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86-2-99 KS

IN THE SEVENTEENTH CHANCERY DIVISION

WILSON COUNTY, TENNESSEE AT

LEBANON RECEIVED APR 19 1979 at 10:55 A.M.

BOOK 5989 PAGE 669

LINDA FAYE OVERSTREET PAYNE }

VS. } NO. 3194

DONALD LEE PAYNE } Entered in Minute Book 54 Page 297.

This 19 day of April 1979

F I N A L D E C R E E

This cause came on to be heard on this the 19th day of March, 1979, before the Honorable Edward M. Turner, Chancellor of the Seventeenth Chancery Division, Wilson County, Tennessee at Lebanon on the original bill for divorce, filed by the complainant, personal service of process on the defendant, the answer of the defendant, and after testimony of the complainant and the defendant and their witnesses, the statement of counsel, and from the entire record in this cause, the Court is of the opinion, that the allegations in the original bill have been sustained; that is, that the defendant has been guilty of such cruel and inhuman treatment as renders cohabitation unsafe and improper, thereby entitling the complainant to an absolute divorce.

The Court is further of the opinion, that the complainant, Linda Faye Overstreet Payne, should have absolute custody and control of the two (2) minor children of the parties, namely, Rhonda, age 13, and Mark, age (8), and that the defendant shall have visitation rights with said children every weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m.; however, should the children have other activities planned on a particular weekend, and such activity is made known to the defendant, the children may spend such weekend with their mother. The defendant will have visitation rights with the children for a two week period each summer. The defendant is further ordered to pay the sum of $50.00 per week, beginning March 30, 1979, for the support and maintenance of said minor children, and the defendant will be responsible for the medical and dental bills for said children.

H 248897.

IDENTIF. REFERENCE

JAN 6 3 53 PM '83

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

The Court is further of the opinion, that all right, title and interest in and to the property owned by the parties as tenants by its entireties, at 612 Melvin Road, Mount Juliet, Tennessee, be divested out of the defendant and vested solely in the complainant, and that the complainant will be responsible for all future mortgage payments on said property. The Court is further of the opinion that all right, title and interest in and to the real property owned by the parties as tenants by the entireties, at 7008 Panama Drive, Nashville, Tennessee be divested out of the complainant and vested solely in the defendant, and that the defendant will be totally responsible for all further mortgage payments on said property.

The Court is further of the opinion that the household furnishings located at the home of the parties at 612 Melvin Road, and the 1973 Monte Carlo automobile will become the absolute property of the complainant and the defendant is awarded the following items of personal property: Boat, Motor, Trailer, Tools, 1960 MG, and a Dodge Van.

The Court is further of the opinion that each of the parties will be responsible to pay their respective attorney's fees, and that the defendant will pay the costs of this cause.

It is therefore, ORDERED, ADJUDGED and DECREED by the Court that the complainant be and she is hereby granted an absolute divorce and restored to all of the rights and priviledges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the absolute custody and control of the two (2) minor children of the parties, namely, Rhonda, age (13), and Mark, age (7) be granted to the complainant, and that the defendant be ordered to pay the sum of $50.00 per week, beginning March 30, 1979, as child support and further that the defendant will be responsible for all medical and dental bills incurred on behalf of the two (2) minor children of the parties, and that the defendant will have visitation rights with his two (2) minor children

every weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m. unless the children have other activities planned, and such activity is made known to the defendant in which event the children may remain with the mother for that particular weekend.

It is further ORDERED, ADJUDGED and DECREED that whatever right, title or interest that the complainant has or may have in the property owned by the parties as tenants by the entirety in Davidson County, Tennessee be divested out of complainant and vested in defendant to be his absolutely which property is described in words and figures as follows:

> BEING Lot No. 47 on the plan of Dodson Heights, of Record in Book 2900, page 113, Register's Office for Davidson County.
>
> SAID Lot No. 47 fronts 60.0 feet on the easterly side of Panama Drive and extends back 179.4 feet on the southerly line and 150.0 feet on the northerly line to a dead line in the rear, measuring 67.1 feet thereon.
>
> BEING the same property conveyed to Donald L. Payne and wife, Linda O. Payne by deed from John Hangey, Jr., and wife, Ruthellen M. Hangey, of record in book 4585, page 426, Register's Office for Davidson County, Tennessee.

The defendant is ordered to pay the balance of the mortgage due and payable on the above described real estate.

It is further ORDERED, ADJUDGED and DECREED that whatever right, title or interest that the defendant has or may have in a house and lot owned by the parties as tenants by the entirety at 612 Melvin Road, Mt. Juliet, Tennessee, be divested out of him and vested in complainant to be hers absolutely. Said property is described in words and figures as follows:

> Land in the 4th Civil District of Davidson County, Tennessee, described as follows:
>
> BEGINNING at a point on the East side of Melvin Road; thence east 315 feet to an iron pin; thence North 105 feet to an iron pin; thence West 315 feet, parallel with the beginning line, to the right of way of Melvin Road; thence south, along said Melvin Road to the point of beginning.
>
> BEING the same property conveyed to Don Payne and wife, Linda Payne, by deed from John L. Coles, and wife, JoAnn R. Coles of record in Book 301 page 1, Register's Office for Wilson County, Tennessee.
>
> By an agreement between Wilson and Davidson County, this property is now and will hereafter be known as lying

in the first Civil District, Wilson County, Tennessee.

The complainant is hereby ordered to pay the existing mortgage indebtedness currently on said property.

It is further ORDERED, ADJUDGED and DECREED that the complainant be awarded all right, title and interest in and to a 1973 Monte Carlo automobile and that any interest which the defendant might have in said automobile be divested out of him and vested solely in the complainant.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title and interest that the defendant has or might have in the household furnishings located at the home of the parties at 612 Melvin Road, be divested out of him and vested in the complainant to be hers absolutely.

It is further ORDERED, ADJUDGED and DECREED that any interest which the complainant has or may have in the Van Truck, the 1960 M G automobile, the boat, motor, trailer, tools, and personal effects of the defendant be divested out of the complainant and vested in the defendant to be his absolutely.

It is further ORDERED, ADJUDGED and DECREED that each of the parties will be responsible for his or her respective attorney's fees, and that the defendant will pay the costs of this cause.

It is further ORDERED, ADJUDGED and DECREED that if the defendant remains in the home of the parties for a period of two (2) weeks after the date of March 19, 1979, he will assist in the payment of household expenses.

Entered the 17th day of April, 1979.

EDWARD M. TURNER, Chancellor

WILLIAM J. FAIMON
Attorney for Complainant

JAMES W. RUTHERFORD
Attorney for Defendant

CHANCERY COURT WILSON COUNTY TENN.

STATE OF TENN.
COUNTY OF WILSON
I hereby certify the foregoing to be a true and perfect copy of the instrument on file in this case.
10th day of Dec. 1982
Barry H. Johnson Clerk & Master
Pamela D. Thorne, D.C.&M.