129-15-123 TK

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

AUGUST 30th, 1978.

NORMA PEARL DOOLEY WITHERINGTON )
)
VS. ) NO. 91892
)
AUBREY M. WITHERINGTON ) MINUTE BOOK 145-B, PAGE 1143

BOOK 5380 PAGE 310

ORDER

This cause came on to be heard August 22, 1978, before the Honorable Robert Lillard, Judge of the First Circuit Court of Davidson County, Tennessee, upon the original bill of the plaintiff, statement of counsel that the parties had agreed to a property settlement, which agreement was stated to the Court orally by counsel and which was approved by the Court and ordered incorporated into this final decree, and the entire record in this cause, from all of which the Court was of the opinion that the allegations contained in the original bill as amended were fully sustained, that is, that irreconcilable differences existed between the parties which rendered further cohabitation impossible.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that the plaintiff be and she is hereby granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the property settlement agreement entered into by and between the parties be and the same is hereby approved and ordered copied into this decree verbatim and become a part hereof as follows:

"IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

NORMA PEARL DOOLEY WITHERINGTON )
)
VS. ) NO. 91892
)
AUBREY M. WITHERINGTON )

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT entered into by and between Norma Pearl Dooley Witherington and Aubrey M. Witherington this _____ day of August, 1978.

Whereas, the parties are separated and a divorce bill is pending and the parties desire to enter into a property settlement agreement which agreement, if approved by the Court, will be incorporated in any final decree entered by the Court in this cause, said parties agree as follows:

1. Norma Pearl Dooley Witherington will apply for an absolute divorce on the ground of irreconcilable differences.

2. Mrs. Witherington will be awarded the absolute care, custody and control of the minor child of the parties with the right reserved to Aubrey M. Witherington for all reasonable visitation privileges.

3. That whatever right, title or interest that Mr. Witherington has or might have in the home place located at 6810 Cloudland Drive, Nashville, Tennessee, will be divested out of him and vested in Mrs. Witherington as her sole property, which property is described as follows:

> Land in Davidson County, Tennessee, being Lot No. 89 on the Plan of West Meade Highlands, Section II, as of record in Book 3700, pages 124 and 125, Register's Office for said County.
>
> Said lot fronts 100.7 feet on the northeasterly side of Cloudland Drive and runs back 179.6 feet on the southeasterly line and 146 feet on the northwesterly line, to a dead line in the rear on which it measures 104.2 feet.
>
> Beingthe same property conveyed to Aubrey M. Witherington, Jr. and wife, Norma D. Witherington, by deed from J. E. Adams of record in Book 4189, Page 919, Register's Office for Davidson County, Tennessee.

4. That whatever right, title or interest that Mr. Witherington has or might have in the household furniture and furnishings will be divested out of him and vested in Mrs. Witherington as her sole property.

5. Mr. Witherington will pay the sum of $350.00 per month to be allocated as follows: $250.00 per month child support and $100.00 per month alimony.

6. Mr. Witherington will maintain and provide major medical and hospital insurance for the benefit of the minor child of the parties which will include a dental bill which is now due to Endodontic Associates.

7. That whatever right, title or interest Mrs. Witherington has or might have in a gun collection, stamp collection, coin collection and personal items in the home of the parties will be divested out of Mrs. Witherington and vested in Mr. Witherington as his sole property.

Land in Davidson County, Tennessee, being Lot No. 89 on the Plan of West Meade Highlands, Section II, as of record in Book 3700, pages 124 and 125, Register's Office for said County.

Said lot fronts 100.7 feet on the northeasterly side of Cloudland Drive and runs back 179.6 feet on the southeasterly line and 146 feet on the northwesterly line, to a dead line in the rear on which it measures 104.2 feet.

Being the same property conveyed to Aubrey M. Witherington, Jr. and wife, Norma D. Witherington, by deed from J. E. Adams of record in Book 4189, Page 919, Register's Office for Davidson County, Tennessee.

4. That whatever right, title or interest that Mr. Witherington has or might have in the household furniture and furnishings will be divested out of him and vested in Mrs. Witherington as her sole property.

5. Mr. Witherington will pay the sum of $350.00 per month to be allocated as follows: $250.00 per month child support and $100.00 per month alimony.

6. Mr. Witherington will maintain and provide major medical and hospital insurance for the benefit of the minor child of the parties which will include a dental bill which is now due to Endodontic Associates.

7. That whatever right, title or interest Mrs. Witherington has or might have in a gun collection, stamp collection, coin collection and personal items in the home of the parties will be divested out of Mrs. Witherington and vested in Mr. Witherington as his sole property.

8. Mr. Witherington will pay to Mrs. Witherington's attorney of record, Howard F. Butler, the sum of $350.00 as his fee for representing her.

NORMA PEARL DOOLEY WITHERINGTON

AUBREY M. WITHERINGTON

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

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| NORMA PEARL DOOLEY WITHERINGTON | ) | |
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| | ) | |
| VS. | ) | NO. 91892 |
| | ) | |
| | ) | |
| AUBREY M. WITHERINGTON | ) | |

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT entered into by and between Norma Pearl Dooley Witherington and Aubrey M. Witherington this 22 day of August, 1978.

Whereas, the parties are separated and a divorce bill is pending and the parties desire to enter into a property settlement agreement which agreement, if approved by the Court, will be incorporated in any final decree entered by the Court in this cause, said parties agree as follows:

1. Norma Pearl Dooley Witherington will apply for an absolute divorce on the ground of irreconcilable differences.

2. Mrs. Witherington will be awarded the absolute care, custody and control of the minor child of the parties with the right reserved to Aubrey M. Witherington for all reasonable visitation privileges.

3. That whatever right, title or interest that Mr. Witherington has or might have in the home place located at 6810 Cloudland Drive, Nashville, Tennessee, will be divested out of him and vested in Mrs. Witherington as her sole property, which property is described as follows:

8. Mr. Witherington will pay to Mrs. Witherington's attorney of record, Howard F. Butler, the sum of $350.00 as his fee for representing her.

NORMA PEARL DOOLEY WITHERINGTON

AUBREY M. WITHERINGTON"

It is further ORDERED, ADJUDGED and DECREED by the Court that in addition to the $100.00 per month alimony payable by the defendant to the plaintiff as set forth in the foregoing property settlement agreement, the defendant shall pay an additional sum of $100.00 per month to the plaintiff for a period of thirty-seven (37) months.

The defendant is hereby entitled to claim the minor child as a dependant on his federal income tax return.

The defendant will also pay the costs of this cause for which execution may issue.

Robert E. Lillard
JUDGE

APPROVED FOR ENTRY:

Howard F. Butler
HOWARD F. BUTLER
Attorney for Plaintiff

A. B. Neil Jr.
A. B. NEIL, JR.
Attorney for Defendant

F.07393

BOOK 5380 PAGE 315

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IDENTIF. REFERENCE

DEC 29 2 24 PM '78

REGISTER
DAVIDSON COUNTY, TENN.

DEC 29 MISC B* 12.00 * 12.00

# 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* Norma Pearl Dooley Witherington, *Plaintiff, and* Aubrey M. Witherington, *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* 29th *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* Mildred Carter, *D. C.*

Form #GR-117