1218/174

BOOK 5799 PAGE 127

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

ANDY WADE STONE,

Plaintiff,

-vs-

SYLVIA ANN STONE,

Defendant.

No. 80D-1392

map Parcel
81 7
Pace 242

FINAL DECREE

This cause came to be heard on this the 18th day of May, 1981, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee, on the complaint of plaintiff, Andy Wade Stone, and the answer and cross complaint of the defendant, Sylvia Ann Stone, and from the testimony of the parties, testimony of the witnesses in open court, statement of counsel on the entire record herein, from all of which the court finds that the allegations of plaintiff's complaint as to cruel and inhuman treatment are sustained by the proof;

It is, therefore, ORDERED and DECREED by the court that plaintiff, Andy Wade Stone, be granted an absolute divorce from defendant, Sylvia Ann Stone, on the statutorily alleged ground of cruel and inhuman treatment.

It is further ORDERED and DECREED that all rights, title, and interest in the property hereinafter described shall be divested out of the defendant, Sylvia Ann Stone, and vested in the plaintiff, Andy Wade Stone, with the provision that said home will ultimately be left to Michelle Renay Stone and Carolyn Denise Edmondson Stone, the two children now living with him. Said property is described as follows:

> LAND in Davidson County, Tennessee, being the northerly 43 feet of Lot No. 59 on the Plan of W. M. Butler's Subdivision, as of record in Book 57, Page 98, Register's Office for Davidson County, Tennessee, as follows:
>
> SAID part of Lot No. 59 fronts 43 feet on the easterly side of 16th Avenue north, formerly Butler Street, and extends back between parallel lines 140.6 feet to an alley.
>
> BEING the same property conveyed to Andy W. Stone and wife, Sylvia Ann Stone by deed from Charles Edward Lewis and wife, Willie Mae Lewis of record in Book 5000, Page 415 Register's Office for Davidson County, Tennessee.

It is further ORDERED and DECREED that defendant, Sylvia Ann Stone, should not be given judgment for the personal property which she testified in court had been taken from her and that plaintiff, Andy Wade Stone, shall make available to defendant, Sylvia Ann Stone, any personal clothing that belongs to defendant and that is still in the home of the plaintiff.

It is further ORDERED and DECREED that the Lincoln automobile now in the possession of plaintiff, Andy Wade Stone, be turned over to defendant, Sylvia Ann Stone, as said automobile is in the name of the defendant, Sylvia Ann Stone, and that plaintiff shall take whatever action the solicitor representing the defendant feels is necessary insofar as seeking a recovery concerning the motor vehicle and due to the accident that it suffered. The Court does not feel that it would be equitable to order an amount for the repair of the motor vehicle.

It is further ORDERED and DECREED by the court, that plaintiff, Andy Wade Stone, is to have the custody, control, and care of the parties two children, Michelle Renay Stone and Carolyn Denise Stone and plaintiff, Andy Wade Stone, shall be responsible for their up-keep as he has in the past. Defendant, Sylvia Ann Stone, shall have the right to visit said children at any time so long as such visitation is reasonable and so long as defendant does not visit said children at plaintiff's home.

It is further ORDERED and DECREED that the court costs in this cause should be divided equally by and between the parties with plaintiff, Andy Wade Stone, and defendant, Sylvia Ann Stone, each to pay one-half (1/2) of the outstanding costs in the Circuit Court for Davidson County, Tennessee.

This 25 day of June, 1981.

BENSON TRIMBLE, JUDGE

APPROVED AS TO FORM:

WALLER LANSDEN DORTCH & DAVIS

BY: _____
J. Edgar Schmutzer
2100 One Comerce Place
Nashville, Tennessee 37239
Attorney for Defendant

BOOK 5799 PAGE 129

CERTIFICATE

This is to certify that a copy of the foregoing Final Decree has been forwarded to Alfred T. Levine, Jr., Esq., Suite 933, Stahlman Building, Nashville, Tennessee, on this 11th day of June, 1981.

RUSH

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INDEXED REFERENCE

DAVIDSON COUNTY, TENN.

961592

Docket No. 80D-1392 Minute Book 121B / page 1742

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* ANDY WADE STONE *Plaintiff, and* SYLVIA ANN STONE *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* September *in the year one thousand nine hundred and* eighty-one *and in the* 206th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By J Knight, *D. C.*

Form #CR-117