7-22-80
149A/127

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

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WALTER C. CARTER, JR.,
Plaintiff

vs.

SUSAN E. CARTER,
Defendant

No. 80D-1304

FINAL DECREE

This cause came to be heard on July 22, 1980, on Plaintiff's claim for divorce on the ground of irreconcilable differences. From the testimony heard in open court, and upon the entire record, the Court finds that the divorce should be granted as prayed, that the property settlement of the parties provides a fair and equitable disposition of the marital estate, and that the parties have no children.

Therefore, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff Walter C. Carter be and is hereby granted a divorce from Susan E. Carter on the ground of irreconcilable differences, and the parties are restored to the status, rights, and privileges of unmarried persons.

Further, it is hereby ORDERED, ADJUDGED and DECREED that the property of the parties be and is hereby divided between the parties as follows.

1. Husband shall receive all right, title and interest in the house and lot of the parties located at 2609 West Linden Avenue, Nashville, Tennessee, subject to a lien in favor of Wife to secure the payment of Ten Thousand Dollars ($10,000.00) to be paid at such place as Wife shall designate, as follows:

a. Husband shall pay Wife Two Thousand Dollars ($2,000.00) on or before April 30, 1980;

b. Husband shall pay Wife Three Thousand Dollars ($3,000.00) on or before October 1, 1980;

c. Husband shall pay Wife Five Thousand Dollars ($5,000.00) on or before April 1, 1981.

Husband shall indemnify and hold harmless Wife from liability for mortgage payments on the aforesaid property. The parties presently own the property at 2609 West Linden Avenue by virtue of a conveyance from Larry James Gipson et ux, said conveyance being of record in Book 5367, page 142, Register's Office for Davidson County, Tennessee. A legal description of said property is as follows:

> Land in Davidson County, Tennessee, being the east 50 feet of the north one-half of Lot No. 36 on the Map of Belair of record in Book 332, page 6, said Register's Office.
>
> Said Lot fronts 50 feet on the south side of West Linden Avenue, formerly Sunset Avenue, and runs back between parallel lines 192 feet to a dead line.
>
> Being the same property conveyed to Larry James Gipson and wife, Amy T. Gipson by deed from Helen W. Gipson of record in Book 5098, page 367, Register's Office for Davidson County, Tennessee.

2. Wife shall execute the release of the aforesaid lien and return same to Husband upon his making the final payment on the aforesaid $10,000.00 obligation.

3. In the event Husband shall sell the aforesaid house and lot prior to April 1, 1981, Wife shall receive one-half of any proceeds from such sale in excess of the combined sum of $47,500.00 plus costs of sale.

4. Wife shall retain all right, title and interest in the 1975 Toyota now registered in her name alone.

5. Husband shall retain all right, title and interest in the 1950 Dodge now registered in his name alone.

6. All right, title and interest in the savings and checking accounts of the parties in First American National Bank in Nashville shall be vested in Husband. Wife has acknowledged that she has received One Thousand Two Hundred Forty-Five Dollars ($1,245.00) in settlement of her rights to said bank accounts.

7. All right, title and interest in all property of the parties presently in Wife's possession, plus the following items, shall be vested in Wife: color TV, oriental rug, ottoman, secretary, record shelf, wood dresser, vanity, wood bed and linens therefor, large dresser, downstairs bedroom rug, big wicker dresser, one of pair of nightstands, wicker chair and table, iron, ironing board, tent, and clock; provided that these items have been removed by Wife from the residence of the parties prior to April 12, 1980, or all right, title and interest therein shall be vested in Husband.

8. All right, title and interest in all property in possession of Husband, and all other property of the parties not vested in Wife by express provisions of this Order, shall be vested in Husband.

9. Neither party shall be responsible for the debts of the other one.

All costs accrued but not paid in this cause shall be paid by Plaintiff.

Entered this 23rd day of July, 1980.

S/ Hamilton Gayden, Jr.
Circuit Judge

APPROVED FOR ENTRY:

S/ Branch H. Henard

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mail

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IDENTIF. REFERENCE

AUG 22 10 38 AM '80

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* WALTER C. CARTER, JR. *Plaintiff, and* SUSAN E. CARTER *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* 22nd *day of* August *in the year one thousand nine hundred and* eighty *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By [signature] *, D. C.*

Form #GR-117