12-11-79
114C 2235

MARY ELIZABETH CRISWELL VALDEZ	]	IN THE FOURTH CIRCUIT COURT
	]	FOR
-vs-	]	DAVIDSON COUNTY, TENNESSEE
CHARLES ALEXANDER VALDEZ	]	NO. 97242

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FINAL DECREE

This cause came on to be heard on the 30th day of November, 1979 before the Honorable Donald Arkovitz, Special Judge, upon the petition for absolute divorce filed by complainant, personal service of process upon the defendant, pro confesso being duly entered, request by counsel for the complainant to submit his proof in the form of interrogatories, statement of counsel and from the entire record in this cause. From all of which the Court finds that the defendant has been guilty of such cruel and inhuman treatment or conduct toward complainant as renders further cohabitation unsafe and improper. It is therefore

ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore subsisting between the parties be and the same are hereby forever and perpetually dissolved and the complainant, Mary Elizabeth Criswell Valdez, is granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the absolute care, custody and control of the two minor children of the parties, to-wit: Michael Valdez and Brett Valdez, is awarded to the complainant with the right of reasonable visitation reserved to the defendant.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the defendan shall pay the sum of $200.00 per month for the support and maintenance of the two minor children, said payments to be made directly to the complainant, beginning with the month of December 1979 and continue thereafter until further orders of the Court.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest which the defendant has in and to the business known as McFarland's Drive-In Market, located at 5555 Edmondson Pike, Brentwood, Davidson County, Tennessee, is hereby divested out of him and the sole and exclusive ownership of said business is vested in the complainant, Mary Elizabeth Criswell Valdez, it being her responsibility to assume the balance of indebtedness thereon and to hold the defendant harmless.

It is further ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest which the defendant has in and to the real property of the parties located at 5826 Cloverland Drive, Brentwood, Davidson County, Tennessee more specifically described as follows:

> Land in Davidson County, Tennessee, being Lot No. 89 on the Plat of Cloverland Acres, Section 9, as of record in Book 4955, page 86, RODC, to which plat reference is made for a more complete description.
>
> Being the same property conveyed to Charles A. Valdez and wife, Mary Valdez, by deed from Walter E. Robertson and wife, Edith 1. Robertson, of record in Book 5379, page 937, RODC, Tennessee.
>
> Map and Parcel: 171-8-4

shall be divested out of him and the sole and exclusive ownership is vested in the complainant, Mary Elizabeth Criswell Valdez, in fee simple, absolute ownership, it being her responsibility to pay the balance of mortgage indebtedness thereon. In lieu of the defendant's equitable interest therein, the Court shall grant to the defendant, Charles Alexander Valdez, against the hereinbefore described property for 33-1/3% of the net equity therein, however, said lien shall be unenforceable until such time as the complainant sells the home, remarries or the youngest child attains the age of eighteen years, whichever is the first event to occur.

It is further ORDERED, ADJUDGED AND DECREED by the Court that all the household furniture, and furnishings are awarded as the sole and exclusive property of the complainant.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the 1979 Datsun 280 Z, the 1972 Dodge station wagon and 1974 Ford truck shall be awarded as the exclusive property of the complainant, it being her responsibility to pay the balance of any indebtedness thereon. The 1978 Pontiac Firebird automobile is awarded to the defendant, it being his responsibility to pay the balance of mortgage indebtedness thereon and hold complainant harmless from any responsibility therefor.

It is further ORDERED, ADJUDGED AND DECREED that complainant's solicitor of record, Robert L. Jackson, shall have and recover of the defendant an attorney fee in the amount of $500.00, said fee to constitute a lien against the defendant's 33-1/3% equitable interest in the real property heretofore described

It is further ORDERED, ADJUDGED AND DECREED by the Court that the defendant, Charles Alexander Valdez, is permanently enjoined and restrained from harming, molesting, threatening, cursing, bothering or interfering with the

complainant, Mary Elizabeth Criswell Valdez, at her home or at the business at 5555 Edmondson Pike, Brentwood, Tennessee.

The costs of this cause are taxed against the defendant, for all of which execution may issue, if necessary.

SPECIAL JUDGE

12-11-79

APPROVED:

Robert L. Joachim
Sol. for Complainant

FEB 5 2 43 PM '80
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.
IDENTIF. REFERENCE
G 78895

I hereby certify that a copy of this decree was mailed Charles Valdez this 10th day of December 1979

Robert L. Joachim, Atty

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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* MARY ELIZABETH CRISWELL VALDEZ *Plaintiff, and* CHARLES ALEXANDER VALDEZ *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* 28th *day of* January *in the year one thousand nine hundred and* eighty *and in the* 204th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Sue Woods, *D. C.*