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LINDA JO NEWTON MASON	]	IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
VS.	]	
		NO. 84619
MARK HAMPTON MASON	]	

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D E C R E E

This cause came on to be heard on this the 28th day of January, 1977, before the Honorable Benson Trimble, Judge, Division IV, Circuit Court of Davidson County, Tennessee, upon the original bill of the plaintiff, personal service of process, and default judgment having been taken, the defendant having failed to plead within the time allowed by law. From the testimony of the plaintiff, her corroborating witnesses, statement of counsel, and from the entire record in 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 unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, Linda Jo Newton Mason, is awarded an absolute divorce from the defendant, Mark Hampton Mason, 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 further appearing to the Court that the parties had entered into a property settlement agreement, and that the same was submitted to the Court for the Court's ratification, and that the Court did, in fact, ratify said aforementioned agreement, but with certain exceptions as to Item 3, it is, therefore, ORDERED, ADJUDGED and DECREED that said aforementioned property settlement agreement be made a part of this the final decree, and as follows:

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT entered into by and between Linda Jo Newton Mason, hereinafter known as "Wife", and Mark Hampton Mason, hereinafter known as "Husband"; and

WHEREAS, irreconcilable differences have developed between Wife and Husband, and that they are now living separate and apart; and

WHEREAS, Wife has caused to be filed in the Domestic Relations Court of Davidson County, Tennessee, a petition for absolute divorce; and

WHEREAS, at this time, the parties desire to resolve certain issues pertaining to the custody and support of the minor children and a division of personal properties of the parties, but that in so doing, neither agrees that the other may or may not obtain an absolute divorce, but solely for the purpose of settling matters as set forth above, the parties agree as follows:

(1) That the Husband will execute a deed or such other documents as may be necessary to transfer to the Wife all of his right, title and interest in and to certain real properties owned by the parties and located at 4754 Timberhill Drive,

together with the household furnishings located therein. Said property will hereinafter become the absolute property of the Wife, who will assume all outstanding obligations thereon.

(2) That the Wife will transfer to the Husband all of her right, title and interest in and to a condominium located at 4000 Anderson Road, together with the household furnishings located therein. Said property will hereinafter become the absolute property of the Husband, who will assume all responsibility for all outstanding obligations thereon.

(3) The custody of Misty Dawn Mason will be vested in the Wife, with the right and privilege of the Husband to see and visit said aforementioned child at reasonable times and places, and the custody of Kerry Shawn Mason will be vested in the Husband, with the right and privilege of the Wife to see and visit said child at reasonable times and places. Each party will support the child in his respective custody.

(4) The Husband will execute such documents as may be necessary to transfer to the Wife all of his right, title and interest in and to a 1969 LTD automobile and a 1972 Volkswagen automobile, both now titled in the name of the Husband. Said automobiles shall hereinafter be owned by the Wife for her personal use and for the use of the child in the custody of

the Wife. The Husband shall receive the 1964 Rambler station wagon and the 1968 Volkswagen now in his possession.

The above agreement represents a full and complete settlement of all questions involving the properties now owned by the parties, either jointly or severally, and in addition thereto, represents a full and final settlement by the Wife of any claim for alimony. A copy of this agreement will be presented to the Court at the hearing of Wife's divorce case for ratification by the Court, and shall be included in the final decree.

This agreement entered into on this the 17 day of September, 1976.

Linda Jo Newton Mason

Linda Jo Newton Mason, "Wife"

Mark Hampton Mason

Mark Hampton Mason, "Husband"

Witness

Witness

It is further ORDERED, ADJUDGED and DECREED that the custody of Misty Dawn Mason will be vested in the plaintiff, with the right and privilege of the defendant to see and visit said child at all reasonable times and places. In view of the fact that there has been a change in the domicile of Kerry Shawn Mason since the date of the property settlement agreement, it is ORDERED, ADJUDGED and DECREED that the custody of Kerry Shawn Mason will be vested jointly in plaintiff and the defendant. Should any question hereinafter arise pertaining to the support of said aforementioned children, the Court will entertain a motion on behalf of either party in regard thereto.

It is further ORDERED, ADJUDGED and DECREED that each party execute such documents as may be necessary for the transfer of title to the automobiles contained as set forth in Item 4 of the property settlement agreement.

It is further ORDERED, ADJUDGED and DECREED that in accordance with Items 1 and 2 of the property settlement agreement, that all of the defendant's right, title and interest in and to certain real property owned by the parties located at 4754 Timberhill Drive, as is now vested in the defendant shall be divested out of the defendant, and said property shall become the absolute property of the plaintiff. Said property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 743 on the Plan of Caldwell Hall, Section XI, as of record in Book 3300, page 54, Register's Office for said County, to which reference is made for a more complete description.
>
> Being the same property conveyed to Mark H. Mason andnwife, Linda Jo Mason, by deed from Leon Mitchell and wife, Peggy M. Mitchell, of record in Book 4665, page 751, Register's Office for Davidson County, Tennessee.

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Said property also contains Map No. 146-4, and Parcel No. 97.

In addition thereto, all of the household furnishings located at said aforementioned property will hereinafter become the absolute property of the plaintiff.

All of plaintiff's right, title and interest in and to a condominium located at 4000 Anderson Road, shall be divested out of plaintiff and awarded absolutely to the defendant. Said property is more particularly described as follows:

A certain condominium apartment in Davidson County, Tennessee, being Townhouse No. 74, Building No. 10, in a Horizontal Property Regime located on the Plat of Priest Lake Park Condominium Townhouses, Phase 1, as of record in Book 4460, page 88, Register's Office for said County, to which reference is here made.

Being the same property conveyed to Mark H. Mason and wife, Linda Jo Mason, by deed from Philhall Corporation, of record in Book 4999, page 68, Register's Office for Davidson County, Tennessee.

Said property bears Map No. 136-3-A, Parcel No. 74.

In respect to the aforementioned conveyed properties, each party will hold the opposit party harmless in regard to any and all indebtednesses against said aforementioned properties.

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

Entered this 21 day of February, 1977.

s/Beeman Trimble
JUDGE

APPROVED FOR ENTRY:

s/Jack Norman Jr.
Jack Norman, Jr., Attorney for Plaintiff

I certify that I have mailed a copy of this Decree to the defendant at his last known address, 4000 Anderson Road, #74, Nashville, Tennessee 37217, this 31st day of January, 1977.

s/Jack Norman Jr.
Attorney

Said property also contains Map No. 146-4, and Parcel No. 97.

In addition thereto, all of the household furnishings located at said aforementioned property will hereinafter become the absolute property of the plaintiff.

All of plaintiff's right, title and interest in and to a condominium located at 4030 Anderson Road, shall be divested out of plaintiff and awarded absolutely to the defendant. Said property is more particularly described as follows:

A certain condominium apartment in Davidson County, Tennessee, Being Townhouse No. 74, Building No. 10, in a Horizontal Property Regime located on the Plat of Priest Lake Park Condominium Townhouses, Phase 1, as of record in Book 4460, page 88, Register's Office for said County, to which reference is here made.

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Being the same property conveyed to Mark H. Mason and wife, Linda Jo Mason, by deed from Philhall Corporation, of record in Book 4999, page 68, Register's Office for Davidson County, Tennessee.

Said property bears Map No. 136-3-A, Parcel No. 74.

In respect to the aforementioned conveyed properties, each party will hold the opposit party harmless in regard to any and all indebtednesses against said aforementioned properties.

... will pay the costs of this cause, for

RECORDER'S MEMO: Legibility of Writing, Typing or Printing in This Document Unsatisfactory When Received.

Docket No. 84619 103A/367

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* Linda Jo Newton Mason *Plaintiff, and* Mark Hampton Mason *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* 20th *day of* April *in the year one thousand nine hundred and* seventy-seven *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Patty Frazier, *D. C.*