2701179

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED

1984 NOV -1 PM 12:00

GEORGE L. ROCKER, CLERK

PHYLLIS HAYNES,)

PLAINTIFF,)

VS.) NO. 84D-574

WILLIE MILTON HAYNES,) D. Bayne D.C.

DEFENDANT.)

72-13-79

FINAL DECREE

BOOK 6418 PAGE 771 lk

This cause came to be heard on the 30th day of October, 1984, before the Honorable James R. Everett, Judge of the Probate Court for Davidson County, Tennessee, upon plaintiff's complaint for absolute divorce, defendant's answer thereto, testimony of the plaintiff and her two witnesses, with no testimony offered by the defendant, who appeared in court with counsel, statements of counsel and the entire record, from all of which the Court finds that the allegations in the plaintiff's complaint are sustained by the proof and that the defendant is guilty of refusing or neglecting to provide for the plaintiff as to entitle her to an absolute divorce.

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, Phyllis Haynes, be and is hereby awarded an absolute divorce from the defendant and that she be restored to all the rights and privileges of an unmarried person and that the bonds of matrimony heretofore existing between the parties be hereby perpetually dissolved.

It is further ORDERED that the defendant, Willie Milton Haynes, be and is hereby divested of all right, title and interest, whether obtained by way of the deed or through his marital interest, in the parties home, located at 1007 McClurkin Avenue, Nashville, Davidson County, Tennessee, with the full legal description as set forth below and said right, title and interest in said property be vested in the plaintiff, Phyllis Haynes, in fee simple. The legal description to said property is as follows:

Being Lot No. 86 on the plat of TREVACA SUBDIVISION of Renraw, as of record in Book 421, pages 72 and 73, Register's Office for Davidson County, Tennessee.

Said Lot No. 86 fronts 50 feet on the northerly side of McClurkin Avenue and runs back between parallel lines 155 feet to any alley.

Being the same property conveyed to Wilie M. Haynes and wife, Phyllis M. Haynes be deed recorded simultaneously herewith.

It is further ORDERED that the defendant shall remove himself and all of his personal property by Friday, November 2, 1984, and that on November 3, 1984, plaintiff shall have the right of immediate possession of said premises.

It is further ORDERED that all personal property which remains in plaintiff's home, located at 1007 McClurkin Avenue, Nashville, Davidson County, Tennessee, as of November 3, 1984, be the sole and separate property of plaintiff.

It is further ORDERED that all other personal property, including a 1972 Oldsmobile Cutlass automobile, currently titled to and in plaintiff's possession and a 1975 Dodge automobile and a Chevrolet van, currently titled to and in defendant's possession, that is in the possession of either of them as of the date of the entry of the final decree of divorce be the sole and separate property of the party so possessing it.

It is further ORDERED that plaintiff have and recover the amount of one thousand dollars ($1,000.00) against the defendant, as total compensation for plaintiff's prior educational loans to defendant, for which execution may issue if necessary.

It is further ORDERED that the amount of one thousand dollars ($1,000.00) be paid at the rate of seventy-five dollars ($75.00) per month, beginning December 1, 1984, and payable directly to plaintiff's attorney on each and every month thereafter, until paid in full.

It is further ORDERED that plaintiff's maiden name of Phyllis Marie Smith, be restored as her legal name.

It is finally ORDERED that all costs of this proceeding be assessed against the defendant, for which execution may issue if necessary.

Enter this the 31 day of Oct, 1984.

JAMES E. EVERETT, Judge

BOOK 6418 PAGE 773

APPROVED FOR ENTRY:

STEPHEN W. PATE
Attorney for Plaintiff

LIONEL R. BARRETT, JR., P.C.
Fifth Floor
207 Third Avenue, North
Nashville, Tennessee 37201
(615) 254-1471

George H. Cate, Jr.
GEORGE H. CATE, JR.
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing motion was mailed to Mr. George H. Cate, Jr., Attorney for Defendant, 1101 Stahlman Building, Nashville, Tennessee 37201, on this the 31st day of October, 1984.

STEPHEN W. PATE

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IDENTIF. REFERENCE

BOOK 6418 PAGE 774

Nov 2 4 17 PM '84

REGISTER
DAVIDSON COUNTY, TN

RUSH

STATE OF TENNESSEE

I, **GEORGE L. ROOKER,** *Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the* Probate *Circuit Court for Davidson County, Tennessee, on the* 1st. *day of* November, *19*84, *in Case Number* 84D-574 *between* Phyllis Haynes *Plaintiff, and* Willie Milton Haynes *Defendant, as same remains of record in Book* 29B, *Page* 1293 *of the Minutes of said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 2nd. *day of* November *in the year one thousand nine hundred and* Eighty-Four *and in the* 209th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By D Tucker *D.C.*