8/29/79

8-31-79
116A/498

MAP 50-4
PARCEL 29

IN THE THIRD CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JEAN OWEN SMITH	)	BOOK 5501 PAGE 930
PLAINTIFF	)	
VS	)	NO. 95094
NATHAN CURRY SMITH, JR.	)	
DEFENDANT	)	

FINAL DECREE

This cause came on to be heard on the 28th day of August, 1979, before the Honorable Joe C. Loser, Jr., Judge, upon the original complaint, personal service of the defendant, order for default judgment testimony of the plaintiff, statement of counsel, introduction of the property settlement agreement and the entire record in this cause, from all of which the court is of the opinion that the parties have irreconcilable differences and that the plaintiff should be granted an absolute divorce.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the plaintiff shall be and hereby is 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 that the property settlement agreement entered into between the parties be incorporated verbatim into this decree as follows:

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT made and entered into this the 11th day of April, 1979, by and between JEAN OWEN SMITH, hereinafter called "Wife", and NATHAN CURRY SMITH, JR., hereinafter called "Husband":

W I T N E S S E T H

WHEREAS, the parties have encountered marital difficulties which are apparently irreconcilable; and,

WHEREAS, the parties hereto are mutually desirous of adjusting certain property rights between themselves; and,

WHEREAS, the parties further desire to comply with the conditions precedent to the granting of a divorce on the basis of irreconcilable differences under TCA § 36-806;

NOW, THEREFORE, for good and sufficient consideration, the parties hereto mutually agree as follows:

1. All right, title and interest of the husband in and to the real property owned by the parties and located at 1119 New Due West Avenue, Madison, Tennessee, will be divested from him and vested solely in the Wife.

2. All right, title and interest of the Husband in and to the 1967 Jaguar XKE automobile and the 1974 MGB-GT automobile will be divested from him and vested solely in the Wife.

3. All right, title and interest of the Wife in and to the 24 foot Chris Craft Cruiser boat (1957) and the 1973 Volkswagon bus will be divested from her and vested solely in the Husband.

4. That the Wife be awarded all household furniture, utensils and appliances.

5. That the Husband be awarded all his personal belongings and shop tools.

6. The Wife will receive 50 percent of all retirement from Vanderbilt and one-half of all life and accidental insurance. Husband will carry wife as a one-half beneficiary under these policies and continue these policies in full force and effect.

7. Husband will agree to pay to the wife $300.00 per month in alimony for her support and maintenance.

8. That the husband will pay the Court costs in this cause.

9. Each party hereto does hereby release, remise and relinquish unto the other, their heirs, beneficiaryes, devisees, personal representatives, or assigns forever all their rights, whether statutory or common law which they may have or hereafter acquire in the property of the other.

IN WITNESS WHEREOF, the parties hereto have set their signatures on the date first above written.

/S/ Jean O. Smith
JEAN OWEN SMITH

/S/ Calvin Eaves
WITNESS

/S/ Nathan Curry Smith, Jr.
NATHAN CURRY SMITH, JR.

/S/ Calvin Eaves
WITNESS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest of the defendant in and to the real property described in item 1 of the property settlement agreement be divested from him and vested solely in the plaintiff; said real estate being described as follows:

Tract No. 1: Land in Davidson County, Tennessee, being the easterly four acres of Lots 1, 2 and 3, on A. C. Webb's Subdivision of the Demoville Tract as of record in Book 974, page 27, Register's Office for Davidson County, Tennessee, according to a survey made by George W. Watkins on November 20, 1952, described as follows:

Beginning on an iron pin in the Northerly line of Lot No. 1 of the Maude A. J. Smith tract, 792 feet east of Dickerson Road, and running in an easterly direction South 87° 15' East along said Northern boundary line of Lot No. 1 to a pin; thence South 244.8 feet along the Eastern border of Lots 1, 2 and 3, the present Eastern boundary of the Maude A. J. Smith Tract, to a stake; thence in a westerly direction 708 feet along the Southern line of Lot No. 3 to an iron pin which is 686 feet East of the Dickerson Road; thence North 17° E. 267 feet to the beginning.

Being the same property conveyed to Nathan Curry Smith, Jr., and wife, Jean Owen Smith, by deed from Maude A. J. Smith and husband Nathan C. Smith, of record in Book 2103, page 67, Register's Office for Davidson County, Tennessee.

Together with the free and undisturbed use forever of a passageway over Lot No. 1 in the Maude A. J. Smith property - the same now used for a road. The same being designed as a free and undisturbed passageway forever for said Nathan Curry Smith, Jr., and wife, and their assigns, forever.

Tract No. 2: Land in Davidson County, Tennessee, being the east 75 feet of Lot No. 59 of Due West Valley Acres, not of record, described as follows:

Beginning in the south margin of Due West Avenue at the common corner of Lots Nos. 59 and 60; thence south with the line of said Lots, 288.12 feet; thence along the rear of the lot in a westerly direction 75 feet; thence north 302 feet more or less to a point in the south margin of Due West Avenue; thence east with said Avenue, 75 feet to the beginning.

Being the same property conveyed to Nathan Curry Smith, Jr., and wife, Jean Owen Smith, by deed from Leonard Leon Liggett and wife, Katherine Ruth Liggett, of reocrd in Book 4354, page 570, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant shall pay the costs of this cause, for which execution may issue, if necessary.

This _____ day of _____, 1979.

JUDGE

8-31-79

APPROVED FOR ENTRY:

HAYNES & SMITH

Enter This 31 Day of August, 1979

BY: James L. Smith
James L. Smith
Attorney for Plaintiff

140 North Main Street
Goodlettsville, TN 37072

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, Nathan Curry Smith, Jr., at his last known address, 4232 Lebanon Road, Apartment B, Hermitage, Tennessee, on this the 14th day of August, 1979.

HAYNES & SMITH

BY: James L. Smith
James L. Smith

MAIL:
Haywood Smith
Att. At Law
140 N. Main St.
Goodlettsville, Tn
37072

BOOK 5501 PAGE 934

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IDENTIF. REFERENCE

SEP 20 1 32 PM '79

FEE & TAX PAID & RECEIPT REGISTER
DAVIDSON COUNTY, TENN.

8-31-79 116A/498

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* Jean Owen Smith *Plaintiff, and* Nathan Curry Smith Jr *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* 19th *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.*

Form #GR-117