132D/1193

Tract #1: Map 60-2
Parcel 132
Tract #2: Map 71-7
Parcel 125

FILED

1983 SEP 22 PM 12:15

GEORGE L. ROOKER, CLERK

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JUANITA JOYCE SHOULDERS CANTRELL] JKnight D.C.
]
]
VS.] NO. 90172
]
] BOOK 6152 PAGE 827
JOHN HOWARD CANTRELL]

FINAL DECREE

This cause came on to be heard on this the 13th day of September, 1983, before the Honorable Muriel Robinson, Judge, Division IV of the Circuit Court for Davidson County, Tennessee, upon petition of the wife/plaintiff to finalize a decree of divorce from bed and board issued on January 12, 1982, and in addition, to determine all pending questions in respect to division of properties, alimony, attorneys' fees, etc. Following the testimony of the wife/plaintiff, her corroborating witnesses, testimony of the husband/defendant, statement of counsel and a review of the entire record, the Court is of the opinion that the divorce from bed and board heretofore awarded the wife should be made final.

It is, therefore, ORDERED, ADJUDGED and DECREED that the wife, Juanita Joyce Shoulders Cantrell, be and is awarded an absolute divorce from the husband, John Howard Cantrell, upon the ground of cruel and inhuman treatment and is restored to all rights and privileges of an unmarried person. The bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved.

As an equitable division of the real properties accumulated during the marriage of the parties, it is further ORDERED, ADJUDGED and DECREED that all of husband's right, title and interest in and to the homeplace of the parties located at 3127 Moorewood Drive in Nashville, Tennessee, is divested out of husband and awarded to wife. Said property hereinafter shall be vested exclusively in the name of wife in fee simple title and free and clear from any further claim thereon by husband. Said property shall hereinafter become the sole and exclusive property of wife and said property is more particularly described as follows:

Land in Davidson County, Tennessee, being Lot No. 103 on the Plan of Parkwood Estates, Section 1, of record in Book 2900, page 120, Register's Office for said County.

Said Lot No. 103 fronts 95.0 feet on the northerly margin of Moorewood Drive and runs back between lines measuring 134.5 feet on the westerly side and 132.0 feet on the easterly side to a dead line in the rear on which it measures 68.8 feet.

Being the same property conveyed to John H. Cantrell and wife, Joyce S. Cantrell, by deed from Harlan Construction Company, Inc., of record in Book 3314, page 577, Register's Office, Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that all of wife's right, title and interest in and to a commercial lot located at 105 East Trinity Lane in Nashville, Tennessee, is vested out of wife and awarded to husband. Said commerical property shall hereinafter become the sole and exclusive property of the husband, free and clear from any further claim thereon by wife. Husband shall be responsible for the payment of any indebtedness that might exist against said property, and shall hold wife harmless from any further responsibility therefor. Said property is more particularly described as follows:

Land in the 12th, formerly the 17th Civil District of Davidson County, Tennessee, more particularly described according to a survey made by Stephen A. Draper, dated September 1st, 1954, as follows:

Beginning at an iron pin in the northerly margin of Trinity Lane, as widened, 192.8 feet east of the intersection of the easterly margin of Dickerson Road and the northerly margin of Trinity Lane, as widened; thence in a northerly direction north 19° 12' east 194.83 feet to an iron pin; thence in an easterly direction south 85° 10' east 135 feet to a fence post; thence in a southerly direction, south 19° 12' east 194.83 feet to an old stake and iron pin in the northerly margin of Trinity Lane, as widened; thence in a westerly direction north 85° 10' west along the northerly margin of Trinity Lane, as widened, 135 feet to the point of beginning.

Being the same property conveyed to Howard Cantrell and wife, Juanita Joyce Cantrell, by deed from W. A. Evitts and wife, Marjorie L. Evitts, of record in Book 4687, page 948, Register's Office, Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED that all of husband's right, title and interest in and to all of the household goods, contents and effects or furnishings now located at the

parties' home on 3127 Moorewood Drive, shall hereinafter become the sole and exclusive property of the wife, free and clear from any further claim thereon by husband. All husband's right, title and interest in and to such personal property is divested out of husband and awarded to wife.

It is further ORDERED, ADJUDGED and DECREED that all of wife's right, title and interest in and to husband's business known as Cantrell's Exxon Station, together with all equipment, including vehicles associated with said business, is divested out of wife and is awarded to husband, free and clear from any further claim thereon by wife. Husband shall assume the responsibility for the payment of any indebtedness or claim that might exist in respect to said business property or vehicles and shall hold wife harmless from any further responsibility therefor. All vehicles in the possession of the husband shall become the sole and exclusive property of husband, free and clear from any further claim by wife.

As alimony in futuro, it is ORDERED, ADJUDGED and DECREED that husband shall pay to wife the sum of One Hundred ($100.00) Dollars per week payable directly to wife on Monday of each week and payable until the death or remarriage of the wife. The first payment shall be due and payable on Monday September, 19, 1983, and thereafter, on each succeeding Monday until the death or remarriage of the wife.

As alimony in solido, it is ORDERED, ADJUDGED and DECREED that wife is granted judgment against husband for the balance of the outstanding mortgage indebtedness now existing against the homeplace of the parties heretofore referred to and located at 3127 Moorewood Drive. Said judgment is in the total amount of Five Thousand Four Hundred Seven and .09/100 Dollars ($5,407.09), which represents the current outstanding mortgage indebtedness against said property.

It is further ORDERED, ADJUDGED and DECREED, however, that husband shall be permitted to pay said judgment in monthly installments, representing the amount of the monthly house note obligation due and payable to the mortgage holder. If he so chooses,

husband shall continue to pay said mortgage indebtedness on a monthly basis until the same is paid in full. Should wife choose to sell said real property and to pay off the balance of the mortgage indebtedness thereon, then and in that event, the husband may continue to make monthly payments to the wife in the same amount of the previous monthly house payment to the mortgage company and said payments shall continue to be made to wife by husband until such time as husband has paid wife the equivalent of the mortgage indebtedness that wife paid to the mortgage holder at the time of the sale.

There being testimony presented to the Court by husband to the effect that he owed the Internal Revenue Service from Twelve to Fifteen Thousand ($12,000-15,000) Dollars and that said service had imposed a lien which included a lien on the parties' home at 3127 Moorewood Drive, it is further ORDERED, ADJUDGED and DECREED that husband shall take whatever steps as may be necessary to satisfy the lien in full, to hold wife harmless from any responsibility whatsoever in respect to the lien and to assure that the lien is either eradicated or removed from the property awarded to the wife and located at 3127 Moorewood Drive. In other words, it is the intention of this Court and it is accordingly ORDERED, ADJUGED and DECREED that wife shall receive the sole and exclusive title to the 3127 Moorewood Drive property, that husband will be responsible for the payment of the current mortgage indebtedness against said property, together with any back payments or taxes now owed and further, that husband shall take such steps as may be necessary to assure that the Internal Revenue Service does not enforce the aforementioned lien against said property or takes any step to make any monetary claim against said property.

It is further ORDERED, ADJUDGED and DECREED that a permanent injunction is issued enjoining the husband from coming about the wife at any place that she might be for the purpose of harming, bothering, molesting or harassing her and specifically from coming about her home at 3127 Moorewood Drive, from interfering with her peaceful occupancy of said home, or from doing anything to damage, destroy or devalue said home.

As a reasonable fee for services rendered wife in this cause and as additional alimony, it is further ORDERED, ADJUDGED and DECREED that the husband shall pay to Jack Norman, Jr., solicitor for wife, the sum of Seven Hundred Fifty ($750.00) Dollars for services rendered wife in this cause.

It is further ORDERED, ADJUDGED and DECREED that the husband shall be assessed with the costs of this cause for which execution may issue if necessary.

Entered this 22nd day of September, 1983.

Muriel Robinson

Muriel Robinson, Judge

APPROVED FOR ENTRY:

Jack Norman Jr.

Jack Norman, Jr., Attorney for Plaintiff/Wife

CERTIFICATE OF SERVICE

I certify that I have mailed a copy of this decree to Mr. Jack A. Butler, attorney for defendant/husband, to his office on the 12th Floor of the First American Center, Nashville, Tennessee 37238, on this the 15 day of Sept., 1983.

Jack Norman Jr.

Jack Norman, Jr.

I hereby certify that this is a true copy of original instrument filed in my office this 6 day of Oct 1983
GEORGE L. BOOKER Clerk
By Butler
Deputy Clerk

10/06 15.00- CHECK

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TN
OCT 6 3 39 PM '83

IDENTIF. REFERENCE

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