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6-29-73
81C/140

BRENDA KAY APPLEGATE)
) IN FOURTH CIRCUIT COURT FOR
VS.) DAVIDSON COUNTY, TENNESSEE
)
JESSIE RONALD APPLEGATE) NO. 68641

128-10
171

FINAL DECREE

This cause came on to be heard this 18th day of June, 1973, before Hon. Benson Trimble, Judge of Fourth CircuitCourt for Davidson County, Tennessee, upon the petition for absolute divorce filed by plaintiff, answer filed by the defendant, testimony of witnesses introduced and examined in open Court, statements of counsel, and upon the entire record,

From all of which the Court finds by memorandum opinion dated June 18, 1973 that the parties separated once prior to their final separation and it does not appear to the Court that there is any reasonable hope of a reconciliation and therefore the defendant has been guilty of such cruel and inhuman treatment toward plaintiff as renders further cohabitation between the parties unsafe and improper, and in plaintiff's case to remain any longer under the dominion and control of the defendant. That the plaintiff is entitled to an absolute divorce from the defendant. The Court further finds that the plaintiff should have the custody and control of the children of the parties with defendant having reasonable visitation privileges.

The Court further finds that the air conditioner located in the home of the parties shall become and be the property of plaintiff for the use and benefit of the children however, if upon the insistance of defendant it is removed then he shall immediately provide and install in the home of plaintiff another air conditioner suitable in all respects to the one removed. Further, the Court finds that all right, title and interest which the defendant has in the household furniture and

furnishings located at the home place and the hereinafter described real estate shall be divested from him and reinvested in plaintiff as her sole and separate property in fee simple. Defendant will pay all doctor's and hospital bills of the parties outstanding as of June 18, 1973, and shall keep in force hospitalization insurance on the children of the parties.

The Court further finds that defendant shall pay the sum of $31.50 per week beginning Friday June 22, 1973, and each week thereafter into the Circuit Court Clerks Office, as child support. Defendant shall pay the sum of $250.00 to Richard R. Hedgepath attorney for plaintiff as his reasonable attorney's fee.

It is therefore ORDERED, ADJUDGED AND DECREED by the Court that plaintiff, Brenda Kay Applegate, be and hereby is granted an absolute divorce from defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED by the Court that plaintiff be and hereby is awarded the custody and control of the children of the parties with defendant haveing reasonable visitation privileges.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the air conditioner locatedin the home of the parties shall become and be the property of plaintiff for the use and benefit of the children however, if upon the insistance of defendant it is removed then he shall immediately provide and install in the home of plaintiff another air conditioner suitable in all respects to the one removed.

It is further ORDERED, ADJUDGED AND DECREED by the Court that all right, title, and interest which the defendant has in the household furniture and furnishings located at the home place and the hereinafter described real estate be and hereby is divested from him and reinvested in plaintiff as her sole and separate property in fee simple. Said real estate is described as follows:

Land in Davidson County, Tennessee Being Lot No. 166 on the Plan of Stacy Square, Section 4, as of record in Book 4460, page 12, Register's Office for said County, to which said plan reference is hereby made for a complete legal description.

Being the same property conveyed to J. Ronald Applegate and wife, Brenda M. Applegate, by deed from C & S Builders, Inc., of record in Book 4580, Page 165, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED by the Court that defendant will pay all doctor's and hospital bills of the parties outstanding as of June 18, 1973, and that defendant keep in force hospitalization insurance on the children of the parties and that defendant pay to plaintiff the sum of $31.50 per week beginning Friday June 22, 1973, and each week thereafter into the Circuit Court Clerks Office, as child support, and that defendant pay the sum of $250.00 to Richard R. Hedgepath attorney for plaintiff as his reasonable attorney's fee.

Defendant will pay the costs of this cause for all of which execution may issue if necessary.

J U D G E

JUN 29 1973

APPROVED FOR ENTRY:

Attorney for Plaintiff

I certify that I mailed a copy of the foregoing to Hon. George Farris, Attorney at Law, Stahlman Building, Nashville, Tennessee, this 21st Day of June, 1973.

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IDENTIF. REFERENCE

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FELIX Z. WILSON 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* ~~correct transcript~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Brenda Kay Applegate *Plaintiff, and* Jessie Ronald Applegate *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* 25th *day of* July *in the year one thousand nine hundred and* eighty *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By M Ewin, *D. C.*

Form #GR-117