1st Circuit

Map 94-5
Par 67 Js

THE CIRCUIT COURTS FOR DAVIDSON COUNTY, TENNESSEE, AT NASHVILLE

LINDA LEE NICELY)
)
VS.) NO. 83912
)
WAYMAN EARL NICELY)

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FINAL DECREE

This cause came on to be heard the 31st day of January, 1977, before the Honorable J. William Rutherford, Judge, on the complaint of the Plaintiff LINDA LEE NICELY, personal service having been made on the Defendant WAYMAN EARL NICELY on August 3, 1976, an answer having been filed and the Court having been advised the case would now be uncontested, testimony of the Plaintiff and witnesses examined in open Court, statement of counsel for the Plaintiff and the entire record in this cause. From all of this the Court is of the opinion and finds that the Defendant is guilty of such cruel and inhuman treatment or conduct toward the Plaintiff as renders cohabitation unsafe and improper, and that the Plaintiff should be awarded an absolute divorce from the Defendant and restored to all of the rights and privileges of an unmarried person. The Court further finds that the custody and settlement agreement entered into by the parties should be made a part of the order of this Court.

It is, therefore, ORDERED ADJUDGED AND DECREED that the Plaintiff LINDA LEE NICELY be, and she is hereby, awarded an absolute divorce from the Defendant WAYMAN EARL NICELY and restored to all of the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED that the Plaintiff LINDA LEE NICELY be, and she is hereby, awarded the parties' homeplace at 918 South 13th Court, more particularly described as follows:

Being Lot No. 95 on the Map of Shelby Heights Subdivision, a Revision of a part of Section I, Revised, as of record in Book 2854, Page 69, Register's Office for Davidson County, Tennessee.

Said Lot No. 95 fronts 28.94 feet in a curved line on the westerly side of South 13th Court, running back 116.4 feet on the northerly line and 83.5 feet on the southerly line to a dead line, measuring 103.5 feet thereon.

Being the same property conveyed to Wayman E. Nicely and wife, Linda Lee Nicely, by deed from Ozark Development Company of record in Book 3185, page 425, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that the custody of the parties' two minor children, Melody Lee and April Kay Nicely, be awarded to the Plaintiff LINDA LEE NICELY and that the Defendant be required to pay the sum of Fifty and 00/100 Dollars ($50.00) per week as support for the parties' minor children.

It is further ORDERED, ADJUDGED AND DECREED that the Plaintiff LINDA LEE NICELY shall be awarded all of the furniture located in the parties' homeplace.

It is further ORDERED, ADJUDGED AND DECREED that the Defendant shall pay the sum of Three Hundred and 00/100 Dollars ($300.00) to M. Norris Jenkins, Attorney, as attorney fees.

It is further ORDERED, ADJUDGED AND DECREED that the Defendant shall be awarded all property which the parties own in Rutherford County, Tennessee, and the Plaintiff will execute a quitclaim deed to same; and the Defendant shall also be awarded the 1967 Chevrolet.

It is further ORDERED, ADJUDGED AND DECREED that the Defendant shall pay all of the costs of this cause, for which execution shall issue if necessary.

J. WILLIAM RUTHERFORD, JUDGE 2-3-77

M. NORRIS JENKINS

Attorney for Plaintiff

cc: Frank King
Attorney at Law
24th Floor
First American Center
Nashville, Tenn. 37238

February 2, 1977

4030 09/23 9.00- CASH

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IDENTIF. REFERENCE

SEP 23 2 21 PM '80

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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~~ of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Linda Sue Neely *Plaintiff, and* Waymon Earl Neely *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* 23rd *day of* Sept. *in the year one thousand nine hundred and* 80 *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L Oyer, *D. C.*