FILED 155B/1246

1983 APR 22 PM 3:21

IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

D.C.

ALICE FAY PHELPS	)	
	)	
Plaintiff	)	
	)	
V.	)	NO. 83D-368
	)	
KENNY RAY PHELPS	)	
	)	
Defendant	)	

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FINAL DECREE

This cause came on to be heard on the 19th day of April, 1983, before the Honorable Hamilton Gayden, Judge, upon the Complaint for Absolute Divorce, the Default Judgment heretofore taken, testimony of the Plaintiff and witnesses in open court, statements of counsel, and the entire record in this cause, from all of which it duly appears to the Court that the Plaintiff is entitled to an absolute divorce on the grounds of cruel and inhuman treatment; an equitable division of the property belonging to the parties should be made; and that the Plaintiff should be restored to her maiden name of Gann.

IT IS THEREFORE ACCORDINGLY ORDERED, ADJUDGED and DECREED that the Plaintiff Alice Fay Phelps be granted an absolute divorce from the Defendant Kenny Ray Phelps with the bonds of matrimony existing between the parties being forever resolved and the parties restored to all the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED that the real property on Bull Run Road in Davidson County, Tennessee, which is owned by the parties as tenants by the entirety hereinafter be held by the parties as tenants in common with each party having a one-half (½) undivided interest in the property as a whole.

IT IS FURTHER ORDERED that the parties shall be equally obligated to make payments on the aforementioned property as required by the Deed of Trust on file in the Davidson County Register's Office.

IT IS FURTHER ORDERED that the Plaintiff shall be given sole title and ownership to the 1982 Toyota jointly owned by the parties and that the Defendant shall convey all interest he has therein to the Plaintiff, and that the Plaintiff shall pay any notes owing on said vehicle while holding the Defendant harmless for any indebtedness thereon.

IT IS FURTHER ORDERED that all other personal property of which the parties are jointly possessed shall be divided equally among the parties.

IT IS FURTHER ORDERED that any joint debts of the parties shall be divided equally among the parties with each party holding harmless the other party for the debts to which they obligate themselves.

IT IS FURTHER ORDERED that the Plaintiff shall be restored to her maiden name of Gann.

IT IS FURTHER ORDERED that the costs of this cause be taxed to the Plaintiff for which execution may issue, if necessary.

ENTER this 22nd day of April 1983.

Hamilton Gayden
JUDGE

APPROVED FOR ENTRY:

Mark J. Fishburn
MARK J. FISHBURN,
Attorney for Plaintiff
Suite 1620, Parkway Towers
404 James Robertson Parkway
Nashville, Tennessee 37219
(615) 242-8107

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing has been mailed to Mr. Kenny Ray Phelps, 1105 West Trinity Lane, Nashville, Tennessee 37218 on this 21st day of April, 1983.

Mark J. Fishburn
MARK J. FISHBURN

Prepared BY: Patricia Sbicer Carden, Attorney

H 5 2 3 4 7

IDENTIF. REFERENCE

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FELIX Z. [illegible] REGISTER
DAVIDSON COUNTY, TN

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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* ~~correct transcript~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Alice Fay Phelps *Plaintiff, and* Kenny Ray Phelps *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* 6th *day of* June *in the year one thousand nine hundred and* eighty-three *and in the* 207th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Becky Dyer, *D. C.*

Form #GR-117