83-7-79 KS

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

BOOK 5432 PAGE 202

PEARLIE MAE STEWART SIMMONS,
Complainant

VS.

JAMES DONALD SIMMONS,
Defendant

NO. 65694

FINAL DECREE

This cause came on to be heard this 26th day of September, 1972, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the Petition for Absolute Divorce filed by the Complainant, Pearlie Mae Stewart Simmons, the agreed order entered May 23, 1972, the answer of the Defendant, James Donald Simmons, the testimony of the Complainant and Three (3) witnesses for the Complainant, the statement of counsel for both parties, the agreement of the parties that all of the right, title and interest of the Defendant in and to certain real estate located at 24 Waters Avenue, Davidson County, Tennessee, presently occupied by the Complainant, be divested out of the Defendant and vested in the Complainant, that all of the other personal property, furniture, appliances, and furnishings of the parties has already been divided by the parties, and that the Defendant pay directly to the Complainant the sum of One Hundred ($100.00) Dollars per month as necessary alimony, and the entire record in this cause, whereupon the Court found that the Complainant had proved her grounds for a divorce, to wit- such cruel and inhuman treatment as renders further cohabitation unsafe and improper, and therefore, granted the Complainant an absolute divorce, and further approved the agreement of the parties,

and finally reserved the matter of the care, custody and control of the Two (2) minor children of the parties pending an investigation by the special master, Mrs. Janice Walden.

It is therefore, ORDERED, ADJUDGED and DECREED that the Complainant, Pearlie Mae Stewart Simmons, be and the same is hereby awarded an Absolute Divorce for the bonds of matrimony heretofore existing between her and the Defendant, James Donald Simmons, and she is hereby restored to all of the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that all of the right, title and interest of the Defendant, James Donald Simmons, in and to the following described real estate be and the same is hereby divested out of him and in the Complainant, Pearlie Mae Stewart Simmons:

> Land in Davidson County, Tennessee, being Lot No. 8 on the Plan of McCarn Subdivision, as of record in Book 2854, page 121, and amended by instrument of record in Book 3166, page 481, Register's Office for said county.
>
> Said Lot No. 8 fronts 50 feet on the southerly side of Waters Avenue and extends back 138.72 feet on the easterly line and 150.65 feet on the westerly line to a dead line, which is a broken line, measuring 54.58 feet thereon.
>
> Being the same property conveyed to James Donald Simmons and wife, Pearle S. Simmons by deed of trust from Phillip H. Brownstein, Federal Housing Commissioner of Book 3768, page 496, in said Register's Office.

It is further ORDERED, ADJUDGED and DECREED that the actual division of the personal property of the parties, all furniture, furnishings, and other personal property is hereby approved by the Court.

It is further ORDERED, ADJUDGED and DECREED that the Defendant, James Donald Simmons pay directly to the Complainant, Pearlie Mae Stewart Simmons, the sum of One Hundred ($100.00) Dollars per month as necessary alimony, as previously ordered by this Court.

It is finally ORDERED, ADJUDGED and DECREED that the Court reserve the matter of the care, custody and control of the Two (2) minor children of the parties pending an investigation by the special master, Mrs. Janice Walden.

JUDGE

APPROVED FOR ENTRY:

Enter This 3 Day of OCT 1972

J. L. Thompson, III, Solicitor for the Complainant

Honorable Harry S. Lester, Solicitor for the Defendant

F.2.8.0.8.9.

IDENTIF. REFERENCE

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FELIX Z. ROBINSON REGISTER
DAVIDSON COUNTY, TENN.

I hereby certify that a true and exact copy of the foregoing Final Decree has been mailed to the Honorable Harry S. Lester, Attorney at Law, 214 Third Avenue North, Nashville, Tennessee, 37201, this 27th day of September, 1972.

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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* PEARLIE MAE STEWART SIMMONS *Plaintiff, and* JAMES DONALD SIMMONS *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* 7th *day of* May *in the year one thousand nine hundred and* seventy-nine *and in the* two hundred third *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By V. L. Rowland, *D. C.*