Map 14
Parcel 30

1981

MILDRED GOODPASTURE SUMNER	]	IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
VS.	]	
JOSEPH BENTON SUMNER	]	NO. 97866

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D E C R E E

This cause came on to be heard on this the 5th day of January, 1981, before the Honorable James Swiggart, Judge, Division VI, Circuit Court of Davidson County, Tennessee, upon the original petition heretofore filed in this cause, and default judgment subsequently taken, the defendant having failed to respond within the time permitted by law. From the testimony of the plaintiff and her corroborating witnesses, the Court is of the opinion that the Court did sustain her grounds for divorce, that is, that the defendant has been guilty of such cruel and inhuman treatment towards her as renders further cohabitation unsafe and improper.

It is therefore ORDERED, ADJUDGED and DECREED that the plaintiff, Mildred Goodpasture Sumner, is awarded an absolute divorce from the defendant, Joseph Benton Sumner, and the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved. Plaintiff is restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that the absolute care, custody and control of the minor children of the parties, to wit, Michelle and Lisa, be vested in the plaintiff, with the right and privilege of the defendant to see and visit said children at all reasonable times and places. As support for said aforementioned children, the defendant shall pay to the plaintiff the sum of $300.00 per month, due and payable directly by check or money order on or before the 10th day of each month, subsequent to the entry of this decree, and with the first payment due on January 10, 1981, for the month of January. In the event defendant has made any prepayment for the month of January, 1981, he shall be given credit therefor.

As an equitable division of the parties' property, and as alimony in solido, all of defendant's right, title and interest in and to a certain piece of real property located at 3303 Austin Lane, Nashville, Tennessee, as is now vested in the defendant, is divested from the defendant, and said property is awarded absolutely to the plaintiff in fee simple title. Plaintiff, however, shall assume the responsibility for the mortgage indebtedness now existing against said property, and shall hold defendant harmless from any further responsibility therefor. Said property is the same property that was conveyed to Joe Summer and Mildred Summer (last name incorrectly spelled), by deed from Joe Robert Hampton, of record in Book 4916, page 208, Register's Office, Davidson County, Tennessee. Said property is more particularly described as follows:

> Being Lot No. 711 on the Plan of Parkwood Estates, Section 4, of record in Book 3300, pages 79 and 80, Register's Office for said County.
>
> Said Lot No. 711 fronts 95.0 feet on the westerly margin of Austin Lane and runs between lines 136.0 feet on the northerly line and 117.4 feet on the southerly line to a broken line in the rear on which it measures 83.8 feet.
>
> Being the same property conveyed to Joe Summer and wife, Mildred Summer, by deed from Joe Robert Hampton, of record in Book 4916, page 208, Register's Office, Davidson County, Tennessee.
>
> Being the same property conveyed to Mildred Summer as the result of a decree from the Sixth Circuit Court of Davidson County, Tennessee, in the domestic relations matter styled Mildred Goodpasture Sumner vs. Joseph Benton Sumner, heard before the Court on January 5, 1981, and bearing Docket No. 97866, and of record in Minute Book 28A, page 155.

It is further ORDERED, ADJUDGED and DECREED that all of defendant's right, title and interest in all of the household furnishings now located in the aforementioned residence formerly owned by the parties as tenants by the entirety, is divested out of defendant and said furnishings are awarded absolutely to the plaintiff, free and clear from any further claim thereon by defendant.

It is further ORDERED, ADJUDGED and DECREED that plaintiff is awarded all of defendant's right, title and interest in and to a 1968 Pontiac GTO automobile and a 1972 Volkswagon automobile, both of which are now titled in the defendant. Defendant shall execute any and all documents necessary to transfer title of said automobiles into the name of the plaintiff. Defendant is awarded a 1956 Chevrolet automobile and a 1975 Corvette automobile, both of which are in his possession, and plaintiff shall execute all documents necessary to transfer title of said vehicles into the name of the defendant.

It is further ORDERED, ADJUDGED and DECREED that defendant shall pay to plaintiff the sum of $400.00, representing a refund of the attorney's fees that plaintiff paid as a retainer to her attorney for services rendered plaintiff in this cause.

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

Entered this 7th day of January, 1981.

J M Swiggart

J U D G E

APPROVED FOR ENTRY:

Jack Norman

Jack Norman, Jr., Attorney for Plaintiff

I certify that I have mailed a copy of this Decree to the defendant, Joseph Benton Sumner, at his last known address, % AVCO, Berry Field (Skin Mill Division), Nashville, Tennessee, and a copy to P.O. Box 210, Nashville, Tennessee 37202, this 1st day of January, 1981.

Jack Norman

Jack Norman, Jr., Attorney

1161 02/23, 12.00 CHECK

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IDENTIF. REFERENCE

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FEB 23 3 40 PM '81

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

MB 28 A/155

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* Mildred Woodpaster Sumner *Plaintiff, and* Joseph Benton Sumner *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* Feb. *in the year one thousand nine hundred and* 81 *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L. Dyer, *D. C.*

Form #GR-117