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71-11 247

428/1511

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

ROSALIND JEAN SPICER)
)
)
VS.) NO. 81D-682
)
)
ELDRED HARDING SPICER)

FINAL DECREE

This cause come on to be heard on the 30th day of April, 1981, before the Honorable Stephen North, Judge of the Fifth Circuit Court for Davidson County, Tennessee, on Original Complaint filed by Rosalind Jean Spicer for separate maintenance defendant Eldred Harding Spicer, who was personally served with process and with a default judgment having been entered for the defendant's failure to answer or file other responsive pleadings. After Motion of Counsel for the plaintiff, Rosalind Jean Spicer, that the Complaint for Separate Maintenance be amended to a Complaint for Absolute Divorce, the case was set on the uncontested docket for hearing. After testimony of the plaintiff and her corroborating witnesses and the entire record in this cause, the court is of the opinion it is THEREFORE ORDERED AS FOLLOWS:

1. Plaintiff's Motion to amend the Complaint from Separate Maintenance to Compliant for Absolute Divorce is granted.

2. The court finds as a matter of fact that the defendant, Eldred Harding Spicer, has been guilty of such cruel and inhuman treatment of conduct towards the plaintiff, Rosalind Jean Spicer, so as to render further cohabitation unsafe and improper for her to remain under his domain and control. Therefore the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved, and Rosalind Jean Spicer is granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

3. All right, title, and interest which Eldred Harding Spicer may have in the house and lot at 1420 Stainback Avenue, Nashville, Tennessee, is totally divested from him and vested in the plaintiff, Rosalind Jean Spicer, for her sole and separate use. A better description of which, as contained in Book 4802, page 943 of the Davidson County Register's office is as follows:

> Land in Davidson County, Tennessee, being Lots Nos. 179 and 180 on the plat of the Highland Land Company's Subdivision, as of record in Book 421, page 14, Register's Office for said County.
>
> SAID Lots. Nos. 179 and 180 front 25 feet each on the westerly side of Stainback Avenue, and run back between parallel lines 175 feet to an alley.
>
> BEING the same property conveyed to Sheryll Diana Lackey, by deed from Thomas Allen Swann and wife, of record in Book 4572, page 965, and be decree of the Probate Court of said County, a certified copy of which is of record in Book 4609, page 966, each in the Register's Office for Davidson County, Tennessee. The said Sheryll Diana Lackey, now being Sheryll Diana Lackey Bolton.

4. The plaintiff, Rosalind Jean Spicer, is vested in fee simple all right, title, and interest in the house and lot at 1420 Stainback Avenue, Nashville, Tennessee, as above described subject to the payment of all mortgage indebtedness.

5. All household furniture, furnishings, and appliances, and all other items of personal property presently in the house at 1420 Stainback Avenue, Nashville, Tennessee, Davidson County, Tennessee, shall become the sole and separate property of the plaintiff, Rosalind Jean Spicer and any and all interest in which the defendant, Eldred Harding Spicer, may have in said items of household furniture, furnishings, and other items of personal property contained in the house at 1420 Stainback Avenue, Nashville, Tennessee, be divested from him and vested in the plaintiff, Rosalind Jean Spicer, for her sole and separate use.

6. All court costs in this cause will be paid by the defendant, Eldred Harding Spicer, for which let execution issue, if necessary.

Enter this 8th day of May, 1981.

JUDGE

JOE P. BINKLEY, JR.
Attorney for Plaintiff

C E R T I F I C A T E

I hereby certify that a true and exact copy of the foregoing Final Decree has been forwarded to Mr. Eldred Harding Spicer, 1420 Stainback Avenue, Nashville, Tennessee 37207, this 8th day of May, 1981.

JOE P. BINKLEY, JR.

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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* ROSALIND JEAN SPICER *Plaintiff, and* ELDRED HARDING SPICER *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* 15th *day of* May *in the year one thousand nine hundred and* eighty-one *and in the* two hundred fifth *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By W. L. Rowland, *D. C.*

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

mail

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