7-18-77 1420 1810

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

SHIRLEY JEANETTE HASTY]
]
-vs-] no. 85188
]
RONALD ALTON HASTY]

FINAL DECREE

BOOK 5501 PAGE 89

This cause came on to be heard on the 25th day of April, 1977, before the Honorable J. William Rutherford, Judge, upon the original complaint filed by Shirley Jeanette Hasty, the answer and cross-complaint filed by Ronald Alton Hasty, the answer thereto, the testimony of the parties and witnesses and statement of counsel in open Court, from all of which the Court took this matter under advisement and handed down a written Memorandum Opinion on July 7, 1977 in words as follows:

M E M O R A N D U M

"The above case came on to be heard on the 25th day of April, 1977, upon the original complaint, the answer and cross-complaint, the answer thereto, the testimony of the parties and witnesses and statement of counsel.

"From all of which, the Court is of the opinion that the original complainant, Shirley Jeanette Hasty, never really loved the defendant and cross-complainant, Ronald Alton Hasty, as evidenced by her own admissions under oath from the witness stand. The Court is further of the opinion that she has not made much valid effort toward making a success of this marriage. Indeed, by her own statement, the complainant has, in recent years, lost all interest in the defendant and has turned her attentions toward another man. It further appears to the Court that the defendant has committed various cruel acts toward the complainant that were not in the best interest of marital harmony, however, these acts were perhaps provoked by the indifference of the complainant toward the defendant.

"The Court feels that it is in the interest of society and of these parties that a divorce be granted in this matter and it is the judgment of the Court that the cross-complainant has sustained his allegations and that he should be awarded a divorce on the grounds of cruel and inhuman treatment.

"It appears to the Court that the original complainant, Shirley Jeanette Hasty, is a fit and proper person to have the custody of the parties' three minor children and that she has done a good job of raising three children. Therefore, the custody of the children will be awarded to the original complainant with the defendant having liberal visitation.

"In regard to the personal property of the parties, the Court is of the opinion that Mrs. Hasty should be awarded the household furniture and the automobile currently in her possession and that Mr. Hasty should be required to pay off the remaining indebtedness on said automobile. The cross-complainant, Mr. Hasty, will receive all of the rental property with any interest Mrs. Hasty has in said property to be divested out of her. Mr. Hasty will also receive the tractor owned by the parties and the Model A Ford, with all right, title and interest to be divested out of Mrs. Hasty.

Map 54-14
Parcel 69

"Under the proof presented at the hearing of this cause, it appears to the Court that the parties now own, subject to various mortgages, a rather lavish residence which neither party could afford to maintain if said residence were to be awarded to one of them. This real property, consisting of a house and two lots has been appraised somewhere in the neighborhood of One Hundred Forty-Eight Thousand Dollars ($148,000.00). It further appears to the Court that Mr. Hasty's father has invested quite substantially in the construction and remodeling of this residence and that he should have a lien upon this property in the amount of Forty-Two Thousand Five Hundred Dollars ($42,500.00). The Court is of the opinion that this home should be sold with all outstanding mortgages, including the lien held by Mr. Hasty's father, to be paid off out of the proceeds of such sale. Any remaining equity shall be divided equally by the parties. The Court feels that Mrs. Hasty should be given a reasonable time to make other living arrangements for herself and the children, therefore, she should be allowed to remain in the home until the 30th day of September, 1977, unless the parties can agree to a sale at an earlier date. Until the home is sold the pendente lite order of child support will remain in effect, including house payments, utilities, etc. After the sale of the home, the Court will hold a further hearing as to the issue of child support based upon the circumstances of the parties at that time.

"Pursuant to a previous order by this Court, an Internal Revenue refund check is on deposit with the Circuit Court Clerk's office. The Court feels that said check should be held by the Clerk until such time as the Court has fixed attorney fees, unless this matter can be settled between the parties and their respective counsel.

"In the light of this ruling, the Court will hold in reserve the matter of awarding an attorney fee to the original complainant's counsel.

"Court costs in this matter are to be assessed equally against parties."

(s) J. William Rutherford
J. WILLIAM RUTHERFORD, JUDGE

It is therefore ORDERED AND ADJUDGED that the original complaint for absolute divorce, filed by Shirley Jeanette Hasty, is hereby dismissed.

It is further ORDERED and ADJUDGED that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby forever and perpetually dissolved and the cross-complainant, Ronald Alton Hasty, is granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further ORDERED and ADJUDGED that the absolute care, custody and control of the three minor children born to this union is awarded to the cross-defendant, Shirley Jeanette Hasty, with liberal visitation privileges awarded to the cross-complainant Ronald Alton Hasty.

It is further ORDERED and ADJUDGED that the household furniture and the 1976 Lincoln Mark IV automobile should be awarded as the exclusive property of the cross-defendant, Shirley Jeanette Hasty, with the cross-complainant, Ronald Alton Hasty, being required to pay off the remaining indebtedness on said automobile. The cross-complainant, Ronald Alton Hasty, will receive the tractor owned by the parties and the Model A Ford.

It is further ORDERED and ADJUDGED by the Court that all right, title and interest which the cross-defendant, Shirley Jeanette Hasty, has in and to the rental properties of the parties described as follows:

1516 Rosebank Avenue--
Being Lost No. 21 to 24, inclusive of Block "A", on the Map of Davis Heights Subdivision, as of record in Book 843, Page 104, Register's Office for said County. Said lots front together 100 feet on the westerly side of Rosebank Avenue and run back between parallel lines 250 feet to a dead line.
Being the same property conveyed to Ronald Alton Hasty by deed from R. D. Renfro and wife, Maude E. Renfro, as of record in Book 3908, page 172, said Register's Office Davidson County, Tennessee.

435-437 Owendale Drive--
Being Lots Nos. 331 and 332 of Section III of Cherry Hills Subdivision as shown on plat drawn by James. L. Murphy, Jr. and recorded in Book 4175, page 59, Register's Office of Davidson County, Tennessee. Said property is located in the Second Civil District of Davidson County, Tennessee.
Being the same property conveyed to Ronald Alton Hasty by deed from Dwayne Cravens, as of record in Book 4624 page 891, Register's Office for Davidson County, Tennessee.

1484 N. Gallatin Road--
Land in Davidson County, Tennessee, being the southerly part of Lots Nos. 43, 44, and 45, Block "A" on the Plan of Edenwold City, as of record in Book 421, page 123, Register's Office for said County.

Beginning at an iron pin in the northerly margin of Shakespeare Avenue, the common corner of Lots Nos. 42 and 43; thence with the line between said two lots, northwardly 43.5 feet to an iron pin; thence north 71° 17' west 64.6 feet to an iron pin in the easterly margin of Gallatin Pike or Highway 31-E as widened; thence with the margin of the same south 18° 55' west 66.33 feet to the beginning of a curve; thence around said curve southeastwardly 20.44 feet to an iron pin in the northerl margin of Shakespeare Avenue; thence with the margin of the same eastwardly 76.88 feet to the beginning.
Being the same property conveyed to Ronald Alton Hasty by deed from Fred B. Winner and wife, Elsie B. Winner, of record in Book 4543, page 591, Register's Office for Davidson County, Tennessee

shall be divested out of her and the sole and exclusive ownership of said aforementioned real property shall be vested in the cross-complainant, Ronald Alton Hasty, in fee simple absolute ownership.

It is further ORDERED and ADJUDGED by the Court that the house and lot of the parties located at 28 Kennett Court, Old Hickory, Tennessee, including the adjacent lot to said home shall be sold with all outstanding mortgages, including the lien held by Ronald Alton Hasty's father, Marvin Alton Hasty, in the amount of $42,500.00, to be paid from the proceeds of such sale. Any remaining equity shall be divided equally by the parties. The Court feels that Mrs. Hasty should be given a reasonable time to make other living arrangements for herself and the children, therefore, she shall be allowed to remain in the home until the 30th day of September, 1977, unless the parties can agree to a sale at an earlier date.

It is further ORDERED and ADJUDGED that until the home of the parties is sold, the pendente lite order for child support will remain in effect, including house payments, utilities, etc. After the sale of the home, the Court will hold a further hearing setting child support based upon the circumstances of the parties at that time.

It is further ORDERED and ADJUDGED that the Court will hold in abeyance the matter of distribution of the Internal Revenue refund check now on deposit with the Circuit Court Clerk's Office, until such time as the Court has fixed attorney's fees, unless this matter can be settled between the parties and their respective counsel. In light of this ruling, the Court will hold in reserve the matter of awarding the attorney fee to the original complainant's counsel.

The Court costs in this matter are to be assessed equally against the parties.

JUDGE 7-18-77

APPROVED:

Robert L. Jackson
Solicitor for Cross-Complainant

Solicitor for Cross-Defendant

FILED
SEP 19 1 32 PM '79
DAVIDSON COUNTY, TENN.
REGISTER'S
IDENTIFICATION REFERENCE
F 52850

Copy mailed to Seth Norman, Atty
This 15th day of July 1977
Robert L. Jackson

7-18-77 142C/1895

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~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Shirley Jeanette Hasty *Plaintiff, and* Ronald Elton Hasty *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* Sept *in the year one thousand nine hundred and* 79 *and in the* 204th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L Dyer, *D. C.*