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GEORGE L. ROONER, CLERK

IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

PATRICIA GIVENS CALDWELL,] GW D.C. Map 136-6 Par. 4 Is
]
Plaintiff]
]
]
vs.] No. 83D-1489
]
] consolidated with
] No. 83D-1471
]
ROBERT EUGENE CALDWELL,]
]
Defendant]

BOOK 6253 PAGE 70

FINAL DECREE OF DIVORCE

These causes came on to be heard on the Fourth day of October, 1983, before the Honorable Hamilton Gayden, Judge of the First Circuit Court, upon the pleadings, prior Orders of the Court, testimony of the parties, exhibits introduced into evidence, statements of counsel for the parties, and the entire record. The Court finds that Mr. Caldwell's suit for divorce is not sustained by the proof, and is accordingly dismissed. The Court finds that Mrs. Caldwell's action for divorce is sustained by the proof, and she is accordingly granted an absolute divorce upon the grounds of cruel and inhuman treatment. The custody of the minor children is vested in Mrs. Caldwell with Mr. Caldwell having visitation rights at reasonable times and places. The Court announced its decision regarding disposition of the property and the same is hereinafter set out in this Decree.

It is therefore ORDERED, ADJUDGED AND DECREED that Mr. Caldwell's suit for divorce be and is hereby dismissed.

It is ORDERED, ADJUDGED AND DECREED that Mrs. Caldwell's divorce action is sustained by the proof, and an absolute divorce be and is hereby granted to Mrs. Caldwell upon the grounds of cruel and inhuman treatment, and the parties are restored to all of the rights and privileges of unmarried persons.

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M I N U T E S ON THE SEVENTEENTH DAY OF OCTOBER, 1983

It is further ORDERED, ADJUDGED AND DECREED that the custody of the two (2) minor children, Barry Caldwell and Vicki Caldwell, be and is hereby vested in Mrs. Caldwell with Mr. Caldwell having visitation rights at reasonable times and places.

It is further ORDERED, ADJUDGED AND DECREED that child support for the two (2) minor children be and is hereby fixed at ONE HUNDRED TWENTY ($120.00) DOLLARS per month which Mr. Caldwell will pay directly to Mrs. Caldwell, and which child support shall not be reduced upon the oldest child reaching the age of EIGHTEEN (18) but shall continue until the youngest child becomes EIGHTEEN (18) or is otherwise emancipated.

It is further ORDERED, ADJUDGED AND DECREED that Mr. Caldwell's interest in the home at 228 Clearlake Drive West, Nashville, Tennessee 37211, hereinafter more particularly described, is divested from him and his interest is reinvested in Mrs. Caldwell so that she will own the home in fee simple absolute and shall have the exclusive right of possession; however, a lien is declared in favor of Mr. Caldwell in the amount of TWENTY THOUSAND ($20,000.00) DOLLARS which shall not bear interest and shall not be subject to payment or enforcement until one of the following occurs: a) Mrs. Caldwell's remarriage, b) Mrs. Caldwell's death, c) a voluntary sale of the property, d) when the youngest child, Vicki Caldwell, becomes EIGHTEEN (18), or e) if the lien is not paid after the youngest child becomes EIGHTEEN (18), on July 10, 1986, the property will be sold within NINETY (90) days and the lien paid from the proceeds of the sale at that time. The said real estate is described more particularly as follows:

BEING lot No. 212 on the Map of Priest Lake Park, Section Four, as of record in book 4460, Page 17, Register's Office for Davidson Cty., Tennessee.

SAID Lot No. 212 fronts 79.63 feet on the northerly margin of Clearlake Drive and extends back on the westerly margin 149.0 feet and 134.92 feet on the easterly margin to a dead line in the rear which measures 146.87 feet, said line being a broken line.

IDENTIF. REFERENCE
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DAVIDSON COUNTY, TN
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BEING the same property conveyed to Ralph Stevens and Melvin Jones, d/b/a American Homes by deed from Randall Phillips, Trustee, as of record in Book 4588, Page 935, Register's Office for said County.

THIS conveyance is subject to restrictions as of record in Book 4505, Page 774, aforesaid Register's Office.

This is the same property conveyed to Robert Eugene Caldwell and Patricia Lynn Caldwell from Ralph Stevens and Melvin Jones on December 29, 1972, and is recorded in Book 4671 at page 693 in the Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that Mrs. Caldwell will retain all right, title and interest as her sole property the household furniture, fixtures and appliances in the residence at 228 Clearlake Drive, West, Nashville, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that Mrs. Caldwell will retain as her sole property the Pontiac automobile and the 1969 Chevrolet automobile, and Mr. Caldwell will convey title to Mrs. Caldwell to these vehicles so that Mrs. Caldwell will own them as her sole property.

It is further ORDERED, ADJUDGED AND DECREED that Mr. Caldwell will retain as his sole property the following items, and any right, title or interest of Mrs. Caldwell is the same is divested from her and the same reinvested in Mr. Caldwell, which items are: a) the stamp collection; b) the model train collection; c) the camera equipment; d) the power tools; e) the CertainTeed Credit Union account; f) the Una Baptist Church bonds; g) the Profit-Sharing Plan with CertainTeed Corporation; h) the Volkswagen automobile; i) the Third National Bank account; and j) the Nashville City Bank account.

It is further ORDERED, ADJUDGED AND DECREED that Mrs. Caldwell will claim and have the two (2) minor children as exemptions for Federal income tax purposes for the tax year 1983 and thereafter.

It is further ORDERED, ADJUDGED and DECREED that Mr. Caldwell is given 48 hours from the entry of this decree to vacate the residence at 228 Clearlake Drive.

OF OCT , 1983

It is further ORDERED, ADJUDGED AND DECREED that Mrs. Caldwell will be permitted to deduct the interest and taxes on the home at 228 Clearlake Drive, West, Nashville, Tennessee, for the tax year 1983 and thereafter.

It is further ORDERED, ADJUDGED AND DECREED that Mrs. Caldwell will be solely responsible for the balance of the mortgage on the home at 228 Clearlake Drive, West, Nashville, Tennessee, and that she will pay the balance owed on the VISA card account and the car note which is owed on the 1969 vehicle, and that Mr. Caldwell will be responsible for all other family obligations incurred through October 4, 1983.

It is further ORDERED, ADJUDGED AND DECREED that the costs of this cause be and are hereby taxed against Mr. Caldwell.

Enter this 17th day of October, 1983.

JUDGE

APPROVED FOR ENTRY:

JOHN W. NOLAN, III
Attorney for Mrs. Caldwell
214 Third Avenue North
Nashville, TN 37201

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded to Gen. Howard Butler, Attorney at Law, First American Center, Nashville, TN 37238, this the 7th day of Oct., 1983.

JOHN W. NOLAN, III

mail
John W. Nolan III
214 3rd ave N.
37201

CASE NO. 83D-1489 FIRST CIRCUIT 10-17-83 MB 156B, PAGE 1753

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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Patricia Givens Caldwell *Plaintiff, and* Robert Eugene Caldwell *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* 19th *day of* March *in the year one thousand nine hundred and* eighty-four *and in the* 208th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Karen Rooker, *D. C.*

Form #GR-117