12-6-79
114C/1958

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

Map 118-1
Par 42 Is

JESSE W. SMITH)
)
vs.) No. 91893
)
SARAH GWENDOLYN SMITH)

BOOK 5556 PAGE 795

FINAL DECREE

This cause came on to be heard this 26th day of November, 1979 before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee upon the Cross-Complaint of Sarah Gwendolyn Smith, the original Complaint of Jesse W. Smith having been withdrawn as well as the answer to the Cross-Complaint, and after testimony of Cross-Complainant the Court was of the opinion that the allegations had been fully sustained, that is, that the parties have irreconcilable differences; and the Court was further of the opinion that the custody and property agreement entered into by and between the parties should be approved and made a part of this final decree.

It is, therefore, ORDERED, ADJUDGED and DECREED by the Court that Sarah Gwendolyn Smith be, and she is hereby, granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the custody and property agreement entered into by and between the parties should be approved and made a part of this final decree which custody and property agreement is as follows:

1. Husband shall have the full care, custody and control of the minor child of the parties, Kenneth, age 11; and wife shall have unlimited visitation privileges. The parties agree that the minor child will not be left unattended for any extended period of time.

2. Husband shall have all right, title and interest to the house and lot, or homeplace, owned by the parties and he will pay wife $15,000.00 cash for her interest in said homeplace. Hus-

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band shall continue to live in said homeplace along with his minor child.

3. Husband shall pay to wife $8,000.00 representing one-half of the savings account or funds held at the Nashville Electric Service for a total cash to wife from the savings account and the house in the amount of $23,000.00.

4. Wife shall have all right, title and interest to a 1974 Oldsmobile owned by the parties.

5. Husband shall have all right, title and interest to a 1975 pick-up truck owned by the parties.

6. Wife shall have all right, title and interest to the parties household furniture, furnishings and fixtures.

7. Husband shall have all right, title and interest to the fishing boat owned by the parties.

8. Husband will continue to pay the children's education, although they have passed or will pass the age of eighteen years.

9. Both husband and wife will pay their own attorney.

10. Wife shall remain the beneficiary on all life insurance policies that husband now has on his life until the youngest child reaches age eighteen; then husband may change the beneficiary to anyone of his choice.

It is further ORDERED, ADJUDGED and DECREED by the Court that the property now vested in husband, Jesse W. Smith, to be his absolutely is described in words and figures as follows:

> Being Lot No. 3, of Block "C", on the Map of Berry Hill Gardens, as of record in Book 1130, page 36, Register's Office for said County.
> Said Lot No. 3 fronts 65 feet on the southeasterly side of Azalea Place, and runs back between lines, 195.2 feet on the northerly line and 218.8 feet on the southerly line, to a dead line in the rear, which is a broken line, on which it measures 125.9 feet thereon.
>
> Being the same property conveyed to Jesse W. Smith and wife, Sarah K. Smith, from Clinton H. Cameron and wife, Josephine R. Cameron, as of record in Book 3000, page _____, Register's Office of Davidson County.

It is further ORDERED, ADJUDGED and DECREED by the Court that husband, Jesse W. Smith, will pay the cost of this cause for which let execution issue if necessary.

ENTERED this 6th day of December, 1979.

/s/ Benson Trimble
BENSON TRIMBLE, JUDGE

JACK A. BUTLER
Attorney for Jesse W. Smith

Jesse W. Smith
JESSE W. SMITH

JACK GREEN
Attorney for Sarah G. Smith

Sarah Gwendolyn Smith
SARAH GWENDOLYN SMITH

FELIX Z. ROBINSON, REGISTER
DAVIDSON COUNTY, TENN.
JAN 18 8 53 AM '80
IDENTIF. REFERENCE
F 7 2 7 1 8

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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 ~~correct transcript~~ *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Jesse W. Smith *Plaintiff, and* Sarah Gwendolyn Smith *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* 9th *day of* January *in the year one thousand nine hundred and* Eighty *and in the* 204th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*
By Virginia Hutchison, *D. C.*

Form #GR-117