9-21-76
196/815

IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

BOOK 5448 PAGE 888 83-4
Dec. 20

ELIZABETH A. GANN	)	
	)	
	)	
vs.	)	NO. 83861
	)	
	)	
DAVID GRANVILLE GANN	)	

FINAL DECREE

This cause came on to be heard on this, the 7th day of September, 1976, before the Honorable James M. Swiggart, Judge of the Sixth Circuit Court for Davidson County, Tennessee, upon the original bill of complaint, personal service on the defendant, default judgment duly taken, and from the testimony of witnesses heard in open court and the entire record, from all of which the Court is of the opinion that the defendant, David Granville Gann, is guilty of such cruel and inhuman treatment or conduct towards the plaintiff as renders further cohabitation unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED that the bonds of matrimony subsisting between the plaintiff and the defendant be, and they hereby are, absolutely and perpetually dissolved, and the plaintiff, Elizabeth A. Gann, be and she hereby is granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the complainant and defendant have previously executed a property settlement agreement, which document has been filed and made a part of the record in this cause and approved by the Court, which is in words and figures as follows:

MAIL TO:
W. G. TRABER
P.O. Box 140255
NASHVILLE, TENN. 37214

815

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT, made and entered into this 6th day of August, 1976, by and between Elizabeth A. Gann, hereinafter called "Wife," and David Granville Gann, hereinafter called "Husband," both parties being residents of Davidson County, Tennessee;

W I T N E S S E T H :

WHEREAS, Husband and Wife were married on May 11, 1974, in Nashville, Tennessee, and no children have been born to this marriage; and

WHEREAS, Husband and Wife are presently living separate and apart and a divorce action is pending; and

WHEREAS, the parties desire to settle any dispute they might have with one another in regard to the division of their property; and

WHEREAS, the parties are entering into this agreement for the sole purpose of assisting the Court in making a distribution of the property in question.

NOW, THEREFORE, it is mutually agreed as follows:

1. Husband shall receive the following property:

(a) The Larson 16 foot tri-hull boat with 85 horsepower Mercury engine and all accessories. Husband will take over the payments remaining on the boat and accessories, and wife will transfer her interest, provided the boat is put in the husband's name and wife is relieved from all liability.

(b) The master bedroom furniture.

(c) The portable bar with accessories.

(d) The stereo component unit.

(e) The portable T. V.

(f) The rocking chair and ottoman

(g) The set of good china and silver plate.

(h) The picture of ship on velvet.

(i) All linens for king-sized bed.

(j) The card table and four chairs.

(k) The car he is presently driving.

2. Wife shall receive the following property:

(a) The home of the parties, known as 2023 Rosecliff Drive, shall be divested out of Husband and vested in Wife, and Wife will assume responsibility for the payment of the house notes.

(b) The console color T.V.

(c) The lawn mower and yard tools.

(d) All the rest of the furniture and personal property of the parties not listed above and not being the personal property of the Husband shall go to the Wife.

It is understood and agreed that this instrument is not an agreement to obtain or not to obtain a divorce, nor does it affect in any way the rights of the parties to prosecute his or her suits in the courts of Davidson County, Tennessee, or the right of the other party to defend same, but is simply and solely a property settlement agreement between the parties.

IN WITNESS WHEREOF, we have hereunto set our hands this 6th day of August, 1976.

Witness — Elizabeth A. Gann

Witness — David Granville Gann

The Court, in approving the aforesaid property settlement agreement, does hereby make it the decree of this Court in all respects.

It is further ORDERED, ADJUDGED and DECREED by the Court, in compliance with Item 2 (a) of the property settlement agreement, that the property of the parties, described as follows:

> Land in Davidson County, Tennessee, BEING Lot No. 132 on the Map of Rosebank Park, as of record in Book 1835, Page 26, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 132 fronts 80 feet on the north side of Rosecliff Drive and runs back 201.7 feet on the west line and 222.32 feet on the east line, which is a broken line, to a dead line, on which it measures 48.3 feet.
>
> BEING the same property conveyed to David G. Gann and wife, Elizabeth Gann, by deed from James S. Sweeney, Sr. and wife, Rita E. Sweeney, and James S. Sweeney, Jr. and wife, Patricia A. Sweeney, of record in Book 5029, Page 97, Register's Office for Davidson County, Tennessee.

be divested out of the defendant and vested in the plaintiff, Elizabeth A. Gann, in fee simple, with the plaintiff assuming any indebtedness owing on the property.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff's maiden name of Anderson be restored to her.

The defendant, David Granville Gann, will pay the costs of this cause, for which execution may issue if necessary.

Enter This 20th day of Sept., 1976

JUDGE

Approved for Entry:

Thomas C. Binkley
Attorney for Plaintiff

C E R T I F I C A T E

I hereby certify that a copy of the foregoing final decree has been mailed to the defendant, David Granville Gann, on this, the 20th day of September, 1976.

Thomas C. Binkley

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BOOK 5449 PAGE 892

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

NO. 83861 MINUTE BOOK 193 815 page

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* ELIZABETH A. GANN *Plaintiff, and* DAVID GRANVILLE GANN *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* 4th *day of* June *in the year one thousand nine hundred and* seventy-nine *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Candy Jennings, *D. C.*

Form #GR-117