File Box 6-JB 6-18-79 24/3/1343

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

RITA JEAN CLARDY CHILDRESS)
)
)
-vs-)
)
)
WESLEY WAYNE CHILDRESS)

BOOK 7049 PAGE 618

NO. 9 4 6 5 3

FINAL DECREE

This cause came on to be heard on this 4th day of June, 1979, before the Honorable James M. Swiggart, Judge, upon the complaint, personal service of process, default judgment, the Property Settlement Agreement, and upon the entire record.

After hearing testimony of Plaintiff and statements of counsel, it appears to this Court that the parties have encountered certain irreconcilable differences which have gone to such extent that it does not appear possible for them to live together as husband and wife.

It is, therefore, ORDERED, ADJUDGED and DECREED that the Plaintiff be and hereby is awarded an absolute divorce from Defendant, and she is hereby restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that the Property Settlement Agreement entered into by the parties be and hereby is made a part of this Final Decree by reference and is attached hereto.

It is further ORDERED, ADJUDGED and DECREED that all right, title and interest in the home place of the parties at 106 Ryburn Court be and hereby is divested out of the Plaintiff and vested in Defendant in fee simple title, with Defendant to pay the existing mortgage on said home. Said real property is described as follows, to-wit:

"Land in Davidson County, Tennessee, being Lot No. 9 on the Plan of Fairway View Subdivision as of record in Book 4675, page 55, said Register's Office.

"Said Lot No. 9 fronts 68.82 feet on the northwesterly side of Ryburn Court and runs back 141.2 feet on the

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southwesterly line and 164.0 feet on the northeasterly line to a line in the rear which measures 129.38 feet thereon.

"Being the same property conveyed to Wesley Childress and wife, Rita C. Childress, by deed from Fidelity Federal Savings and Loan Association of record in Book 5148, page 272, Register's Office for Davidson County, Tennessee."

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff be and she hereby is awarded full custody and control of the minor child, Gregory Lee Childress. The questions of child support and visitation are expressly reserved.

It is further ORDERED, ADJUDGED and DECREED that the Plaintiff shall pay the personal loan to Blazer Finance Company and shall hold the Defendant harmless for same; and that the Defendant shall pay the personal loan to City Finance Company and shall hold the Plaintiff harmless for same. Each of the parties shall be responsible for his or her own debts other than those herein specifically named.

It is further ORDERED, ADJUDGED and DECREED that the Defendant shall have full title to the 1973 Chevrolet Vega automobile; and he is to make the payments on said vehicle and hold the plaintiff harmless from any obligation she might have on said mortgage.

The plaintiff shall pay the Court costs of this cause, for which execution will issue if necessary.

ENTER this 18th day of June, 1979.

JUDGE

APPROVED FOR ENTRY:

DAVID C. RUTHERFORD, Attorney
for Plaintiff

I certify that I have mailed a copy of this Final Decree to Peggy F. Williams, Legal Clinic of Bart Durham, 404 James Robertson Parkway, Nashville, Tennessee 37219, attorney for the ~~Defendant~~ Plaintiff. This June 11, 1979.

David C. Rutherford

IN THE CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

RITA JEAN CLARDY CHILDRESS)
)
vs.) DOCKET NO. 94653
)
WESLEY WAYNE CHILDRESS)

BOOK 7049 PAGE 620

PROPERTY SETTLEMENT AGREEMENT

THIS AGREEMENT, made and entered into this 4th day of June 1979 by and between Rita Jean Clardy Childress hereinafter referred to as wife and Wesley Wayne Childress hereinafter referred to as husband.

WITNESSETH:

WHEREAS, certain irreconcilable differences have arisen between the parties and it appears that it is not possible for them to live together as husband and wife and they desire to settle all matters pertaining to property, custody of the child, and all other matters, the parties agree as follows:

1. Wife will proceed to trial and ask the court for an absolute divorce on the grounds of irreconcilable differences as set out in the statute.

2. Husband will receive title to the home place of the parties at 106 Ryburn Court, in Davidson County, Tennessee. The husband will be obligated to pay the existing mortgage and agrees to hold wife harmless on her obligation of said mortgage.

3. It is further agreed and understood that all personal property; clothing, furniture has already been divided equally to the satisfaction of both parties.

4. That each agree that each of the parties will be responsible for their own debts.

5. As the husband gets full title to the 1973 Chevrolet Vega, he agrees to hold wife harmless from any obligation she might have on the mortgage on said automobile.

6. The wife shall have full custody and control of the child, Gregory Lee, which is the natural child of the wife, later adopted by the parties. The question of child support shall be reserved, along with reasonable visitation privileges.

7. It is further agreed that the wife will be responsible for the personal loan with Blazer Finance Company and shall hold husband harmless for same, and husband shall pay City Finance Co., and hold wife harmless for same.

8. The wife will be responsible for the court costs of this cause.

THIS AGREEMENT is executed this 4th day of June, 1979.

Rita Jean Clardy Childress
RITA JEAN CLARDY CHILDRESS, WIFE

Wesley Wayne Childress
WESLEY WAYNE CHILDRESS, HUSBAND

David C. Rutherford
DAVID C. RUTHERFORD, ATTORNEY

Peggy F. Williams by Vicky Varney
PEGGY F. WILLIAMS, ATTORNEY

Sworn to and subscribed before me this 4th day of June, 1979.

Frances D. Seale
NOTARY PUBLIC

My Commission expires July 18, 1982.

IDENTIFICATION REFERENCE
Nov 24 3 50 PM '86
FELIX Z. WILSON CLERK & 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* SIXTH *Circuit Court for Davidson County, Tennessee, on the* 18th *day of* June, 19 79, *in Case Number* 94653 *between* RITA JEAN CLARDY CHILDREES *Plaintiff, and* WESLEY WAYNE CHILDRESS *Defendant, as same remains of record in Book* 24B, *Page* 1343 *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* 11th *day of* November *in the year one thousand nine hundred and* eighty-six *and in the* Two Hundred and Eleventh *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By: D.C.