2-7-77
33A/526

BOOK 5487 PAGE 527

MARVIN RAY DERRYBERRY	)	IN THE FIFTH CIRCUIT COURT OF
	)	DAVIDSON COUNTY, TENNESSEE
VS.	)	
	)	No. 83761
BEVERLY ANN DERRYBERRY	)	

Mtg. 70-9 Pav. 155

FINAL DECREE

This cause came on to be heard on this the___day of January, 1977, before the Honorable Steve North, Judge of the Fifth Circuit Court of Davidson County, Tennessee, upon a Cross-Bill heretofore filed by the original defendant and cross-complainant, Beverly Ann Derryberry. The original Bill heretofore filed by the original complainant and cross-defendant, Marvin Ray Derryberry, having been withdrawn. After having heard testimony of witnesses in open Court, arguments of Counsel, and from the entire record in the cause, the Court was of the opinion that the Cross-Petition was well taken; that is to say, that the cross-defendant had been guilty of such cruel and inhuman treatment and conduct toward the cross-complainant as to render further cohabitation unsafe and improper for her to remain under his dominion and control.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that the cross-complainant, Beverly Ann Derryberry, is granted an absolute divorce from the defendant, Marvin Ray Derryberry, and the bonds of matrimony heretofore existing between the parties are forever and permanently dissolved and the cross-complainant is restored to all rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest that the cross-defendant, Marvin Ray Derryberry, has in and to the home place of the parties, located at 3231 Curtis Street, Nashville, Davidson County, Tennessee, and more particularly described as follows:

> Being Lot 29 on the map of Bordeauxmont, not of record, being a subdivision of the John E. Curtis Lands, and described according to a survey thereof made by Lewis D. Justice, Surveyor, in November, 1945, as follows:
>
> Said Lot No. 29 fronts 100 feet on Valley Avenue and runs back between parallel lines 300 feet, more or less, to a curved dead line measuring 103 feet, more or less, in the rear.
>
> Being a part of the same property conveyed to Marvin Ray Derryberry by Warranty Deed from Vester C. Randall and wife Josephine Randall, of record in book 4512, page 131, Register's Office for Davidson County, Tennessee.

is hereby vested out of the cross-defendant, Marvin Ray Derryberry, and vested in the cross-complainant, Beverly Ann Derryberry, in fee.

It is further ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest that the cross-defendant has in and to the furnishings located in the home of the parties at 3231-B Curtis Street, Nashville, Davidson County, Tennessee, with the exception of his items of personal property, is hereby vested out of him and vested in the cross-complainant in fee.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the cross-complainant will assume and be responsible for any and all recorded mortgage indebtedness on the home place of the parties, as herein set out above.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Court will hold under advisement for a period of two years from the date of the hearing of this cause, the matter of alimony and all attorney's fees which might be payable to the cross-complainant or her attorney of record, with the cross-complainant having the right at any time within the two-year period to petition the Court to consider same.

It is further ORDERED, ADJUDGED AND DECREED by the Court that a permanant injunction issue from this Court, enjoining and restraining both parties hereto from in any way or manner bothering or interfering with the other party.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the cross-defendant will pay the costs of the cause, for all of which let execution issue, if necessary.

s/ Stephen North
JUDGE

APPROVED FOR ENTRY:

s/ Robert Spann
ROBERT SPANN, ATTY. FOR COMPLAINANT AND CROSS-DEFENDANT

s/ Seth Norman
SETH NORMAN, ATTY. FOR DEFENDANT AND CROSS-COMPLAINANT

I certify that a copy of this Final Decree has been mailed to Mr. Robert Spann, 325 Plus Park Boulevard, Nashville, Tennessee, this 4th day of February, 1977.

s/ Seth Norman
SETH NORMAN
ATTY. FOR DEFENDANT AND CROSS-COMPLAINANT

F 48058

6501 08/23 9.00- CASH

IDENTIF. REFERENCE

BOOK 5487 PAGE 529

AUG 23 12 47 PM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

Docket No. 83761 Minute Book 33A Page 526

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* Marvin Ray Derryberry *Plaintiff, and* Beverly Ann Derryberry *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* 23rd *day of* August *in the year one thousand nine hundred and* Seventy-Nine *and in the* 204th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Virginia Hutchison, D. C.

Form #GR-117