FILED

35C/1294

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE
SECOND CIRCUIT COURT BY INTERCHANGE

'86 FEB -6 PM 3:22
GEORGE L. ROONER, CLERK
K. Crawford D.C.

SYLVESTER DAVIS)
)
VS.) NO. 86D-1327
)
LAURA ELLEN LaPRADE DAVIS)

BOOK 7217 PAGE 163

FINAL DECREE

This cause came on to be heard this 26th day of November, 1986, and again on the 1st day of December, 1986, before the Honorable Harry Lester, Judge of the Second Circuit Court sitting by interchange, on Petition for Absolute Divorce filed by the Husband, Answer and Counter-Complaint filed by the Wife, Answer to the Counter-Complaint filed by the Husband, testimony of the parties and their witnesses all heard in open Court. From all of this, the Court took the matter under advisement and issued a Memorandum Opinion on December 15, 1986, wherein the Court finds that the Wife is entitled to an Absolute Divorce on the grounds of Cruel and Inhuman Treatment. The original Complaint of the Husband be and hereby is dismissed.

It is, therefore, ORDERED, ADJUDGED, and DECREED that the Wife, Laura Ellen LaPrade Davis, be and hereby is awarded an Absolute Divorce from the Husband, Sylvester Davis, on the grounds of Cruel and Inhuman Treatment and both parties are hereby restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED, and DECREED that the original Complaint of the Husband be and hereby is dismissed.

It is further ORDERED, ADJUDGED, and DECREED that the Husband shall receive all of the Wife's right, title, and interest in and to the 1977 Pontiac automobile, and he shall be solely responsible for all indebtedness owed thereon. All of the Husband's right, title, and interest in and to the 1980 Oldsmobile Cutlass automobile shall be divested out of his name and be vested in the name of the Wife and she shall assume all indebtedness owed thereon.

It is further ORDERED, ADJUDGED, and DECREED that all pension and retirement rights earned by either party will be retained by that party as they now exist. This includes IRA's or other annuities that was shown by the proof.

It is further ORDERED, ADJUDGED, and DECREED that each party will be liable to pay the debts listed in their name as indicated on their expense statements.

It is further ORDERED, ADJUDGED, and DECREED that the Court is not in a position to divide "pots and pans" and suggests that a determined effort be made by the parties through their counsel to let each party retain those items they brought into the marriage and then divide all the remining personalty equally between the parties. If the parties have not been able to divide the personalty above within fifteen (15) days, the Court will appoint a Special Master for the specific purpose of dividing these assets.

It is further ORDERED, ADJUDGED, and DECREED that all of the Husband's right, title, and interest in and to the real property of the parties located at 4223 West Hamilton Road in Nashville, Davidson County, Tennessee, be and hereby is divested out of the Husband, Sylvester Davis, and is vested in the Wife, Laura Ellen LaPrade Davis, in fee simple absolute. The Wife shall be solely responsible for all indebtedness owed thereon and shall hold the Husband harmless. Said property is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 159 on the Plan of Enchanted Hills, Section V, as of record in Book 3700, page 132, said Register's Office.
>
> Said Lot No. 159 fronts 160.00 feet on the westerly margin of West Hamilton Road and runs back between lines, the northerly line being 348.2 feet and the southerly line being 356.4 feet to a line in the rear measuring 94.6 feet thereon.
>
> Being the same property conveyed to Sylvester Davis and wife, Laura E.L. Davis, by deed from George E. Butler and wife, Donetta Butler, of record in Book 4990, page 240, Register's Office for Davidson County, Tennessee. Laura Ellen LaPrade Davis and Laura E.L. Davis are one and the same person.

It is further ORDERED, ADJUDGED, and DECREED that all of the Husband's right, title, and interest in and to the real property located at 2504 Santi Avenue in Nashville, Davidson County, Tennessee, shall be divested out of the Husband, Sylvester Davis, and shall be vested in the name of the Wife, Laura Ellen LaPrade Davis, in fee simple absolute. The Wife shall be responsible for all indebtedness owed thereon and shall hold the Husband harmless. Said property is more particularly described as follows:

> Being the southwesterly corner of Lot No. 7 in the Cobb's Subdivision of Lot No. 6 of the Harding

Bosley Tract, a plan of which is of record in Book 161, page 155, Register's Office for said County.

Said Lot fronts 50 feet on the northerly side of Rose Street (now Santi Avenue) and runs back between parallel lines 150 feet to a dead line in the rear.

Being the same property conveyed to Laura L. Davis by deed from Ruby Campbell Sperry of record in Book 4670, page 369, Register's Office for Davidson County, Tennessee.

Laura Ellen LaPrade Davis and Laura L. Davis are one and the same person.

It is further ORDERED, ADJUDGED, and DECREED that all of the Wife's right, title, and interest in and to the real property located at 2707 Torbett Avenue be and hereby is divested out of the Wife, Laura Ellen LaPrade Davis, and is vested in the name of the Husband, Sylvester Davis. The Husband shall be solely responsible for all indebtedness owed thereon and shall hold the Wife harmless. Said property is more particularly described as follows:

Land in Davidson County, Tennessee, being Lot No. 7 of Block "C" on the Plan of M.B. & M.S. Pilcher's re-subdivision of party of the Matthew Barrow Lands, as of record in Book 57, page 91, Register's Office for said County.

Said Lot No. 7 fronts 50 feet on the southerly said of Torbett Street or Avenue and runs back between parallel lines 170 feet to an alley.

Being the same property conveyed to Laura Ellen LaPrade Davis by deed from Ned LaPrade and wife, Birdie LaPrade, of record in Book 4019, Page 64, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED, and DECREED that all of the Wife's right, title, and interest in and to the real property located at 604 Laurent Street be and hereby is divested out of the Wife, Laura Ellen LaPrade Davis, and is vested in the Husband, Sylvester Davis, in fee simple absolute. The Husband shall be responsible for all indebtedness owed thereon and shall hold the Wife harmless. Said property is more particularly described as follows:

Land in Davidson County, Tennessee, being Lot No. 16 on the Plan of Phillip Olwills Addition to East Nashville of record in Book 57, page 134, Register's Office for Davidson County, Tennessee, to which plan reference is made for a complete legal description.

Being the same property conveyed to Sylvester Davis and wife, Laura E.L. Davis, by deed from Narcisco H. Saavedra and wife, Princess Saavedra, of record in Book 4923, page 591, Register's Office for Davidson County, Tennessee.

Laura Ellen LaPrade Davis and Laura E.L. Davis are one and the same person.

It is further ORDERED, ADJUDGED, and DECREED that the property situated in Memphis, Tennessee, presently a share of same being held by the parties as tenants by the entirety will continue to be held jointly by the parties, but now as tenants in common.

It is further ORDERED, ADJUDGED, and DECREED that the Court is of the opinion that alimony in any form should not be awarded either party and further that each party will be responsible for the payment of their respective attorney fees, except for the sum of $250.00 awarded by prior orders of the Court as an obligation of the Husband.

The Husband shall pay the costs of this cause for all of which execution may issue, if necessary.

ENTER this 6 day of February, 1987.

JUDGE

APPROVED FOR ENTRY:

L. R. DeMARCO
Attorney for Husband

DAVID HERBERT
Attorney for Wife

FILED & RECORDED
APR 28 1 20 PM '87
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE

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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* Probate ~~Circuit~~ *Court for Davidson County, Tennessee, on the* sixth *day of* February, *19* 87, *in Case Number* 86D-1327 *between* Sylvester Davis *Plaintiff, and* Laura Ellen LaPrade Davis *Defendant, as same remains of record in Book* 35C, *Page* 1294 *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* 28th *day of* April *in the year one thousand nine hundred and* eighty-seven *and in the* 211th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Teresa Squires *D.C.*

Form #GR-117