8-22-74
90A/294

BOOK 6734 PAGE 171

ROBERT CRAIGHEAD BROOKS, JR.	)	IN THE FOURTH CIRCUIT COURT
	)	
VS	)	OF DAVIDSON COUNTY, TENNESSEE
	)	
ALICE WHIPPLE LYONS BROOKS	)	NUMBER 71734

Mag Parcel
11-5-47

FINAL DECREE OF ABSOLUTE DIVORCE

This cause came on to be heard on this the 2nd day of April, 1974, before the Honorable Benson Trimble, Judge, Fourth Circuit Court of Davidson County, Tennessee, upon the bill for absolute divorce filed by the plaintiff, the answer filed by the defendant, and it appearing to the Court that the case would be heard on an uncontested basis, and upon the property settlement agreement submitted to the Court for approval,

From all of which the Court finds that the allegations of the bill for absolute divorce are sustained by the proof and that the defendant, Alice Whipple Lyons Brooks, has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff, Robert Craighead Brooks, Jr., as renders cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the plaintiff, Robert Craighead Brooks, Jr., be and he is hereby awarded an absolute divorce from the defendant, forever dissolving the bonds of matrimony existing between plaintiff and defendant and restoring him to all the rights and privileges of an unmarried person.

It further appearing to the Court that the parties have entered into a property settlement agreement, which property settlement agreement was submitted to the Court for approval and the Court does find that said agreement is right and proper, said property settlement agreement is hereby approved and each and every provision of said agreement is hereby made the decree of the Court and the property settlement agreement is in words and figures as follows:

PROPERTY SETTLEMENT AGREEMENT

WHEREAS, Alice Whipple Lyons Brooks, hereinafter called "wife", and Robert Craighead Brooks, Jr., hereinafter called "husband", are married but have experienced difficulties, and,

WHEREAS, there is pending in the Fourth Circuit Court of Davidson County, Tennessee a divorce action bearing Number 71734, and,

WHEREAS, it is the desire of the parties to settle the property matters, subject, however, to the approval of the Court.

NOW, THEREFORE, IT IS AGREED by and between wife and husband as follows:

1. Wife shall have custody of the minor daughter of the parties, with liberal visitation privileges granted to husband. Husband shall be called on for his advice and assistance in connection with the care and upbringing of said minor daughter.

2. Husband will pay to wife, as child support, the sum of $225.00 per month, payable on the first day of each month, and such payments will continue until the occurrence of the first of the following events, namely, the child would cease to reside with the wife, the child would reach eighteen years of age, the death of the wife, or the child's going away to school. As additional child support, husband will pay the child's tuition and fees at St. Bernard's, and the child's medical expenses and all such charges will be sent to husband, who will pay them direct to the institution or person rendering service to the child. Purely elective surgery or any other elective medical or dental procedures will be carried out only with the prior approval of husband. Husband will take the child as an exemption on his Federal Income Tax Return.

3. Husband shall receive the homeplace of the parties as his sole and separate property in fee simple absolute, and wife shall have no interest therein. Said property is located at 3600 Hampton Avenue, Nashville, Davidson County, Tennessee. Husband will assume responsibility for the indebtedness on the home and hold wife harmless on same. Husband and wife have agreed upon the division of the furniture and furnishings.

4. Husband shall pay to wife in settlement of her rights in the property of the parties the sum of $10,800.00, which will be payable at the rate of $225.00 a month for 48 months. The first payment will be due on the fifteenth day of the month following the awarding of the divorce decree and each succeeding payment will be due on the fifteenth day of each succeeding month. This shall not be considered as alimony and deduction will not be taken by husband and the proceeds will not be taxable to wife.

5. Wife shall receive one car, free and clear of any indebtedness and husband shall receive two cars.

6. Husband will pay to R. B. Parker, attorney for wife, as his fee, the sum of Three Hundred ($300.00) Dollars and when he has paid this amount, he shall have no further obligation to R. B. Parker.

7. The tax refund for 1973 will be refunded to each of the parties on a pro rata basis according to their income.

8. Husband will pay the costs of this cause.

This Agreement is a full and final settlement and wife has no further rights against husband except as provided herein.

This the 29th day of March, 1974.

Alice Whipple Lyons Brooks
ALICE WHIPPLE LYONS BROOKS

Robert Craighead Brooks, Jr.
ROBERT CRAIGHEAD BROOKS, JR.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that all right, title and interest of the defendant in and to the following described real estate in Davidson County, Tennessee, be divested out of the defendant, Alice Whipple Lyons Brooks, and be vested in the plaintiff, Robert Craighead Brooks, Jr., to wit:

> Being the easterly part of Lot No. 33 on the Map of the Henry Sperry Subdivision, as of record in Book 974, page 21, Register's Office for said County. Said part of said Lot No. 33 fronts 141 feet 5 inches on the northerly side of Hampton Avenue, and runs back between lines, 200 feet on the westerly line and 202 feet 2 inches on the easterly line, along the westerly margin of Bowling Avenue to a dead line in the rear on which it measures 110 feet 8 inches.
>
> Being the same property conveyed to Robert N. Smith and wife, Kate Davis Smith, by deed from J. W. McMillen and wife, as of record in Book 1132, page 162, said Register's Office.

APPROVED FOR ENTRY:

Charles H Warfield

CHARLES H. WARFIELD

Enter nunc pro tunc

JUDGE

8-22-74

I certify that I have mailed a copy of this Final Decree to Mr. R. B. Parker, Attorney, J. C. Bradford Building, Nashville, Tennessee, this the 2nd day of April, 1974.

Charles H Warfield

CHARLES H. WARFIELD

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IDENTIFICATION REFERENCE

DEC 12 3 17 PM '85

FELIX A. WALTHALL REGISTER
DAVIDSON COUNTY, TENN.

Mail
Robert C. Brooks
3600 Haughton
Ave

37213

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* 22nd. *day of* August, 19 74, *in Case Number* 71734 *between* Robert Craighead Brooks, Jr. *Plaintiff, and* Alice Whipple Lyons Brooks *Defendant, as same remains of record in Book* 90A, *Page* 294 *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* 12th. *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 D. Tucker *D.C.*

Form #GR-117