IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE 121A/362

Map 97-5
parc 9

MELBA OTELIA FAIRCLOTH

VS

No.. 81D-5

FOREST RAY FAIRCLOTH

UAH

BOOK 5933 PAGE 548

FINAL DECREE

This cause came on to be heard before the Hon. Benson Trimble, Judge, on this the 22nd day of May, 1981, upon the original Petition for Absolute Divorce filed by Plaintiff, MELBA OTLEIA FAIRCLOTH, against Defendant, FOREST RAY FAIRCLOTH, judgment pro confesso heretofore entered against the Defendant upon his failure to plead answer or demur within the time required by law, testimony of Plaintiff and her supporting witnesses, statement of counsel, and from the entire record in this cause, from all of which the Court finds that the facts charged in the bill are proved, that is, that Defendant has been guilty of such cruel and inhuman treatment or conduct as renders cohabitation unsafe and improper and she is entitled to an Absolute Divorce from Defendant; it is, therefore

ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore subsisting by and between these parties are hereby forever dissolved and Plaintiff is granted an Absolute Divorce from the Defendant.

It is FURTHER ORDERED that the custody and control of the minor child of the parties, DANA RAE FAIRCLOTH, is hereby granted to Plaintiff because Defendant has suffered business losses and is not making any money at this time and the matter of support is left open for future determination by the Court.

It is FURTHER ORDERED from testimony of the parties that the Defendant be and is enjoined from harming, bothering, or molesting Plaintiff and from coming about the home of Plaintiff or the minor child drinking or intoxicated.

It is FURTHER ORDERED that all right, title, and interest in and to the following described real estate is hereby divested out of Defendant and vested in Plaintiff as her sole and absolute property:

> Land in Davidson County, Tennessee, being Lot No. 41 on the Plan of Hickory Bend Subdivision, Section 7, as of record in Book 3600, page 29, Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 41 being a corner lot fronts 70.1 feet on the southerly margin of Green Ridge Drive, 82.04 feet on the southwesterly margin of Larchwood Drive and 37.12 feet along the curving corner of said intersection, and runs back between converging lines 120.4 feet on the westerly line and

1535

118.7 feet on the southerly line to a point at the rear.

BEING the same property conveyed to FOREST RAY FAIRCLOTH and wife, MELBA OTELIA FAIRCLOTH, by deed from RALPH STEVENS CONSTRUCTION COMPANY, INC., which deed is being filed for simultaneously herewith.

BOOK 5933 PAGE 549

It is FURTHER ORDERED that the first mortgage the parties own on 4 acres of real estate in Wilson County, Tennessee, executed by GARY BRITT in a certain note, payable $152.84 per month for 6 years, which constitutes all right, title, and interest in and to this note is hereby divested out of Defendant and vested in Plaintiff as her sole and absolute property and Plaintiff agrees to use this monthly payment in order to pay the second mortgage on her home.

It is FURTHER ORDERED that all right, title and interest is hereby divested out of Plaintiff and vested in Defendant as his sole and absolute property:

Land in Davidson County, Tennessee, being Lot No. 48 on the Plan of Rosewood Estates, Section I, as of record in Book 4955, page 29, Register's Office for Davidson County, Tennessee.

Said Lot No. 48 fronts 54.43 feet on the southerly side of Peachtree Street and runs back 120.51 feet on the easterly side lot line and 150.13 feet on the westerly side lot line to a line on the rear on which it measures 89.91 feet thereon.

Being part of the same property conveyed to Forest R. Faircloth and wife, Melba O. Faircloth by deed from Cool Valley Corporation, of record in Book 5301, page 166, said Register's Office.

It is FURTHER ORDERED that all right, title and interest is hereby divested out of Plaintiff and vested in Defendant as his sole and absolute property:

A tract or parcel of land being situate in the 2nd Civil District of said County, described as follows:

Beginning at a point, said point being a common corner (the southwest corner) of the herein described land, the Sullivan property and the remaining lands of the Grantor; thence northerly with Sullivan's easterly line 234 feet, more or less, to a point, said point being the northwest corner of the here described land and a common corner with Sullivan and Clemmons; thence easterly with the southerly line of Clemmons 236 feet, more or less, to a point in the westerly line of the Tennessee Central Railroad; thence southerly with said line of said Tennessee Central Railroad property 150 feet to a point; thence westerly with remaining lands of Grantor 277 feet, more or less, to the point of Beginning, and being bound generally as follows: On the north by Clemmons; on the east by Tennessee Central Railroad property; on the south by Evans; and on the west by Sullivan.

Being the same property conveyed to Forest R. Faircloth and wife, Melba O. Faircloth by deed from Tommy L. Hamilton and wife, Essie D. Hamilton, as of record in Deed Book 263, page 37, in the Register's Office for Wilson County, Tennessee.

It is FURTHER ORDERED that all the household goods and furnishings, now located in the home of the parties, the title to which is divested out of

Defendant and vested into Plaintiff as her sole and absolute property.

It is FURTHER ORDERED that Defendant be required to pay and to hold harmless Plaintiff as a result of an agreement that she signed previously at NOLAND COMPANY, which represented money advanced to Defendant to be used in his business and which the company required Plaintiff to sign but she did not receive the proceeds.

Costs are adjudged against the Defendant for which execution may issue if necessary.

BOOK 5933 PAGE 550

JUDGE

Attorney for Plaintiff

FEE $ 2.00 TN REGISTER DAVIDSON COUNTY, TN
JAN 17 10 01 AM '83
IDENTIF. REFERENCE
H 2 6 3 6 4

CERTIFICATE

I hereby certify that I have mailed a copy of the foregoing Final Decree of Divorce to MELBA OTELIA FAIRCLOTH, 614 Larchwood Drive, Nashville, Tennessee and to FOREST RAY FAIRCLOTH, 5 Peachtree Street, Nashville, Tennessee 37211 this 27 day of May, 1981.

Docket No. 81D-5 Minute Book 121A Page 860

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* Melba Otelia Faircloth *Plaintiff, and* Forest Ray Faircloth *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* 17th *day of* January *in the year one thousand nine hundred and* Eighty-Three *and in the* 207th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Virginia Leary, D. C.

Form #GR-117