6-19-80
Reg/1648

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Map - 71-16
Parcel - 355

HAWTHORNE REED Plaintiff and Counter-Defendant	)	
VS.	)	No. 80D-73
CHRISTINE REED Defendant and Counter-Plaintiff	)	

BOOK 5620 PAGE 698

FINAL DECREE

This cause came on to be heard on this the 19th day of May, 1980, before the Honorable Rose Palermo, Special Judge of the Sixth Circuit Court for Davidson County, Tennessee, upon the original complaint of the Plaintiff and Counter-Defendant, Hawthorne Reed; the answer and counter-complaint of the Defendant and Counter-Plaintiff, Christine Reed; the amended complaint of Hawthorne Reed and the answer to said amended complaint; and, upon the testimony of the parties, their witnesses, the evidence introduced, the argument and statements of counsel and the entire record in this cause, the Court is of the opinion that the Defendant and Counter-Plaintiff, Christine Reed, should be granted an absolute divorce upon the statutory grounds of Cruel and Inhuman Treatment. The Court is further of the opinion that the complaint and amended complaint filed by the original Plaintiff, Hawthorne Reed, should be dismissed. The Court is further of the opinion that the issues of child support, custody, visitation, division of personal and real property and other rights, obligations and liabilities should be ordered and decreed as set forth below.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Defendant and Counter-Plaintiff, Christine Reed, be and she hereby is granted an absolute divorce and that the marriage heretofore subsisting between the parties be, and the same hereby is, perpetually dissolved and terminated and the parties are hereby restored to all of the rights and privileges of unmarried persons. It is further

ORDERED that the complaint and amended complaint filed by Hawthorne Reed be, and the same hereby is, dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that custody of the parties' two minor children, Rachel and Priscilla, be, and the same hereby is, vested and fixed in their mother, Christine Reed. Their father, Hawthorne Reed, shall have reasonable visitation privileges with said two minor children and said visitation privileges may be carried out on a weekly basis on the father's days off from work and on such days he shall be allowed to pick up said two minor children during the evening hours prior to his day off and he shall return said children into the custody of their mother on the evening prior to his day of return to work. It is further ORDERED that the Plaintiff and Counter-Defendant, Hawthorne Reed, shall furnish to Christine Reed a list of his off days as soon as said days are known to said Plaintiff and Counter-Defendant. Should Plaintiff's and Counter-Defendant's job responsibilities change or should he be laid off from his work so that he shall not be required to work on Saturdays and Sundays, then and in such event he shall be entitled to visitation with said two minor children from 6:00 P.M. on Friday until 6:00 P.M. on the following Sunday.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Plaintiff and Counter-Defendant, Hawthorne Reed, shall pay to Christine Reed the sum of Seventy and No/100 ($70.00) Dollars per week to assist with the maintenance, care and support of said minor children. In addition, the said Hawthorne Reed shall maintain hospital and medical insurance for the benefit of said two minor children and the said Hawthorne Reed shall pay one-half (1/2) of any extraordinary medical expense which may be incurred for the benefit of the minor child, Priscilla, due to certain speech and hearing difficulties that said minor child has experienced.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any life insurance policy now in force on the life of Hawthorne Reed shall be maintained and kept in force by the said Hawthorne Reed and the two minor children shall be made beneficiaries of said insurance.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the right, title and interest in certain real property below described which has heretofore been held by Christine Reed shall be and the same hereby is divested out of the said Christine Reed and all of her said right, title and interest in and to said real property shall be and the same hereby is, invested in the said Hawthorne Reed, however, it is further ORDERED, ADJUDGED AND DECREED that said transfer of this interest shall be, and the same hereby is, subject to a lien which is hereby declared upon the said real estate in favor of the said Christine Reed in the amount of Two Thousand Five Hundred and No/100 ($2,500.00) Dollars, which said amount shall bear interest at the rate of 5% per annum. Said lien is hereby impressed upon said real estate by the Court and said lien is hereby declared by the Court to be enforced as an encumbrance on said property as any other mortgage or lien impressed thereon subject only to any other liens or mortgages now of record and said lien shall carry priority over any and all other liens or mortgages which may be impressed upon said property hereafter. Said real property is described as follows:

Being Lot No. 12 on the Plan of Tom Joy Subdivision, as of record in Book 3600, page 47, Register's Office for Davidson County, Tennessee.

Said Lot No. 12 fronts 57.00 feet on the westerly side of North 5th Street and extends back between lines 178.2 feet on the northerly line and 173.6 feet on the southerly line, to a line in the rear on which it measure 76.80 feet.

Being the same property conveyed to Hawthorne Reed and wife, Christine Reed, by deed from Charles H. Jolly, Jr., and wife, Maxine P. Jolly, of record in Book 4650, page 164, Register's Office for Davidson County, Tennessee.

This conveyance is subject to the restrictive covenants of record in Book 3763, page 136, aforesaid Register's Office.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following household furnishings and other personal property shall be vested in Christine Reed and any right, title and interest heretofore held in said property by Hawthorne Reed is hereby divested out of him: Two bedroom suites, living room furniture, one refrigerator, stove, and 1973 Grand Prix automobile in driveable condition. The said Hawthorne Reed shall execute and sign any and all instruments including the certificate of title on said automobile in order to insure the correct and proper transfer of title of said automobile. It is further ORDERED by the Court that the children's furniture shall be transferred into the ownership and possession of Christine Reed at such time as she obtains a permanent residence.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the other items of personal property, excepting personal effects and clothing of Christine Reed, now in the house of the parties located at 1314 North 5th Street shall be, and the same hereby are fully vested in the said Hawthorne Reed, including one of the three bedroom suites which has been recognized as his bedroom suite, and any right, title and interest in and to said property heretofore vested in the said Christine Reed is hereby divested out of her.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in addition to the child support decreed herein, the Plaintiff and Counter-Defendant, Hawthorne Reed, shall pay to Christine Reed the sum of Five Hundred and No/100 ($500.00) Dollars as her fair share of the 1979 tax refund and said sum shall be paid at the rate of Fifty and NO/100 ($50.00) Dollars per month and judgment is hereby given for said amount by the Court.

The Plaintiff and Counter-Defendant, Hawthorne Reed, shall pay the costs of this cause for which sum, child support and judgment for tax refund reimbursement execution may issue, if necessary.

Rose Palermo
ROSE PALERMO, Special Judge

BOOK 5620 PAGE 702

APPROVED FOR ENTRY:

STEWART, BLACK, AYERS & MATHIESEN
223 Madison Street
Madison, TN 37115

By: _____
Attorneys for Christine Reed

_____
David Levine, Attorney for
Hawthorne Reed

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IDENTIF. REFERENCE

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Docket No. 80D-73 Minute Book 26B / Page 1648

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* HAWTHORNE REED *Plaintiff, and* CHRISTINE REED *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* 3rd *day of* July *in the year one thousand nine hundred and* eighty *and in the* 204th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By _____, *D. C.*