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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

PATRICIA FAYE BALTZ,
Plaintiff,
VS.
PHILLIP LYNN BALTZ,
Defendant.

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NO. 74782

# F I N A L  D E C R E E

This cause came on to be heard this 14th day of November, 1974, before the Honorable Tom H. Proctor, Jr., sitting specially for the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the original bill filed herein, pro confesso duly taken, a Property Settlement heretofore entered into between the parties, of which said Property Settlement Agreement the Court Orders that paragraph 12. be stricken, testimony of plaintiff and her corroborating witnesses, statement of counsel, and the entire record, from all of which the Court FINDS that the plaintiff is entitled to an absolute divorce of and from the defendant on the grounds of cruel and inhuman treatment.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THE COURT that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby forever and perpetually dissolved, to the end that plaintiff is granted an absolute divorce of and from the defendant, and the parties are restored to all the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Property Settlement Agreement heretofore entered into between the parties be set out below and made a part of this Decree, with the deletion of paragraph 12., as follows:

PROPERTY SETTLEMENT AGREEMENT

THIS property settlement agreement made and entered into this 21st day of August, 1974, by and between PATRICIA FAYE BALTZ, hereinafter called "Wife", and PHILLIP LYNN BALTZ, hereinafter called "Husband".

W I T N E S S E T H :

WHEREAS, the parties hereto have encountered marital difficulties; and

WHEREAS, they are desirous of settling their respective property rights.

NOW, THEREFORE, the parties agree as follows:

1. That custody of the minor children of the parties shall be vested with Wife, and Husband shall be granted reasonable visitation privileges.

2. As child support, Husband will pay to Wife the sum of Twenty-Five ($25.00) Dollars each week.

3. Husband will maintain all hospital and doctor bills for the minor children of these parties.

4. The home of the parties at 1518 Marwood Lane, Nashville, Tennessee, be divested out of Wife, and vested in Husband, to the end that he be sole owner of the same, and Husband agrees to hold Wife harmless of any obligations thereon.

5. 1974 Plymouth, Duster automobile shall be vested solely in Wife's name to the end that she be sole owner of the same, and she be required to pay any remaining indebtedness on same, and she is to hold Husband harmless from same.

6. The 1971 Ford Truck be vested solely with Husband and that he be required to pay any remaining indebtedness on same.

7. That the parties hereto have divided the household furniture on the following basis: That Husband shall receive the bedroom suite, half of the dishes, the color television, the radio, the rugs, the air-conditioner, the lawn mowers, yard tools and equipment, desk, recliner and his personal tools; and that Wife shall receive the stove, refrigerator, washer, dryer, living room suite, dining room suite, the remaining half of the dishes, all of the children's toys and furniture, including the bedroom suite, the black and white television, all wall objects and other item not specifically mentioned among those being granted to Husband.

8. Wife agrees that Husband shall be allowed to retain the stove and refrigerator in the house until that time when she will need same.

9. Husband agrees to pay the automobile insurance on the automobile belonging to Wife until February of 1975, and at that time she will pay an amount equal to what her automobile insurance is following that.

10. Husband agrees to pay all outstanding bills of the parties to date.

11. Husband further agrees to maintain beneficiary on his life insurance to be divided equally among his wife and children. In the event of her re-marriage, then and in that event, Husband agrees that the beneficiary of all life insurance proceeds shall be divided equally between his children; however, in the event that he re-marries, he agrees to pay an amount equal to not more than one-half of his insurance proceeds to his children by this marriage, with the remainder to do with as he desires.

WITNESS OUR SIGNATURES the day and date first above written.

/S/ Jeanette J. Simpson
WITNESS

/S/ Patricia Faye Baltz
PATRICIA FAYE BALTZ - WIFE

/S/ Mary Sturgeon
WITNESS

/S/ Phillip Lynn Baltz
PHILLIP LYNN BALTZ - HUSBAND

The property known as 1518 Marwood Lane, Nashville, Davidson County, Tennessee, is more particularly described as



[illegible] DAY OF NOVEMBER, 1974.

follows:

BEING Lot No. 35 on the Map of Spence Circle, Section II, as of record in Book 1835, Page 46, Register's Office for Davidson County, Tennessee.

BEGINNING at a point in the north margin of Marwood Lane at the corner of Lots 34 and 35; thence with the line between said Lots, northerly 204.32 feet to the south line of a strip marked "reserved"; thence with the south line of the same easterly 63.59 feet to the line of the Faulkner property; thence with the Faulkner's west line southerly 204.77 feet to a point; thence westerly 39.4 feet to the northeast terminus of Marwood Lane, being a concrete monument; thence with the north margin of said lane, westerly 21.17 feet to the beginning.

BEING the same property conveyed to Phillip L. Baltz and wife, Patricia H. Baltz, by Deed from William F. Baltz, of record in Book 4534, Page 77, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that defendant shall pay unto W. E. Porter, attorney for plaintiff, the sum of Two Hundred ($200.00) Dollars, as his reasonable attorney fee for services rendered herein.

IT IS FURTHER ORDERED that the costs of this cause are taxed against the defendant, for ALL of which let execution issue, if necessary.

ENTERED THIS_____DAY OF NOVEMBER, 1974.

Enter This 20 Day of NOV 1974

Special JUDGE

APPROVED FOR ENTRY:

W. E. PORTER
Attorney for Plaintiff

cc: Mr. Phillip L. Baltz
1518 Marwood Lane
Nashville, Tennessee 37210

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IDENTIF. REFERENCE

DEC 2 1 55 PM '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* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* PATRICIA FAYE BALTZ *Plaintiff, and* PHILLIP LYNN BALTZ *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* November *in the year one thousand nine hundred and* eighty *and in the* two hundred fifth *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

*By* [signature] *D. C.*