E

2-22-78

APPROVED FOR ENTRY:

Richard Hedgepath

Attorney for Plaintiff

I certify that I mailed a copy of the foregoing to Hon. Charles Alexander, Attorney, 421 Charlotte Avenue, Nashville, TN 37219, this 23 day of January, 1978.

Richard Hedgepath

IDENTIF. REFERENCE
MAR 9 12 17 PM '78
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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