Parcel 45

ELIZA OZELL BATTLE GIBSON] IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

VS.]

NO. 94964

CHARLES EDWARD GIBSON]

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This cause came on to be heard on this the 14th day of May, 1979, before the Honorable James Swiggart, Judge, Division VI, Circuit Court of Davidson County, Tennessee, upon the original petition of the plaintiff, personal service upon the defendant, and default judgment having subsequently been taken, the defendant having failed to answer within the time allowed by law. From the testimony of the plaintiff, her corroborating witnesses, statement of counsel, and from the entire record of this cause, the Court is of the opinion that the plaintiff did successfully 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 between the parties unsafe and improper.

It is therefore ORDERED, ADJUDGED and DECREED that the plaintiff, Eliza Ozell Battle Gibson, is awarded an absolute divorce from the defendant, Charles Edward Gibson, 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 as an equitable division of the properties of the parties, that all of defendant's right, title and interest in and to the homeplace of the parties located at 4226 Eatons Creek Road, Nashville, Tennessee, as is now vested in the defendant, Charles Edward Gibson, is divested from the defendant, and said property is awarded absolutely to the plaintiff, Eliza Ozell Battle Gibson, in fee simple title. Said property is more particularly described as follows:

LAND in Davidson County, Tennessee, being Lot No. 190 on the Plan of Enchanted Hills, Section 7, Eatons Creek Road, as of record in Book 4300,

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page 61, Register's Office for said County, to which plan reference is here made for description.

Being the same property conveyed to Charles E. Gibson and wife, Eliza O. Gibson, by deed from W. C. Allen and wife, Irene N. Allen, of record in Book 4558, page 253, Register's Office, Davidson County, Tennessee.

The plaintiff will hold defendant harmless from any further responsibility for the mortgage indebtedness against said property.

It is further ORDERED, ADJUDGED and DECREED that all of defendant's right, title and interest in and to the household furnishings and personal belongings located at the home of the parties at 4226 Eatons Creek Road as is now vested in defendant is divested from defendant and said items of personal property are awarded absolutely to plaintiff, free and clear from any further claim thereon by defendant.

It is further ORDERED, ADJUDGED and DECREED that all of plaintiff's right, title and interest in and to the business formerly owned by the parties and known as the Atomic Shoe Repair Shop at 1207 Buchanan Street, Nashville, Tennessee, as is now vested in plaintiff is divested out of plaintiff, and said business and the equipment located thereat shall hereinafter become the absolute property of the defendant, Charles Edward Gibson, free and clear from any claim thereon by plaintiff. Defendant shall hold plaintiff harmless from any indebtedness existing against said personal or real property.

It is further ORDERED, ADJUDGED and DECREED that each party will retain and be awarded absolute title to the automobile in their respective possession. The 1976 Cadillac automobile shall become the absolute property of the plaintiff, free and clear from any claim thereon by the defendant, and the 1973 Buick automobile shall become the absolute property of the defendant, free and clear from any claim thereon by plaintiff.

It is further ORDERED, ADJUDGED and DECREED that both parties shall sign any and all documents, titles, deeds, etc.,

as may be necessary to transfer the aforementioned properties, either personal or real, from one name to the other, and in accordance with the terms of this decree.

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

Entered this 15th day of May, 1979.

JUDGE

APPROVED FOR ENTRY:

Jack Norman, Jr., Attorney for Plaintiff

I certify that I have mailed a copy of this Decree to the defendant, Charles Edward Gibson, % Atomic Shoe Repair, 1207 Buchanan Street, Nashville, Tennessee 37208, this 14th day of May, 1979.

Attorney

FILED FOR RECORD
MAY 15 3 25 PM '81
DAVIDSON COUNTY, TENN.
REGISTER

IDENTIFICATION REFERENCE
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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* ELIZA OZELL BATTLE GIBSON *Plaintiff, and* CHARLES EDWARD GIBSON *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* 16th *day of* March *in the year one thousand nine hundred and* eighty-one *and in the* 205th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By , *D. C.*