STATE OF TENNESSEE

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128A/637

IN THE THIRD CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

1984 MAR 28 PM 12:51

GEORGE L. ROSKER, CLERK

BARBARA ANNETTE KING :

vs. : No. 83D-1678

DUDLEY WYATT KING, SR. : Map 163

Par 96.01

FINAL DECREE

This cause came on to be heard on March 15, 1984 before the Honorable Joe C. Loser, Jr., Judge of the Third Circuit Court of Davidson County, Tennessee, upon original complaint for absolute divorce filed by wife, answer and counter-complaint filed by husband and after testimony of the parties, their witnesses, introduction of exhibits, statement of counsel and all of the proof in this cause, the Court was of the opinion that wife should be granted an absolute divorce on the grounds of cruel and inhuman treatment and that husband's counter-complaint should be dismissed. Further, as alimony in solido wife is awarded the house and lot or homeplace belonging to the parties together with the contents of said home. Husband is awarded all right, title and interest to the King Plumbing Company business and will pay wife the amount of $120,000.00 for her 40% interest in said corporation. Both husband and wife are awarded a one-half undivided interest in the parties unimproved property in Bellevue, Davidson County, Tennessee, as well as one-half undivided interest in the property owned by the parties in Texas. In addition, each party is awarded one-half interest in the Blair Boulevard property mortgage, which monies are being paid to husband and wife by the purchasers of said property. In addition, each party is awarded a one-half interest in the church bonds belonging to the parties. Further, wife is awarded all right, title and interest to the 1978 Lincoln automobile and husband is awarded all right, title and interest to the Chevrolet El Camino automobile. Further, each party is awarded their own jewelry and personal effects. Wife is awarded all right, title and interest to the Fidelity Federal Account and

any other cash that she has in her possession or her name in any banking institution and husband is likewise awarded any cash that he has in any banking institution in his name. Husband is awarded all right, title and interest to the motor home, fishing boat and gun collection. Further, Husband is awarded all equipment in connection with his business which includes the trucks, vehicles, backhoe, etc. Husband will pay the costs of this cause. It is therefore

ORDERED by the Court that wife is granted an absolute divorce on the grounds of cruel and inhuman treatment and restored to all the rights and privileges of an unmarried person. It is further

ORDERED by the court that Husband's counter-complaint be and the same is hereby dismissed. It is further

ORDERED by the Court that as alimony in solido wife is awarded all right, title and interest to the homeplace and real property belonging to the parties together with the contents of said home. The property now vested in wife to be hers absolutely is described in words and figures as follows:

Two tracts of land in Davidson County, Tennessee;

TRACT NO. I:
A tract of land in the 2nd Civil District of Davidson County, Tennessee, described according to a survey made by Hickerson and Hickerson, Engineers, October 15, 1964, as follows:
BEGINNING at a point on the southeasterly margin of Rural Hill Road at the southwest corner of the property conveyed to Earl Cullum and wife, by deed from Brentwood Estates, Inc. of record in Book 3803, page 36, Register's Office for said county; thence with said Cullum's southern boundary line, South 68°05' East 1,098.2 feet to an iron pin in fence row; thence South 2° 45' West 173 feet to an iron pin; thence North 65° 45' East 1,235 feet to the southeasterly margin of Rural Hill Road; thence with the same, North 51° 00' East 162.7 feet to the beginning, containing 4.5 acres, more or less. Being the same property conveyed to Earl Cullum and wife, Mattie B. Cullum, by deed from Brentwood Estates, Inc., of record in Book 3828, Page 349, Register's Office for said County.

TRACT NO. II:
Land in the 2nd Civil District of Davidson County, Tennessee, described according to a survey made by Hickerson & Hickerson, Engineers, July 23, 1964, as follows:
BEGINNING at an iron pin on the southeasterly margin of Rural Hill Road, 462 feet northeasterly from the northwest corner of the property conveyed to Richard L. Lasater, Jr. and wife, by deed from Edward P. McLendon and wife, of record in Book 3647, page 413, Register's Office for said county; thence South 68° 05' East 1,098.2 feet to an iron pin in a fence row; thence with said fence row 2° 45' East 235 feet to an iron pin; thence North 66° 25' West 885.5 feet to an iron pin on the southeasterly margin of said road; thence with same, South 51° West 275 feet to the beginning, containing 5.3 acres, more or less.
Included in the above described property but specifically excluded therefrom is the following tract of land:
Land in the 2nd Civil District of Davidson County, Tennessee, described according to a survey made by Morton-Robertson & Associates, Inc., May 20, 1970, as follows:
BEGINNING at an iron pin on the southeasterly margin of Rural Hill Road, said point being the common corner of the property conveyed to James R. Scott and wife, Shirley Scott, by deed from Earl Cullum and wife, of record in Book 4192, page 531, Register's Office for said County, thence with the line between said Scott and Cullum, South 66° 25' East 302.95 feet to a fence corner; thence South 39° 18' West to a fence corner; thence North 57° 24' West 293.61 feet, more or less, to the point of beginning, containing 0.163 acres, more or less.
Being part of the property conveyed to Dudley King, Sr. and wife, Barbara King, of record in Book 4586, page 366, Register's Office of Davidson County, Tennessee.

It is further **ORDERED** by the Court that Husband is awarded all right, title and interest to the King Plumbing Company business and will pay wife the amount of $120,000.00 for her 40% interest in said corporation. It is further

ORDERED by the Court that both husband and wife are awarded a one-half undivided interest in the parties' unimproved property in Bellevue, Davidson County, Tennessee. The property now vested in the parties as tenants in common is described in words and figures as follows:

> Land in Davidson County, Tennessee, described according to a survey by A & A Engineers, Inc., dated February 21, 1977, Job No. 668-75, as follows: Beginning at an iron pin located in the northern margin of Indian Springs Road, said point being 325.0 feet north of the northern right-of-way margin of Harpeth Valley Drive; thence North 60° 56'05" West 1,023.08 feet to a point; thence North 76° 43' 46" West 992.30 feet to a point; thence North 4° 29'27" East 715.05 feet to a point; thence South 57°10'21" East 2,165.40 feet to a point; thence South 46°00'38" East 238.78 feet to a concrete monument in the northern margin of Indian Springs Road; thence with the margin of said Road in

a southwesterly direction 123.83 feet to the point of beginning, said tract containing 16.13 acres, more or less.

BEING the same property conveyed to King Plumbing Company from Gail Pigg, Trustee, as of record in Book 5206, Page 107, R.O.D.C.

It is further ORDERED by the Court that both husband and wife are awarded a one-half undivided interest in the property heretofore owned by the parties in the State of Texas and for which Husband is receiving an annual payment following the sale of said property. Husband and wife shall be entitled to divide the proceeds that Husband receives annually on an equal basis. It is further

ORDERED by the Court that Husband and Wife are both awarded a one-half interest in the Blair Boulevard property mortgage which monies are being paid to the parties by the purchasers of said property on a monthly basis. Husband and wife are entitled to share on an equal basis the amount of said monthly payment. It is further

ORDERED by the Court that each party is awarded a one-half interest in the Church Bonds belonging to the parties. It is further

ORDERED by the Court that Wife is awarded all right, title and interest to the 1978 Lincoln automobile. It is further

ORDERED by the Court that Husband is awarded all right, title and interest to the Chevrolet El Camino automobile. It is further

ORDERED by the Court that each party is awarded their own jewelry and personal effects. It is further

ORDERED by the Court that Wife is awarded all right, title and interest to the Fidelity Federal account and any other cash that she has in her possession or her name in any banking institutiion, and Husband is likewise awarded any cash

RECORDERS MEMO
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that he has in any banking institution in his name which monies have not been heretofore mentioned or hereafter mentioned. It is further

ORDERED by the Court that Husband is awarded all right, title and interest to the motor home, fishing boat and gun collection belonging to the parties. It is further

ORDERED by the Court that husband is awarded all equipment in connection with his business which includes the trucks, vehicles, backhoe, etc. It is further

ORDERED by the Court that husband will pay the costs of this cause for which let execution issue, if necessary.

ENTER this 28th day of March, 1984.

JUDGE

APPROVED FOR ENTRY:

JACK A. BUTLER
Attorney for Plaintiff

ROBERT L. JACKSON
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have mailed an exact copy of the foregoing pleading to Robert L. Jackson, Attorney, 216 Third Avenue North, Nashville, Tennessee this 22 day of March, 1984.

JACK A. BUTLER

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED

CEIVED THIS 22
Y. OF Mar, 1984

STATE OF TENNESSEE

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IDENTIFICATION REFERENCE

DEC 5 9 46 AM '85

FELIX Z. HILL, JR. REGISTER
DAVIDSON COUNTY, TN

Mail
Jack Butler
atty
1st Comm Center
37246

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* Third *Circuit Court for Davidson County, Tennessee, on the* 28th *day of* March, *19* 84, *in Case Number* 83D-1678 *between* Barbara Annette King *Plaintiff, and* Dudley Wyatt King, Sr. *Defendant, as same remains of record in Book* 128A, *Page* 637 *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* 5th *day of* December *in the year one thousand nine hundred and* eighty-five *and in the* 210th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Ellen Rooker *D.C.*

Form #GR-117