IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

SUE FRANCES (SMITH) POWER

VS.

BILLY HANKINS POWER

NO: 82233

BOOK 5286 PAGE 746

FINAL DECREE

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This cause came on to heard before the Honorable David C. Rutherford, sitting as Special Judge for the Honorable James M. Swiggart, Judge of the Sixth Circuit Court of Davidson County, Tennessee, upon the original bill for divorce filed by the complainant; the oral testimony of complainant and that of her corroborative witnesses examined in open court; argument of counsel, and the entire record; from all of which the court is of the opinion that the allegations contained in the original bill are fully sustained; that is, that the defendant has been guilty of such cruel and inhuman treatment and conduct toward the complainant as renders further cohabitation unsafe and improper, and it further appearing to the court that the parties have entered into an oral property settlement agreement, which the court approves.

It is, therefore, ORDERED, ADJUDGED, and DECREED by the court that the bonds of matrimony heretofore subsisting between the complainant and the defendant be, and they hereby are, forever and perpetually dissolved, and that the complainant be, and she hereby is, granted an absolute divorce from the defendant and restored to the status of a single person.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the complainant be, and she hereby is, awarded the exclusive care, custody, and control of the parties' minor child.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the defendant be, and he hereby is, ordered to pay to the complainant the sum of Ninety ($90.00) Dollars per month as child support for the months of July, August, and September, 1976; then increased to One Hundred and Ten Dollars ($110.00) per month for the months of October, November, and December, 1976, and then increased to One Hundred Twenty-Five Dollars ($125.00) per month until the child reaches the age of eighteen (18).

It is further ORDERED, ADJUDGED, and DECREED by the Court that the complainant be, and she hereby is, awarded alimony in futuro in the amount of Ninety Dollars ($90.00) per month for the months of July, August, and September, 1976, and increased to One Hundred Ten Dollars ($110.00) for the months of October, November, and December, 1976, and then increased to One Hundred Twenty-Five Dollars ($125.00) per month, and continue through the month of December, 1979. It is further ordered that the said alimony payments shall cease upon the complainant's remarriage.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the defendant make the July, 1976, alimony and child support payment totaling One Hundred Eighty Dollars ($180.00) on or before July 28, 1976. It is further ordered that all subsequent child support and alimony payments be made on or before the twenty-fifth (25th) day of each month.

It is further ORDERED, ADJUDGED, and DECREED by the court that whatever right, title, equity, or interest which the defendant has in the home of the parties located at 2707 Edge-O-Lake Drive, Nashville, Tennessee, along with the household furniture and furnishings be, and the same hereby is, divested out of the defendant and vested into the complainant. A more adequate description of the property is as follows:

Land in Davidson County, Tennessee, being Lot No. 188 on the Plan of Edge-O-Lake Estates, Section 2, of record in Book 3600, page 72, Register's Office for said county.

Said Lot No. 188 fronts 80 feet on the southwesterly margin of Edge-O-Lake Drive and runs back between lines measuring 129.61 feet on the southeasterly side and 115.05 feet on the northwesterly side to a line in the rear measuring 81.31 feet thereon.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the complainant be, and she hereby is, ordered to pay the first mortgage on the said real estate property to Guaranty Mortgage Company, and the second mortgage on the property to Associates Capital Corporation, and hold the defendant harmless therefor.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the defendant be, and he hereby is, allowed to obtain his personal belongings, tools, guns, clothing, and miscellaneous building equipment from the home of the parties, and is ordered to do so within (30) thirty days from the date of this decree.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the defendant be, and he hereby is, ordered to pay to Edward Nave, the sum of Three Hundred Dollars ($300.00) as his attorney's fee for representing the complainant in this cause; said fee to be considered as alimony to the complaiant, and to be paid at a rate of Fifty Dollars ($50.00) per month; the first payment to be made on or before the 31st day of August, 1976, and to continue each month thereafter until paid in full.

It is further ORDERED, ADJUDGED, and DECREED by the Court that the defendant be, and he hereby is, ordered to pay compkainant within thirty days (30) from the date of this decree the sum of Twenty-Five Dollars ($25.00) representing court reporter fee.

The defendant is ordered to pay the costs of this cause.

For all of which execution may issue, if necessary.

APPROVED FOR ENTRY:

EDWARD NAVE
Attorney for Complainant

THOMAS NOEL PHILLIPS
Attorney for Defendant

Enter This 27th Day of July, 1976

SPECIAL JUDGE

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IDENTIF. REFERENCE
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FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TENN.
RUSH

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* Sue Frances (Smith) Power *Plaintiff, and* Billy Hankins Power *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* 17th. *day of* May *in the year one thousand nine hundred and* Seventy-Eight *and in the* 202nd. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By June Smith, *D. C.*