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GEORGE L. ROOKER, CLERK

K. Langford D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, NASHVILLE

JAMES C. MERRITT)
)
VS.) No. 85D-1766
)
VERA F. MERRITT)

MGP-117-4-227 par mc

MGP-105-13- Par-3 98

FINAL DECREE OF DIVORCE

BOOK 6682 PAGE 98

This cause came to be heard on the 18th of September, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the original Complaint for Divorce and Counter-Complaint, Answer to the Counter-Complaint, testimony of the parties, testimony of witnesses on behalf of the Defendant and Counter-Complainant, statements of counsel and the entire record, from all of which the Court found the original Complaint should be denied and that the Counter-Complaint for Divorce should be granted on the grounds of cruel and inhuman treatment. The Court further found that alimony in futuro was not appropriate and commended the Defendant and Counter-Plaintiff for providing for her children and herself in an excellent fashion.

The Court further found that Vera F. Merritt should obtain free and clear title to the farm property that she owned and the rental property she owns in Columbia, Tennessee and that James C. Merritt should retain free and clear title to the property which he inherited from his mother. Each party was to obtain ownership of their separate bank accounts, savings at various credit unions, and each individual would retain sole ownership of their automobiles. The Court further found that Vera F. Merritt should retain sole ownership of the household furniture. The Court found that title to the property located at 909 Lawrence Avenue should be divested out of Vera F. Merritt and vested solely in James C. Merritt. The Court further found that title to the property located at 1808 Cedar Lane should be divested out of James C. Merritt and vested solely in Vera F. Merritt. The Court further found that James C. Merritt should be required to pay off the mortgage against

the real estate located at 1808 Cedar Lane in an approximate amount of $8,500, which amount would constitute a portion of the property division and be considered alimony in solido. In the event that Vera F. Merritt sells the Cedar Lane property, James C. Merritt shall owe her the unpaid balance against the property at the time of the sale. The Court found that sole title to the Hamilton Funds should be awarded to James C. Merritt and further found that James C. Merritt should retain Vera F. Merritt as his sole beneficiary on the life insurance policy on which she presently appears as James C. Merritt testified.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the original Complaint for Divorce shall be and is hereby denied, further, IT IS ORDERED that Vera F. Merritt shall be and is hereby awarded a divorce from James C. Merritt on the grounds of cruel and inhuman treatment pursuant to T.C.A.§36-4-102(a)(1).

IT IS FURTHER ORDERED that Vera F. Merritt shall retain sole title to the farm property she acquired before the marriage and sole title to the rental property she owns in Columbia, Tennessee, and James C. Merritt shall retain sole title to the inherited property from his mother located at 1619 16th Avenue North, Nashville, Tennessee and 1035 Monroe Avenue, Nashville, Tennessee. Each party shall retain such ownership free and clear of any claims from the other party.

IT IS FURTHER ORDERED that each party shall retain sole ownership free and clear of the claims of the other party to their individual bank accounts and savings in their respective credit unions and that each party shall retain free and clear from the claims of the other party ownership of their respective automobiles.

IT IS FURTHER ORDERED that Vera F. Merritt shall be and is hereby awarded sole ownership of all of the items of personalty located at 1808 Cedar Lane, Nashville, Tennessee.

IT IS FURTHER ORDERED that all right, title, and interest to the real property at 1909 Lawrence Avenue shall be and is hereby divested out of Vera F. Merritt and vested solely in

James C. Merritt, said property being more fully described as follows:

> Land in Davidson County, Tennessee, being the easterly 40 feet of Lot No. 7 and the westerly half of Lot No. 8 on the Map of Waldkirch's Subdivision of Lots 8 and 9, in the W.L. B. Lawrence Plan, as of record in Book 421, page 90, Register's Office.
>
> Said part of said Lots front together 65 feet on the southerly side of Lawrence Avenue, and run back between parallel lines, 160 feet to an alley.
>
> Being the same property conveyed to James Clinton Merritt and wife, Vera Patrick Merritt, by installment deed from Fannie Mai Baker, a widow, as of record in Book 3847, Page 433, Register's Office, Davidson County, Tennessee.

IT IS FURTHER ORDERED that all right, title, and interest to the real estate located at 1808 Cedar Lane, Nashville, Tennessee, shall be divested out of James C. Merritt and vested solely in Vera F. Merritt, said property being more fully described as follows:

> Land in Davidson County, Tennessee, being Lot Nos. 76 and 77 on the Plan of Belmont Terrace of record in Book 421, Page 101, Register's Office for Davidson County, Tennessee, which lots are also known as part of Tract I on the lands of A. B. Montgomery, deceased of record in Plan Book 1, Page 22, Chancery Court of Nashville and described according to a survey by William Collier Parrish Associates, Engineers, dated October 30, 1956, as follows:
>
> Beginning at an iron stake at the northeast corner of Hawthorne Place and Cedar Lane which iron stake is 402 feet 8 inches, more or less each of the easterly margin of Battery Place; thence with the margin of Hawthorne Place northerly 161.4 feet to an iron stake in the south margin of a 5 foot reserve strip for water main; thence along the margin of said 5 foot strip easterly 104.4 feet to an old iron stake in the northern margin of Cedar Lane; thence with the margin of the same westerly 140.6 feet to the point of beginning.
>
> Being the same property conveyed to J. C. Merritt and wife, Vera Merritt by deed from Jessie D. Eatherly and wife, Daisy Eatherly, as of record in Book 4386, Page 815, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED that Vera F. Merritt shall be awarded alimony in solido against James C. Merritt equal to the amount of the outstanding mortgage against the real estate located at 1808 Cedar Lane, Nashville, Tennessee in the approximate amount of $8,500, said mortgage to be paid by James

C. Merritt at the monthly rate which the terms of the mortgage require until the mortgage has been paid in full, but in the event that Vera F. Merritt shall sell such real estate before the mortgage has been fully paid off, James C. Merritt shall owe Vera F. Merritt the unpaid balance against the real estate located at 1808 Cedar Lane at the time of the sale.

IT IS FURTHER ORDERED that all right, title, interest to the Hamilton Fund, Account NO. 019867701-1 shall be and is hereby awarded solely to James C. Merritt and all right, title, and interest to said fund is divested out of Vera F. Merritt.

IT IS FURTHER ORDERED that James C. Merritt shall be and is hereby required to maintain Vera F. Merritt as his sole beneficiary on the life insurance policies on his life with the League Central Credit Union in the amount of $500, and with the Educators Credit Union in the amount of $500, and with Loyal American in the amount of $1,100, and with Metro Teachers Insurance in the amount of $1,100, and with the Educators Credit Union in the amount of $1,100, a total of $4,300 life insurance benefits and to the extent that such insurance is not in effect at the time of the death of James C. Merritt, and Vera F. Merritt survives, she shall be entitled to claim against his estate an amount equal to $4,300 less any insurance benefits she does receive.

IT IS FURTHER ORDERED that James C. Merritt shall pay all costs incurred in this cause for which execution may issue if necessary.

ENTERED this the 15th day of Oct., 1985.

JUDGE

APPROVED FOR ENTRY:

Carol L. McCoy 9-23-85

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4 4 4 4 1:

IDENTIFICATION REFERENCE

OCT 15 11 47 AM '85

FELIX Z. WILSON II 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* First *day of* October, *19* 85, *in Case Number* 85D-1766 *between* James C. Merritt *Plaintiff, and* Vera F. Merritt *Defendant, as same remains of record in Book* 147C, *Page* 2134 *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* 10th *day of* October *in the year one thousand nine hundred and* Eighty-Five *and in the* 210th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Virginia Kaary *D.C.*

Form #GR-117