2-4-77
339/155;

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

1-19-9-57
J.B.

MERTICE KATHERINE MARTIN]

VS.] NO. 86303

RICHARD COLYAR MARTIN]

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FINAL DECREE

This cause came on to be heard before the Honorable Stephen North, Judge, this 3rd day of May, 1977, on the plaintiff's original petition for absolute divorce, personal service upon the defendant on February 25, 1977, default judgment, testimony of plaintiff and two witnesses in open court, the Custody and Property Settlement Agreement introduced, statement of counsel and the entire record, from all of which the Court finds the allegations contained in the petition to be fully sustained, that is, the defendant is guilty of cruel and inhuman treatment or conduct towards the plaintiff;

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore subsisting between the parties be and hereby are dissolved and the plaintiff is awarded an absolute divorce from the defendant;

It is further ORDERED, ADJUDGED and DECREED by the Court that the Custody and Property Settement Agreement entered into between the parties be and hereby is approved in all respects by the Court and hereby becomes the ORDER of the Court. Said agreement in words and figures is as follows:

> WHEREAS, the above named parties have reached irreconcilable differences in their marriage and the "wife", Mertice Katherine Martin, has filed a petition for absolute divorce against the "husband", Richard Colyar Martin, in the Fifth Circuit Court for Davidson County, Docket number 86303; and
>
> WHEREAS, the parties desire to settle all of their respective property rights and their respective rights to custody, visitation, and support of the minor child of the parties as well as support and maintenance of the wife, the parties hereto enter into the following agreement which will be presented to the Court for the Court's consideration in the event a divorce is granted to the wife.
>
> 1. All right, title and interest in the parties home place located at 5055 Marchant Drive, Nashville, Tennessee, presently held by the husband shall be divested

out of husband and vested solely in the wife.

2. All right, title and interest in the parties' household furnishing and furniture now held by the husband shall be divested out of him and vested in wife; this does not include husband's personal effects.

3. Wife is to retain the 1970 Chevrolet automobile.

4. Wife is to have the custody of the minor child of the parties and husband will have reasonable visitation privileges, neither party will, in any way, prejudice said child against the other aprty.

5. Husband will maintain hospital and health insurance coverage for said minor child until he reaches age 21.

6. Husband will carry a term life insurance policy in the amount of $36,000 with wife beneficiary as trustee for parties' minor son, James Paul Martin; upon death of wife all proceeds of said policy to go direct to the said James Paul Martin.

7. Husband agrees to pay $300 per month as child support of the minor child and $500 as alimony to wife. Said alimony payment to continue until wife either remarries or dies.

8. Husband agrees to pay wife's attorney, Walter S. Clark, Jr., a fee in the amount of $300 for his legal services to wife in this divorce action.

9. Each party will sign all papers or documents required to effectuate this agreement.

WHEREFORE, each of the parties have having read this instrument and familiarized themselves with it contents, signed and executed same on this 11 day of April, 1977.

It is further ORDERED by the Court, that all right, title and interest of the defendant in the real property set forth in paragraph 1 of the above agreement be and same hereby is divested out of defendant and vested solely in plaintiff. Description of said property is as follows:

Land in Davidson County, Tennessee, being Lot No. 89 on the Plan of a re-subdivision of part of Crievewood, of record in Book 2330, page 90, Register's Office for said County.

Said Lot No. 89 fronts 141.28 feet on the westerly side of Marchant Drive and extends back between lines 299.2 feet on the northerly line and 326.8 feet on the southerly line, to a dead line in the rear, on which it measures 118.9 feet.

Being the same property conveyed to Richard C. Martin, and wife, Mertice S. Martin, by deed from John Hilsman James, Jr., and wife, Rebecca S. James, or record in Book 3768, page 621, Register's Office for Davidson County, Tennessee.

It is further ORDERED by the Court that the child support payments of $300.00 per month and alimony payments of $500.00 per month will be paid direct to the plaintiff; being a total of $400.00 paid twice a month on defendant's paydays.

Costs of the cause are taxed against the defendant, for which execution may issue, if necessary.

Enter this 4th day of May, 1977.

JUDGE

APPROVED FOR ENTRY:

Walter S. Clark, Jr., Attorney for Plaintiff

634 Stahlman Building
Nashville, Tn. 37201

CERTIFICATE

This will certify that a copy of the foregoing Final Decree was mailed to Mr. R. C. Martin, 5055 Marchant Dr., Nashville Tennessee, 37211, this 4th day of May, 1977.

Walter S. Clark, Jr.

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IDENTIF. REFERENCE

DEC 5 12 27 PM '79

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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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 ~~xxxxxxxxxxxx~~ *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Mertice Katherine Martin *Plaintiff, and* Richard Colyar Martin *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* 5th *day of* December *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