4-11-77
33B/1296

BOOK 5289 PAGE 957

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

MAP 105-9
Par 258 Is

BERTHA BUCHANAN)
)
VS.) NO. 84968
)
JOHN L. BUCHANAN)
)

MAY25 FINAL DECREE
MISC B* 6.00 * 6.00

This cause came on to be heard before the Honorable Stephen L. North, Judge of the Fifth Circuit Court for Davidson County, Tennessee, this the 7th day of April, 1977, on a Complaint for absolute divorce filed by the plaintiff, Answer and Cross-Bill, Answer thereto and after hearing statement of counsel that the matter was to be uncontested, the Court in the presence of the defendant and his counsel heard testimony from the plaintiff and her witnesses, from all of which the Court finds that the allegations of the Bill have been sustained to-wit: that the defendant has been guilty of such cruel and inhuman treatment toward the plaintiff as renders cohabitation unsafe and improper for her to be under his dominion and control.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff be granted an absolute divorce and that the bonds of matrimony heretofore subsisting between the parties be forever and perpetually dissolved. It is further ordered that a judgment be entered against the defendant for $50.00, which is the arrearage on the pendente lite. Said $50.00 is to be paid within the next 30 days. It is further ordered that the house owned by the parties as tenants by the entireties be vested in them with each having a one-half undivided interest as tenants in common. Said property being described as follows:

> Land in Davidson County, Tennessee, being all of Lot No. 24 and the westerly 7 feet of Lot No. 25 in W. S. Criddle's Subdivision of Lot No. 1 of the Lawrence Property in the old 10th Civil District of said County, a plat of which subdivision is of record in Book 57, page 84 in the Register's Office for said County.

Said Lot No. 24 and the said part of Lot 25 adjoin each other and front together 57 feet on the southerly side of Bate, formerly Cleveland, Avenue, in the City of Nashville and together runs back southwardly between parallel lines 145 feet to an alley in the rear, dated August 14,1941.

It is ordered that the property will be placed on the market for sale through a real estate agent agreeable with both of the parties and the defendant will reside in said property pending the sale and be responsible for the house note and maintenance of the property and not allow any encumbrances on the property nor allow the lien to get into a state of foreclosure. The defendant will pay the plaintiff the sum of $100.00 per month as rent pending the sale, the first month's rent starting April 8, 1977 and being due on the 8th day of each month thereafter until said property is sold. The first month's rent will become a lien against the defendant's interest in the property. The second, third and fourth month's rent will be paid on or before the 10th day of each month as it accrues to the plaintiff in the event said property is not sold. In the event of the sale of the property during the middle of any rent period, said rent will be pro-rated between the parties. If the property is not sold after four months, the rent will continue to accrue and become a lien against the defendant's interest until said sale is had, however, the Court will retain jurisdiction over the sale of this property to insure that a sale is had and is handled in the best interest of both parties. It is ordered that the plaintiff is entitled to the piano and chifforobe located in the house at 1017 Bate Avenue. It is ordered that the defendant will pay to the plaintiff's attorney the sum of $250.00 which will be a lien against his interest in the property and the plaintiff will pay to her attorney $250.00 which will be a lien against her interest in said property. The defendant will pay his attorney, Mr. Robert Jackson, $200.00 attorneys' fees, plus $84.25 advanced by Mr. Jackson for court reporting expenses, said amount of $284.25 being a lien against

the defendant's interest in said property. BOOK 5289 PAGE 959

It is further ORDERED that the costs of this cause is assessed against the defendant, for which execution may issue, if necessary.

JUDGE

Enter This 11 Day of April, 1977

APPROVED FOR ENTRY:

JOSEPH L. LACKEY, JR.
Attorney for Plaintiff

E 67334

IDENTIF. REFERENCE

MAY 25 11 05 AM '78

FELIX Z. WILSON JR REGISTER
DAVIDSON COUNTY, TENN.

CERTIFICATE OF SERVICE

I certify that I have mailed a copy of the foregoing Decree to Mr. Robert L. Jackson, Attorney for Defendant, this 11th day of April, 1977.

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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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Bertha Buchanan *Plaintiff, and* John L. Buchanan *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* 24 *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 Sue Woods, *D. C.*