1-16-80
25C/1890

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

01/29 9.30 CHECK

HARRIET BORRE HIGHTOWER,

Plaintiff,

-vs-

JOSEPH VAULX HIGHTOWER,

Defendant.

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NO. 80339

AGREED ORDER

In this cause it appearing to the Court as evidenced by the signatures of the respective parties, that the parties hereto have agreed to the following things and matters to wit:

That paragraphs three (3) and four (4) and the first sentence of paragraph nine (9) of the Property Settlement Agreement entered into by the parties, and incorporated into their final decree of divorce entered in this cause in January of 1976, no longer represent the intent or the best interest of the parties due to their changed circumstances. It is therefore understood and agreed that paragraphs three (3) and four (4) and the first sentence of paragraph nine (9) of the Property Settlement Agreement be deleted in their entirety and the following new provisions substituted in lieu thereof:

> 3. Title to the property owned by the parties as Tenants in Common at 958 Graybar Lane, Nashville, Tennessee, more particularly described as:
>
> Lot No. 29 on the Map of Dan Yearwood's Subdivision, as a record in Book 1424, Page 48, Register's Office for said County.
>
> Said Lot No. 29 fronts 75 feet on the south side of Graybar Lane and runs back 223 feet on the west line and 200.4 feet on the east line, to the dead line in the rear on which it measures 75 feet.

Being the same property conveyed to Arthur T. Woody and wife, Betty M. Woody, by deed from Ed M. McPherson and wife, as of record in Book 2153, Page 615, said Register's Office,

shall be divested out of the original defendant, JOSEPH VAULX HIGHTOWER and vested in the name of the original complainant, HARRIET BORRE HIGHTOWER as sole owner. In consideration for this transfer it is understood and agreed that HARRIET BORE HIGHTOWER shall assume and make payments on any remaining indebtedness on the subject property and shall hold defendant, JOSEPH VAULX HIGHTOWER, harmless for any such indebtedness. Defendant agrees to execute all documents necessary to accomplish transfer of his interest in the subject property to HARRIET BORRE HIGHTOWER.

4. As further consideration for such transfer it is understood and agreed that HARRIET BORRE HIGHTOWER shall pay to the Defendant in the event the subject property is sold, out of the proceeds of such sale, Seven Thousand ($7,000.00) Dollars. It is further understood and agreed that any decision to sell the subject property shall be in the sole discretion of HARRIET BORRE HIGHTOWER and the defendant expressly waives any right to petition for or order a sale in order to collect upon his lien upon the proceeds of any sale. It is further understood and agreed that HARRIET BORRE HIGHTOWER shall be entitled to claim any income tax deductions allowed on the subject property under the Internal Revenue Code.

AND BY adding the following new provisions at the end of Section 9:

All alimony and child support payments shall continue until the children reach the age of majority or beyond the age of majority if any of the children are students at a higher education institution and the wife is providing 50% or more of the child's support while attending such institution.

It appearing to the Court that the foregoing amendment to the Property Settlement Agreement and Final Decree is agreed by the parties to be in their best interest as evidenced by their signature to this Order.

It is therefore, ORDERED, ADJUDGED and DECREED that that the foregoing amendment be made to the Final Decree.

Enter This 16th Day of Jan., 1980

JUDGE

APPROVED FOR ENTRY:

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Charles David Morison
CHARLES DAVID MORISON
Attorney for Complainant

HARRIET BORRE HIGHTOWER

Joseph Vaulx Hightower
JOSEPH VAULX HIGHTOWER

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IDENTIF. REFERENCE

JAN 29 10 27 AM '80

FEE $ PAID
REGISTER
DAVIDSON COUNTY, TENN.

Docket No. 80339 Minute Book 25C Page 1890

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* Harriet Borre Hightower *Plaintiff, and* Joseph Vaulx Hightower *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* 29th *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

MINUTES, JANUARY SIXTEENTH, 1980