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FILED
1983 MAR 28 AM 7:47
GEORGE L. RACHFORD, CLERK
D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FRANCES JANELLE COOK SLOAN)
)
V.) NO. 82D-3195
)
JAMES LEE SLOAN)

82-2-38

FINAL DECREE

This cause came on to be heard February 7, 1983, before the Honorable James R. Everett, Jr., Judge of the Probate Court of Davidson County, Tennessee sitting by interchange for the Fourth Circuit Court of Davidson County, Tennessee, upon the original complaint of the wife, Frances Janelle Sloan, answer and cross-complaint of the husband, statement in open Court that the parties had reached an agreement and that the matter was to be tried as a non-contested divorce, the answer and cross-complaint of the husband being withdrawn, witnesses introduced in open Court, statement of counsel, and the entire record in this cause, from all of which the Court was of the opinion that the allegations contained in the original bill were fully sustained, that is, that the husband has been guilty of such cruel and inhuman treatment or conduct towards the wife, as renders cohabitation unsafe and improper.

It is therefore, ORDERED, ADJUDGED and DECREED by the Court that the wife be, and she is hereby granted an absolute divorce from the husband and restored to all the rights and privileges of an unmarried person.

The Court took the matter under advisement for the purpose of making a disposition of the property of the parties with instructions to counsel for both parties to file affidavits, which they did, and thereafter, and on February 24, 1983 the Court issued a Memorandum Opinion to which reference is here made, and which made a disposition of the balance of the property of the parties.

It is therefore, ORDERED, ADJUDGED and DECREED that whatever right, title or interest that the wife has or may have in the hereinafter described real estate be, and the same is hereby divested out of her and vested in the husband as his sole property:

> Land in Davidson County, Tennessee, being Lots Nos. 183, 184 and 185 of the Map of Highland Land Company's Subdivision, of record in Book 421, page 14, Register's Office for Davidson County, Tennessee
>
> Said Lots adjoin and front together 75.0 feet on the westerly side of Stainback Avenue and run back between parallel lines 175.0 feet to an alley.
>
> Being the same property conveyed to James Lee Sloan and wife, Frances J. Sloan by deed from Gibb Cook of record in Book 5226, page 775, R.O.D.C.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the husband has or may have in the hereinafter described real estate be, and the same is hereby divested out of him and vested in the wife as her sole property:

> Tract No. 1
>
> Land in Davidson County, Tennessee, being the easterly 1/2 of Lot No. 47 on the Plan of Trinity Heights Addition, as of record in Book 161, page 38, Register's Office for said County.
>
> Said part of said Lot No. 47 fronts 50 feet on the northerly side of Marshall Avenue and extends back between parallel lines 150 feet to an alley.
>
> Being the same property conveyed to James L. Sloan by deed from William Tomlin, Jr. and wife, Ramona Tomlin of record in Book 5683, page 392, R.O.D.C.
>
> Tract No. 2
>
> Lane in Davidson County, Tennessee, being Lot No. 6 on the Plan of Golden Valley Estates, Section 1, as of record in Book 4175, page 142, Register's Office for said County.
>
> Said Lot No. 6 fronts 56 feet on the southerly side of Richmond Hill Drive and runs back between parallel lines 150 feet to a dead line in the rear.
>
> INCLUDED in the above description but EXPRESSLY EXCLUDED therefrom is that portion of the property conveyed to the State of Tennessee, by deed from Harry B. Swift, Sr., and wife,

Audrey B. Swift, of record in Book 4655, page 843, Register's Office for Davidson County.

Being the same property conveyed to James L. Sloan and wife, Frances Janelle Sloan, by deed from Charles Edward Moore and wife Sheryl Lynn Moore of record in Book 5636, page 464, Register's Office for Davidson County, Tennessee.

Tract No. 3

Land in Davidson County, Tennessee, being Lot No. 29 on the Plan of J. R. Love and E. A. Hall's Subdivision of a part of the Brown Tract, as of record in Book 421, page 130, Register's Office for said County.

Said Lot No. 29 fronts 50 feet on the southwesterly side of Whites Creek Pike and runs back between parallel lines 150 feet to a dead line.

Being the same property conveyed to James Lee Sloan and wife, Frances Janelle Sloan by deed from Jewell B. Davis, unmarried, of record in Book 5666, page 830, R.O.D.C.

It is further ORDERED, ADJUDGED and DECREED by the Court that the parties will assume any mortgage indebtedness on the respective tracts of real estate which the Court has awarded them, if in fact any mortgage indebtedness exists on the same.

It is further ORDERED, ADJUDGED and DECREED that the wife will be allowed to collect any rents collected on the properties awarded to her by the Court.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Certificate of Deposit in the amount of $13,000.00 be, and the same is hereby awarded to the wife as her sole property.

It is further ORDERED, ADJUDGED and DECREED by the Court that the automobiles now being driven by each respective party be, and the same is hereby awarded to them individually and each party will execute all papers necessary to effectuate said change of title, as need be.

It is further ORDERED, ADJUDGED and DECREED by the Court that the furniture and household furnishings of the parties be, and the same are hereby divided equally between the parties.

It is further ORDERED, ADJUDGED and DECREED by the Court that each party will be responsible for their own attorney fees.

It is further ORDERED, ADJUDGED and DECREED by the Court that the costs of this cause will be divided equally between the parties, for which execution may issue if necessary.

ENTER this 24th day of March, 1983.

JUDGE
By Interchange

APPROVED FOR ENTRY:

Howard F. Butler
HOWARD F. BUTLER, Attorney for Wife

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree was forwarded to the Hon. Sam E. Wallace, Attorney for husband, 500 Stahlman Building, Nashville, TN 37201, this 22. day of March, 1983.

Howard F. Butler

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IDENTIFICATION REFERENCE

Aug 23 10 53 AM '85

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

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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* twenty-eighth *day of* March, *19* 83, *in Case Number* 82D-3195 *between* Frances Janelle Cook Sloan *Plaintiff, and* James Lee Sloan *Defendant, as same remains of record in Book* 129B, *Page* 1133 *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* 20th *day of* August *in the year one thousand nine hundred and* eighty-five *and in the* 210th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Virginia Lowry *D.C.*

Form #GR-117