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IN THE FIFTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

MATHILDE STUTZ WEST,

Plaintiff

VS.

JAMES ARTHUR WEST,

Defendant

43-16
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NO. 78584

FINAL DECREE

This cause came on to be heard on this the 9th day of September, 1975, before the Honorable Stephen North, Judge of the Fifth Circuit Court of Davidson County, Tennessee, upon the Petition for absolute divorce filed by the Plaintiff, Mathilde Stutz West, personal service of process having been obtained upon the Defendant, James Arthur West, and a default judgment having been heretofore entered against him; and upon the testimony of the Plaintiff, her corroborating witnesses, the statements of counsel, and the entire record in this cause, the Court is of the opinion that Plaintiff's Petition should be sustained and that Plaintiff should be granted an absolute divorce from the Defendant upon the grounds alleged in said Petition, to wit: The Defendant has been guilty of such cruel and inhuman treatment towards the Plaintiff so as to render further cohabitation unsafe and improper. The Court is further of the opinion that the Plaintiff should be vested with exclusive custody of the parties' two minor children and that all of Defendant's right, title and interest in and to certain real estate, a mobile home, and a 1974 Mustang automobile, should be divested out of the Defendant and vested into Plaintiff. The Court is further of the opinion that the Defendant should pay child support to Plaintiff in the amount of Fifty Dollars ($50.00) each week

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and that he should hold the Plaintiff harmless and indemnify her from and for any liability arising from any debts of himself individually or the parties jointly except for such debts which may have arisen from purchases of personal property contained in Plaintiff's home.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Plaintiff be, and she hereby is, granted an absolute divorce and that the marriage heretofore existing between the parties be, and the same hereby is, perpetually and permanently dissolved and the Plaintiff is hereby restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the Defendant, James Arthur West's, right, title and interest in and to certain real estate hereinafter described located at 125 Queen Anne Drive, Madison, Tennessee, be, and the same hereby is, divested out of the said James Arthur West, and all of said right, title and interest is hereby vested in the said Mathilde Stutz West, as her sole and separate estate, in fee simple forever. Said property is described as follows:

Land in Davidson County, Tennessee, being Lot No. 17 in the Kingsway Green Subdivision in a plat of which is of record in Book 3842, page 227, Register's Office of Davidson County, Tennessee.

Being the same property conveyed to James Arthur West and wife, Mathilde S. West, by deed from Kingsway Greens of America, Inc., of record in Book 4538, page 77, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the Defendant, James Arthur West's, right, title and interest in and to a 1972 Enquirer Mobile Home, Serial No. G 2714, be, and the same hereby is, divested out of the said James Arthur West, and all of said right, title and interest is hereby vested in the said Mathilde Stutz West, as her sole and separate estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the Defendant, James Arthur West's, right, title and interest in and to a 1974 Mustang automobile be, and the same hereby is, divested out of the said James Arthur West, and all of said right, title and interest is hereby vested in the said Mathilde Stutz West, as her sole and separate estate, and the said James Arthur West is hereby ORDERED to execute any necessary papers or certificates of title in order for said transfer to be properly recorded.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that exclusive custody of the parties' minor children, James Arthur West, Jr., and Michael Shane West, be, and the same hereby is, vested in Plaintiff, Mathilde Stutz West. The Defendant shall have reasonable visitation privileges with said children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant pay the sum of Fifty Dollars ($50.00) per week for child support and said payments shall be paid into the Office of the Circuit Court Clerk, 5th Floor, Metropolitan Courthouse, Nashville, Tennessee, and the Defendant shall pay any Clerk's commission which may be assessed. The Clerk shall remit said payments to Mathilde Stutz West at her address of 125 Queen Anne Drive, Madison, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant, James Arthur West, hold Mathilde Stutz West, harmless and indemnify her from and for any liability arising from any debts incurred by said Defendant, either individually or jointly with the Defendant, except for any debts arising from purchases of personal property contained in Plaintiff's home. The Plaintiff shall be responsible for all payments on the mobile home, real estate mortgages, and on the 1974 Mustang automobile.

The Defendant will pay the costs for this cause, for which sum and child support, execution may issue, if necessary.

STEPHEN NORTH, JUDGE

Enter This 11 Day of Sept., 1975

APPROVED FOR ENTRY:

STEWART, BLACK & AYERS

By: Thomas M Black
Attorneys for Plaintiff

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

IDENTIF. REFERENCE

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CERTIFICATE OF SERVICE

It is hereby certified that a true and exact copy of the foregoing Final Decree has been mailed this date to the Defendant, James Arthur West, at the only address known to the undersigned, the same being c/o Odom Sausage Company, Neeley's Bend Road, Madison, Tennessee 37115.

This the 10th day of September, 1975.

Thomas M. Black

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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* ~~correct~~ TRUE COPY *transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* MATHILDE STUTZ WEST *Plaintiff, and* JAMES ARTHUR WEST *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* 20TH *day of* MARCH *in the year one thousand nine hundred and* EIGHTY *and in the* 204TH *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Larry Woolman, *D. C.*