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MINA CAROL SPAIN	)	IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE
	)	
VS.	)	
	)	NO. 55170
JOHN JAMES SPAIN, III	)	

FINAL DECREE

BOOK 5636 PAGE 301

This cause came on to be heard the 17th day of June, 1969, before the Honorable Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee, at Nashville, upon the original bill filed by the complainant, personal service having been had upon the defendant and pro confesso duly entered thereon and from the testimony of witnesses heard in open Court it was made to appear to the satisfaction of the Court that the defendant, John James Spain, III, has been guilty of such cruel and inhuman treatment or conduct towards the complainant as to render further cohabitation unsafe and improper and for her to be under his dominion and control.

It is therefore, ORDERED, ADJUDGED AND DECREED THAT THE bonds of matrimony subsisting between complainant and the defendant be, and they herey are, absolutely and perpetually dissolved and the complainant, Mina Carol Spain, be, and she hereby is granted an absolute divorce from the defendant, and restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the complainant, Mina Carol Spain, is a fit and proper person to have the care,

custody and control of the minor children of the parties, it is therefore ORDERED, ADJUDGED and DECREED that the care, custody and control of said minor children is hereby awarded to the complainant with the right of the defendant to see and be with them at reasonable times and places. The defendant will continue to pay the sum of $40.00 each week for the support of said minor children, pending further orders of this Court.

It is further ORDERED, ADJUDGED and DECREED that all right, title and interest that the defendant, John James Spain, III, has in the property owned by the parties at 4803 Citrus Drive, Nashville, Tennessee, be and the same hereby is divested out of him and vested in the complainant to her sole and separate use. Said property is more particularly described as follows:

> BEING Lot No. 51 on the plan of Kenilworth Estates, Section 1, as of record in Book 2900, pages 105 and 106 Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 51 fronts 70 feet on the westerly side of Citrus Drive and extends back between parallel lines 140 feet to a dead line.
>
> BEING the same property conveyed to John James Spain, III, and wife, Carol Delbridge Spain, by deed from Curtiss E. Scott and wife, Doris Ann Scott, of record in Book 3902, page 297, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that all right, title and interest that the defendant might have in and to the furniture located in the house of the parties, be and the same hereby is, divested out of him and vested in complainant. Likewise, all right, title and interest that the defendant has in and to

a 1967 Chevelle automobile in the name of the defendant be, and the same hereby is divested out or him and vested in complainant. The defendant will execute whatever papers are necessary to divest himself of title to the automobile and vest same in complainant.

It further appearing to the Court that the defendant is in arrears in support payments in the amount of $402.00, complainant is hereby given a judgment for $402.00 against the defendant, John James Spain, III.

It further appearing to the Court that J. C. Summers, solicitor for the complainant has rendered valuable services to her and the minor children, the Court does hereby award him of fee of $250.00 for his services.

The defendant, John James Spain, III, will pay the costs of this cause for which execution may issue if necessary.

Walter Lutor
JUDGE

APPROVED FOR ENTRY:

J C Summers
JAMES C. SUMMERS
Attorney for Complainant

A copy of this decree was mailed to John James Spain III at 3896 Barclay Rd. This 26th day of June 1969.
J. C. Summers, Atty.

G.O.2.1.1.7.

IDENTIF. REFERENCE

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FELIX Z. WILSON IV REGISTER
DAVIDSON COUNTY, TENN.

55170 14A/307

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* MINA CAROL SPAIN *Plaintiff, and* JOHN JAMES SPAIN, III *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* 30 *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 _____, *D. C.*

Form #CR-117