IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY

DOUGLAS WAYNE MABRY)
)
VS.) No. 81D-1604
)
SANDRA OLIVIER MABRY)

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148-8-185

KS

FINAL DECREE

This cause came on for hearing on this the 24th day of February, 1982, before the Honorable James M. Swiggart, Judge of the Sixth Circuit Court of Davidson County, Tennessee upon the original complaint for absolute divorce filed by the original complainant, Douglas Wayne Mabry, service upon the defendant, Sandra Olivier Mabry, through the Secretary of State, answer filed by the said Sandra Olivier Mabry, with the cause proceeding to trial as a contested matter with the complainant, Douglas Wayne Mabry appearing in open Court and with the defendant, Sandra Olivier Mabry failing to appear at the time of this final hearing but being represented by counsel, testimony of witnesses heard in open Court, argument of counsel and the entire record herein. From all of which the Court is of the opinion and finds as follows:

The Court finds that the said Sixth Circuit Court of Davidson County, Tennessee does have jurisdiction over this matter due to the fact both parties were citizens and residents of Davidson County, Tennessee and had been for the statutory required time and they were said residents at the time of the separation. The Court further finds that the defendant, Sandra Olivier Mabry did perpetrate a fraud upon the Superior Court of Puerto Rico in her attempt to obtain an absolute divorce in the Commonwealth of Puerto Rico as her statements of residency in said Commonwealth was not accurate, and therefore this Court finds that any decree rendered by the Superior Court of the Commonwealth of Puerto Rico is not entitled to full faith and credit.

It is further ORDERED, ADJUDGED and DECREED that the allegations of cruel and inhuman treatment testified to by the complainant, Douglas Wayne Mabry have been fully sustained by the proof that is that the defendant, Sandra Olivier Mabry

has been guilty of such cruel and inhuman treatment towards said complainant as renders further cohabitation unsafe and improper.

It is therefore ORDERED, ADJUDGED and DECREED that the bonds of matrimony heretofore existing by and between the parties are hereby dissolved and the complainant, Douglas Wayne Mabry is hereby awarded an absolute divorce from the defendant, Sandra Olivier Mabry and he is hereby restored to all of the rights and privileges of an unmarried person.

It is further ORDERED and DECREED that it appears to this Court that it is to the best interest of the two minor daughters of the parties, to wit: Crystal Del Mar Mabry, age 3, and the infant daughter of the parties born after the separation in the Commonwealth of Puerto Rico having been born on the 5th day of July, 1981, that they remain with the defendant and custody is hereby vested in the defendant, Sandra Olivier Mabry, with visitation being reserved to the complainant, Douglas Wayne Mabry and it is ORDERED that the complainant shall have visitation with both minor daughters of the parties to be specified of at least one weekend per month being available to him, and the Court will hold under advisement any contributions for transportation to be made by the defendant pending the performance of the defendant under this visitation agreement.

It is further ORDERED, ADJUDGED and DECREED that the complainant, Douglas Wayne Mabry shall pay to the defendant, Sandra Olivier Mabry the sum of Two Hundred and Twenty-Five ($225.00) Dollars per month for the support and maintenance of the two minor children of these parties.

It is further ORDERED and DECREED that the homeplace of the parties located at 4612 Xavier Drive, Antioch, Tennessee is hereby vested in the complainant, Douglas Wayne Mabry subject to the first mortgage thereon which he assumes and agrees to pay and subject to a lien in the favor of the defendant, Sandra Olivier Mabry in the amount of Seven Thousand ($7,000.00) Dollars which will bear interest at the rate of 12% until paid. It is therefore ORDERED, ADJUDGED and DECREED that any right, title or interest that the defendant has in and to said homeplace

located at 4612 Xavier Drive, Antioch, Davidson County, Tennessee, is hereby divested from her and reinvested in the complainant, Douglas Wayne Mabry with exception of a Seven Thousand ($7,000.00) Dollar lien in her favor which is declared as such on said real estate until paid in full with interest at the rate of 12%. Said real property is more particularly described in words and figures as follows:

> LAND in Davidson County, Tennessee, being Lot No. 43 on the plan of Hazelwood, Section 17, of record in Book 5210, page 30, Register's Office for said County.
>
> SAID Lot No. 43 fronts 60.00 feet on the southeasterly margin of Xavier Drive and extends back 140.41 feet on the northeasterly line and 140.00 feet on the southwesterly line to a dead line in the rear, measuring 60.00 feet thereon.
>
> BEING same property conveyed to Douglas W. Mabry and wife, Sandra O. Mabry, by deed of record in deed book 5373, page 932, Register's Office for Davidson County, Tennessee.

It is further ORDERED and DECREED that the complainant shall pay interest per month on said lien, to the defendant pending full payment of the Seven Thousand ($7,000.00) Dollar interest in the real estate heretofore awarded to her by the Court.

It is further ORDERED, ADJUDGED and DECREED that the costs of the cause shall be paid by the complainant.

This the 5th day of March, 1982.

Enter This 5th Day of March 1982

JUDGE

APPROVED FOR ENTRY:

Attorney for Complainant

Attorney for Defendant

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

mail:
Ruth Mabry
27 Monticello Trail
Nd. Jackson, Tenn
38122

STATE OF TENNESSEE

Minute Book 30B
page 1600

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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Douglas Wayne Mabry *Plaintiff, and* Sandra Olivier Mabry *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* July *in the year one thousand nine hundred and* Eighty-two *and in the* 207th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By D. Mabry, *D. C.*

Form #GR-117