2-24-69

BOOK 6471 PAGE 911 608/744

MAP AND PARCEL
83-10-224

MARGIE CRISWELL McMURTRY, Complainant	)	IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE
vs.	)	
IRVIN McMURTRY, Defendant	)	No. 53302

FINAL DECREE

This cause came on to be heard the 24th day of February, 1969, before the Honorable Shelton Luton, sitting by interchange for the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the original bill of the complainant, answer of the defendant, and the testimony of witnesses heard in open Court, and it appearing to the satisfaction of the Court that the defendant, Irvin McMurtry, is guilty of such cruel and inhuman treatment or conduct towards complainant as to render further cohabitation unsafe and improper.

It is, therefore, ORDERED, ADJUDGED and DECREED THAT the complainant, Margie Criswell McMurtry, be and she hereby is granted an absolute divorce from the defendant, Irvin McMurtry, and restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the complainant and the defendant have previously executed a property settlement agreement which document has been filed and made a part of the record in this cause, and which is in words and figures as follows:

4595 .0410 18.00- CHECK
1:7:59 7.1
IDENTIF. REFERENCE
JAN 10 11 19 AM '69
FELIX WILSON II REGISTER
DAVIDSON COUNTY, TN

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT made and entered into this 12TH day of December, 1968, by and between Margie Criswell McMurtry and Irvin McMurtry, both of Nashville, Davidson County, Tennessee.

WHEREAS, the parties are presently man and wife and Margie Criswell McMurtry has filed a bill for divorce against Irvin McMurtry, and

WHEREAS, the parties are entering into this agreement for the sole purpose of assisting the Court in making a distribution of the jointly owned property in the event Margie Criswell McMurtry is successful in obtaining a divorce;

NOW, THEREFORE, it is mutually agreed as follows:

1. Margie Criswell McMurtry will retain possession of all household furnishings in the home place of the parties located at 1700 Ordway Place, Nashville, Tennessee.

2. It is understood and agreed that title to the real property located at 1700 Ordway Place, Nashville, Tennessee and real property located at 1609 Gartland Avenue, Nashville, Tennessee, both of pieces of property now held as an estate by the entireties and in the joint names of the parties, will be divested out of Irvin McMurtry and vested in Margie Criswell McMurtry, free of any claims by the said Irvin McMurtry. Irvin McMurtry agrees to pay the balance of the mortgage on the property at 1609 Gartland Avenue.

3. It is understood and agreed that title to real property owned by the parties at 1607 Gartland Avenue, Nashville, Tennessee and 15 acres of land in Sumner County, Tennessee will be vested in Irvin McMurtry and any right, title and interest that Margie Criswell McMurtry has in and to said property will be divested out of her and into Irvin McMurtry free of any claims by the said Margie Criswell McMurtry.

4. It is understood and agreed as set out in paragraph 1 that Margie Criswell McMurtry will retain title to all of the household furniture with the exception of one bedroom suite which will go to Irvin McMurtry, said bedroom suit to be agreed upon by the parties.

5. Irvin McMurtry agrees to pay to Margie Criswell McMurtry the sum of $10.00 per week from and after the signing of this agreement as support of the minor child of the parties. It being specifically agreed and understood that Irvin McMurtry will pay any doctors or dental bills as well as any necessary medical expenses such as medication, drugs, hospitalization in the event the minor child should become sick or disabled, said amounts will be in addition to the $10.00 which is only to go for support and maintenance of the minor child.

IN WITNESS WHEREOF, we have hereunto set our hands this 12TH day of December, 1968.

It is understood that this agreement is not an agreement to obtain or not to obtain a divorce nor does it in any

way affect the rights of the parties to prosecute his or their suits for divorce in the Fourth Circuit Court or Probate Court of Davidson County or the right of the other party to defend same if such action should be filed, but is simply and solely a property settlement agreement to be submitted to the Court for approval in the event either of the parties should obtain a divorce within the next calendar year.

Margie McMurtry
MARGIE CRISWELL McMURTRY

WITNESS:
J C Summers

Irvin McMurtry
IRVIN McMURTRY

WITNESS:
George Farris

And the Court being satisfied that the above set forth agreement is in all things proper and should be approved,

It is, therefore, ORDERED, ADJUDGED and DECREED that the property settlement agreement executed by the complainant and the defendant, the contents of which document are set forth verbatim herein above, be, and it is hereby, approved in all things and made the judgment of this Court as fully and completely as though each and every item therein had been separately adjudicated herein.

It further appearing to the Court that the solicitor of record for the complainant, has rendered valuable services, and that a reasonable fee for such services in the amount of $150.00 should be paid by the defendant, Irvin McMurtry, a judgment is hereby awarded for such fee against the defendant, for which execution may issue if necessary.

The defendant, Irvin McMurtry, will pay the costs in this cause for which execution may issue if necessary.

Walter Luton
JUDGE

Approved for Entry:

J C Summers
Solicitor for Complainant

George Fazio
Solicitor for Defendant

I CERTIFY THAT A COPY OF THE FOREGOING INSTRUMENT HAS BEEN DELIVERED OR MAILED, POSTAGE PREPAID TO ADVERSARY COUNSEL.

THIS 27 DAY OF Feb, 1969

HOWSER, THOMAS & SUMMERS

BY J C Summers

STATE OF TENNESSEE

BOOK 6471 PAGE 916

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* Twenty-fourth *day of* February, *19* 69, *in Case Number* 53302 *between* Margie Criswell McMurtry *Plaintiff, and* Irvin McMurtry *Defendant, as same remains of record in Book* 60B, *Page* 784 *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* 9th *day of* January *in the year one thousand nine hundred and* eighty-five *and in the* 209th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Becky Allen *D.C.*

Form #GR-117