1210/2584

FILED

1981 JUL 21 AM 7:48

GEORGE L. ACKERMAN, CLERK

K. Loxley D.C.

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

BOOK 6434 PAGE 717

ELAINE HARVEY LOVETT)
)
)
VS.) NO. 81D-1032
)
)
BOBBY LEE LOVETT)

32-15
22

D E C R E E

This cause came on to be heard before the Honorable Benson Trimble, Judge, Division IV of the Circuit Court of Davidson County, Tennessee, on July 17, 1981, upon the original complaint heretofore filed in this cause, personal service of process and default judgment granted on April 28, 1981, the defendant having failed to file responsive pleading within the time required by law. Following the testimony of the plaintiff, her corroborating witnesses, statement of counsel and a consideration of the trial record in the cause, the Court is of the opinion that the plaintiff did sustain her grounds for divorce, that is that the defendant has been guilty of such cruel and inhuman treatment as renders further cohabitation between the parties unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, ELAINE LOVETT, is awarded an absolute divorce from the defendant, BOBBY LEE LOVETT, 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.

It is further ORDERED, ADJUDGED and DECREED that the absolute care, custody and control of the minor children of the parties, to wit, Bridgett and Kenyatta, is vested in in the plaintiff with the right and privilege of the defendant to see and visit said children at reasonable times and places.

11/28 12.00- CHECK

472

As support for said children, the defendant shall pay to the plaintiff the sum of Three Hundred Dollars ($300.00) per month due and payable on or before the first day of each month subsequent to the entry of this decree, and with the first payment being due and payable on August 1, 1981 for the month of August, 1981. Said payments shall continue to be due and payable pursuant to further orders of the Court.

It is further ORDERED, ADJUDGED and DECREED and subject to the terms and conditions hereinbelow set forth that all of defendant's right, title and interest in and to the home of the parties located at 4209 Grandville Boulevard as is now vested in the defendant shall be divested from the defendant and said property shall hereafter become the absolute property of the plaintiff, free and clear from any further claim thereon by the defendant with the exception of the lien hereinbelow set out. The plaintiff shall assume the responsibility for the mortgage indebtedness existing against said property and shall hold defendant harmless from any further responsibility therefor. Said property is more particularly described as follows:

> LAND in Davidson County, Tennessee, being Lot Number 3, on the Plan of Grande Villa, Section One, as of record in Book 4675, Page 30, Register's Office for said County. For a more complete description, reference to said plan is hereby made.
>
> Being the same property conveyed to Bobby L. Lovett and wife, Elaine Lovett, by deed from Kyle R. Weems, Trustee, of record in Book 5131, Page 683, Register's Office, Davidson County, Tennessee.

In addition thereto, all of defendant's right, title and interest in and to the household furnishings and effects now located at said property shall be divested out of defendant and said furnishings and effects shall become the absolute property of the plaintiff, free and clear from any further claim thereon by the defendant.

The Court having determined that the parties have a current equity in said aforementioned homeplace in the amount of $50,000.00, and that as an equitable division of their properties, that defendant should be awarded a lien against said property in the amount of $25,000.00, but that said lien should not be enforceable until the 18th birthday of the youngest child of the parties and should be non-interest bearing, it is, therefore, ORDERED, ADJUDGED and DECREED that defendant is awarded a lien against said real property in the total amount of $25,000.00. Said lien shall be non-interest bearing. The defendant shall be specifically enjoined from enforcing said lien until the 18th birthday of the youngest child or until the plaintiff should sell the property or remarry, whichever occurs first, it being the intention of the Court to permit the plaintiff and her two minor children to continue to reside in said property until the 18th birthday of the youngest child if they so desire.

Each party will retain the automobiles in their possession, free and clear from any claim thereon by the opposing party, and each party shall sign such documents as may be necessary to transfer title of the said automobiles solely into the name of the party now in possession thereof.

The defendant shall pay to Jack Norman, Jr., Solicitor for the plaintiff, the sum of Five Hundred Dollars ($500.00) as his reasonable fee for services rendered the plaintiff in this cause. The defendant shall also pay the costs of this cause, all for which execution may issue if necessary.

Enter this 21 day of July, 1981.

JUDGE

APPROVED FOR ENTRY:

Jack Norman, Jr.
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I certify that I have sent a copy of this decree to the defendant, Bobby Lee Lovett, to his address at 4209 Grandville Boulevard, Nashville, Tennessee, 37207, on this 10 day of July, 1981.

Jack Norman, Jr.

Jack Norman, Jr.

BOOK 6434 PAGE 720

I 6 6 2 2 7

IDENTIF. REFERENCE

Nov 28 12 52 PM '84

FEE $ 0.50 RECORDED & INDEXED
REGISTER
DAVIDSON COUNTY, TN

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* FOURTH *Circuit Court for Davidson County, Tennessee, on the* 21st. *day of* July, *19* 81, *in Case Number* 81D-1032 *between* Elaine Harvey Lovett *Plaintiff, and* Bobby Lee Lovett *Defendant, as same remains of record in Book* 121C, *Page* 2584 *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* 28th. *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.*

Form #GR-117