Map 137-7 10-30-78
Parcel 222
6DA57605 36C/212

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KATHY PHILLIPS MYRES	]	IN THE FIFTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
VS.	]	
JAMES LEWIS MYRES	]	NO. 92009

Map 137-7
Par 222

D E C R E E

This cause came on to be heard on this 26th day of October, 1978, before the Honorable Stephen North, Judge, Division V, Circuit Court of Davidson County, Tennessee, upon the pleadings heretofore filed in this cause. The original petition having been withdrawn prior to the hearing, the matter was heard by the Court on an uncontested basis upon the cross-petition. From the testimony of the cross-plaintiff, his corroborating witnesses, statement of counsel, and a review of the entire record of this cause, the Court is of the opinion that the cross-defendant has been guilty of such cruel and inhuman treatment towards him as renders further cohabitation between the parties unsafe and improper.

It is therefore ORDERED, ADJUDGED and DECREED that the cross-plaintiff, James Lewis Myres, is awarded an absolute divorce from the cross-defendant, Kathy Phillips Myres, and the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved. Cross-plaintiff is restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that an oral property settlement agreement had been entered into by and between the parties, and that the same was submitted to the Court and approved and ratified by the Court, and that the same should be set forth in this decree, it is accordingly ORDERED, ADJUDGED and DECREED as follows:

With the exceptions set forth hereinafter, the furniture in the possession of the cross-defendant will become her property. The cross-defendant, however, will return to the cross-plaintiff his high school album, his sheet music, and a lamp that was given to him by his mother, together with some old bottles of a bottle collection. The cross-plaintiff will return to the cross-defendant a coffee lamp now in the possession of cross-plaintiff. The cross-plaintiff will assume the responsibility for the payment of a debt made by cross-defendant for the purchase of a motorcycle now in the possession of cross-plaintiff, but with the provision that said indebtedness shall not exceed the sum of $750.00. If the cross-plaintiff is able to assume the indebtedness on a monthly basis, he may do this, but in the event that said assumption is unsatisfactory to the creditor, then and in that event, it will be necessary for cross-plaintiff to make such arrangements as are necessary to within sixty (60) days pay off the indebtedness not to exceed the sum of $750.00. In the meantime, should cross-defendant be required to continue making payments until such time as the debt may be assumed or paid by cross-plaintiff, cross-plaintiff will reimburse cross-defendant for any payments made.

As further agreed to by and between the parties, and pursuant to an equitable division of the properties of the parties, all of cross-defendant, Kathy Phillips Myres' right, title and interest to a house and lot located at 3704 Hewlett Drive as is now vested in cross-defendant, shall be divested from cross-defendant and awarded to cross-plaintiff, James Lewis Myres, in fee simple title, it being the intention of the Court, pursuant to an agreement by the parties, to award the equity in said aforementioned real property to the cross-plaintiff. Cross-plaintiff will hereinafter hold cross-defendant harmless from any future responsibility in regard to the mortgage payments on said property. Said property is more particularly described as follows:

BEING Lot No. 55 on the plan of Parma Heights, a plat of which is of record in Book 2133, page 23, Register's Office for Davidson County, Tennessee.

BEING the same property conveyed to the Grantor, Thelma E. Lovan, by deed of record in Book 4901, page 996, Register's Office for Davidson County, Tennessee.

Being the same property conveyed to James L. Myres, et ux, Kathy S. Myres, by deed from Thelma E. Lovan of record in Book 4989, page 922, Register's Office, Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that the cross-defendant is restored to her maiden name of Kathy Phillips.

The cross-plaintiff will pay the costs of this cause, for which execution may issue, if necessary.

Entered this 30th day of October, 1978.

Stephen Smith
JUDGE

APPROVED FOR ENTRY:

Jack Norman
Jack Norman, Jr., Attorney for
Cross-Plaintiff, James Lewis Myres

I certify that I have mailed a copy of this Decree to Mr. Sam E. Wallace, Jr., attorney for cross-defendant, 500 Stahlman Building, Nashville, Tennessee 37201, this 27th day of October, 1978.

Jack Norman
Attorney

F 0 5 6 1 8

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IDENTIF. REFERENCE

DEC 18 12 13 PM '78

FELIX T. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

DEC 18 78 MISC B* 8.00 * 8.00

Docket No. 92009 Minute Book 36C page no. 2129

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* Kathy Phillips Myres *Plaintiff, and* James Lewis Myres *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* 18th *day of* December *in the year one thousand nine hundred and* seventy-eight *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By C. Jennings, *D. C.*

Form #GR-117