11-7-77
34C/1922

IN THE FIFTH CIRCUIT COURT OF
DAVIDSON COUNTY, TENNESSEE

Map 72-8
Par 40 Jul

BOOK 5351 PAGE 722

Judith Hodges Kane	)	
	)	
Plaintiff and Cross Defendant	)	
	)	
vs.	)	No. 87466
	)	
William Bernard Kane	)	
	)	
Defendant and Cross Plaintiff	)	

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FINAL DECREE OF ABSOLUTE DIVORCE

This cause came to be heard on the first day of November, 1977, before the Honorable Stephen North, Judge of the Fifth Circuit Court of Davidson County, Tennessee upon the petition for Absolute Divorce filed by the Plaintiff, the Answer and Counter Claim of the Defendant, the Answer to the Counter Claim, the recitation in open court that the parties are in agreement as to the disposition of certain matters by and between them as hereinafter set forth, the statement that the counter claim would be withdrawn and that the Plaintiff would proceed upon her petition for Absolute Divorce, the testimony of the Plaintiff and her supporting witnesses in open court and the entire record in this cause. From all of which the Court is of the opinion and finds that the Defendant has been guilty of such cruel and inhuman treatment or conduct toward the Plaintiff as renders further cohabitation unsafe and improper.

It is therefore ordered, adjudged and decreed that the Plaintiff, Judith Hodges Kane, be and she is hereby awarded an Absolute Divorce from the Defendant, William Bernard Kane, and the bonds of matrimony heretofore existing between them are here and now permanently dissolved and the Plaintiff is restored to all the rights and privileges of an unmarried person.

The Court is further of the opinion that the agreement between the parties as stated in open court is in all respects proper and should be incorporated in this Decree as an Order of the Court, as follows:

The matter of child custody is taken under advisement and the Court will appoint an attorney as child advocate to represent the minor

children of the parties and the matter of child custody will henceforth be set at 9:00 A. M. on November 29, 1977.

Pending a further hearing on the matter of child custody, the temporary custody of the parties' minor children will be placed in the sister of the plaintiff, Jane Hodges and the children will reside in her home with her.

Both the plaintiff and the defendant will have reasonable rights of visitation with the minor children at all reasonable times and places.

The plaintiff and the defendant will each pay into a separate checking account as hereinafter described the sum of $45.00 per week for the care and support of the two minor children. The first such payment will be due on the first day of November, 1977, and weekly thereafter pending further orders of this Court.

The plaintiff shall open a separate checking account at a local banking institution for the purpose of receiving the child support payments as hereabove provided. From the amount received she may pay over to Jane Hodges the amount of $25.00 each week. The balance shall be expended for the use and benefit of the minor children. All disbursements of said funds shall be by check and the plaintiff shall account to the Court upon a subsequent hearing for all funds so expended.

The placement of the minor children in the temporary custody of Jane Hodges shall be without prejudice to the rights of either the plaintiff or the defendant at any subsequent hearing upon the question of child custody.

It is further agreed that said minor children shall be transferred to the residence of Jane Hodges not later than 5:00 P.M. on Friday, November 4, 1977.

It is further understood that all household furniture and furnishings currently in the possession of the plaintiff shall be and become her sole and separate property free and clear of any claim by the defendant.

It is further understood that the plaintiff will make the remaining payments to Lannom's which the defendant has heretofore been making by

order of the Court. The refrigerator for which these payments are made shall remain the sole and separate property of the plaintiff.

It is understood that each party will pay his or her own attorney. It is further understood that the real estate located at 1509 McGavock Pike, Nashville, Tennessee and described as follow:

> Being Lot No. 27 of Block "A" on the Map of Inglewood Golf Club Estates, as of record in Book 843, page 98, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 27 fronts 60 feet on the northerly side of McGavock Pike, formerly Williams Ferry Road, and runs back between parallel lines 198 feet, as measured from the center line of said Pike to a dead line.
>
> Being the same real property conveyed to Judith H. Kane, by Warranty Deed from Steven R. Benton and wife, Jewel Benton dated 6-20-77 of record in Book 5163, Page 766, Register's Office of Davidson County, Tennessee.

shall become and be the sole and separate property of the plaintiff, Judith Hodges Kane subject to the lien of the defendant, William Bernard Kane against said property for the sum of $600.00 which shall be paid to the defendant by the plaintiff within 120 days of the entry of this decree in which event the lien shall be discharged, otherwise to remain in full force and effect. This provision is intended to be a full settlement of any claim that the defendant might have against the plaintiff or the Third National Bank in Nashville by reason of the plaintiff's withdrawal of certain funds standing in the name of William B. Kane in an account at the Third National Bank.

All of which is accordingly ordered, adjudged and decreed by the Court.

The matter of Court costs is reserved for subsequent determination by the Court.

Judge

APPROVED FOR ENTRY
Farris, Evans & Warfield

Richard A. Jones

CERTIFICATE OF SERVICE

I certify that a copy of this Final Decree has been mailed to Mr. William D. Castleman, Attorney at Law, by depositing a copy of same in the United States mail, postage prepaid and addressed to him at the American Trust Building, Nashville, Tennessee 37201, this 1st day of Nov, 1977.

Richard A. Jones
Richard A. Jones

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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* JUDITH HODGES KANE *Plaintiff, and* WILLIAM BERNARD KANE *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* October *in the year one thousand nine hundred and* seventy-eight *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By P. L. Lowland, *D. C.*

Form #GR-117