ROBERT WAT[illegible]	)	IN THE FIRST CIRCUIT COURT OF
	)	DAVIDSON COUNTY, TENNESSEE
	)	
vs.	)	NO. 85768
	)	
	)	
CAROL ANN CA[illegible]RNBURG	)	

Dep Gar SDA-57515

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O R D E R

This cause came on to be heard the 21st day of June, 1977, before the Honorable J. William Rutherford, Judge of the First Circuit Court of Davidson County, Tennessee, upon the original bill for divorce filed by Robert Watts Thornburg, answer and counter-complaint filed by Carol Ann Caldwell Thornburg, answer of the cross-defendant to, and from the testimony of the parties and their witnesses heard in open court, exhibits filed with the Court, argument of counsel, and upon the entire record. From all of which the Court took said matter under advisement and through its memorandum, which is in words and figures as follows, found:

MEMORANDUM

After hearing all the evidence in this cause together with able argument of counsel and, after reviewing all the exhibits and the court's own notes, it appears to the court that the original bill of Mr. Thornburg is not supported by the proof and should be dismissed. Further, it appears that a divorce should be granted to Mrs. Thornburg on the grounds of Cruel and Inhuman Treatment.

From the evidence, it appears to the court that the property and assets which the parties have accumulated over the years total just over $50,000.00. These assets consist among other things of a home, household furnishings and cash value in insurance policies. It is the opinion of the court that this property should be divided relatively equal between the parties. The insurance policies with the exception of one policy which belongs to Mrs. Thornburg are owned and controlled by Mr. Thornburg, and this appears to be the largest of the assets. The court feels that Mr. Thornburg is more capable of handling any sale of the real property of the parties, which is the other major asset together along with the household furniture. Therefore, the court will award the real estate, household furnishings and cash value of the insurance policies to Mr. Thornburg and will order that he pay to Mrs. Thornburg the sum of $25,000.00 as her share or division of the property. Mrs. Thornburg will retain all her property of a purely personal nature.

he court will award the 1973 Audi automobile t burg and the 1975 Duster automobile to Mr. T

The no real issue and the court is satisfied that the cust of the minor child should be placed with Mrs. Thornburg with Mr. Thornburg having visitation privileges which further appeared to be no problem with the parties.

It is further the opinion of the court from the evidence that Mr. Thornburg should pay to Mrs. Thornburg the sum of $400.00 per month of which $200.00 should be child support and $200.00 to be alimony and that counsel for Mrs. Thornburg should be awarded attorney's fee in the amount of $2,000.00 taxable along with the costs of this cause to Mr. Thornburg.

Counsel will prepare an order in accordance with this memorandum.

RECORDER'S MEMO:
Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received.

Respectfully,

/s/ J. William Rutherford

J. William Rutherford, Judge

which memorandum is hereby made the judgment of this Court.

It is, therefore, ORDERED, ADJUDGED and DECREED that the bonds of matrimony heretofore subsisting between the parties be and they hereby are absolutely and perpetually dissolved, and the cross-plaintiff, Carol Ann Caldwell Thornburg, be and she hereby is awarded an absolute divorce from the defendant, Robert Watts Thornburg, and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that the custody of the minor child of the parties, Anne Lynne, be and the same hereby is awarded to the cross-plaintiff, Carol Ann Caldwell Thornburg, with all reasonable rights of visitation awarded to the cross-defendant, Robert Watts Thornburg.

It is further ORDERED, ADJUDGED and DECREED that the cross-plaintiff, Carol Ann Caldwell Thornburg, be and she hereby is awarded the sum of Twenty-Five Thousand Dollars ($25,000.00) as her share or division of the jointly owned property of the parties, which sum shall be a judgment against the cross-defendant and a lien

upon his share of the property until it is paid in full. She is further awarded the 1973 Audi automobile, and she will retain ownership of the insurance policy upon her life. Any items of personal property of a personal nature which belong to the cross-plaintiff will be retained by her.

It is further ORDERED, ADJUDGED and DECREED that the cross-defendant will receive as his share or division of the jointly owned property the cash value of all insurance policies on his life; the cash value of his retirement benefits; title to the real property owned by the parties at 173 Lelawood Circle, Nashville, Tennessee; household furnishings and furniture which are jointly owned; and the 1975 Duster automobile. The Court does hereby divest title to the real property out of the cross-complainant, Carol Ann Caldwell Thornburg, and does vest same in the cross-defendant, Robert Watts Thornburg, to his sole and separate use.

Said real property is more particularly described in words and figures as follows:

> Land in Davidson County, Tennessee, being Lot No. 20 on the Plan of Hillwood Park as of record in Book 3300, pages 27 and 28, Register's Office for said County.
>
> Said Lot No. 20 fronts 137.0 feet on the northwesterly side of Lelawood Circle and extends back between lines, 307.2 feet on the southwesterly line and 274.1 feet on the northeasterly line to a dead line in the rear, measuring 141.9 feet thereon.
>
> Being the same property conveyed to Robert Watts Thornburg and wife, Carol Ann Thornburg, by deed from Julia T. Davis, of record in Book 4797, Page 596, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the plaintiff, Robert Watts Thornburg, will pay to the defendant, Carol Ann Caldwell Thornburg, the sum of $400.00 per month, of which $200.00 shall be child support and $200.00 shall be alimony.

It is further ORDERED, ADJUDGED and DECREED that the attorney representing the defendant, J.C. Summers, be and he hereby is

awar[illegible] in the amount of $2,000.00 for his services rendered to the [illegible] minor child in this cause.

The pl[illegible], Robert Watts Thornburg, shall be, and he hereby is taxed with the costs in this cause, for which execution may issue if necessary.

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

William Fortner
JUDGE
7-8-77

Approved for Entry:

Attorney for Plaintiff

Attorney for Defendant

C E R T I F I C A T E

I certify that a copy of this order has been mailed to Charles H. Warfield, attorney for the plaintiff, Third National Bank Building, Nashville, Tennessee 37219, this 8th day of July, 1977.

[illegible] MINUTE

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IDENTIF. REFERENCE

AUG 23 2 58 PM '78

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

AUG 23 00 MISC B* 10.00 * 10.00

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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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Robert Watts Thormburg *Plaintiff, and* Carol Ann Caldwell Thornburg *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* August *in the year one thousand nine hundred and* seventy-eight *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By J. Knight, *D. C.*

Form #GR-117