IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

SHELBY ANN CASSELL PEWITT

VS. NO. 86D-2161

ROBERT HOWARD PEWITT

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ORDER

This cause came to be heard on the 27th day of July, 1987, before the Honorable Muriel Robinson, Judge, upon the Original and Amended and Supplemental Complaints for Absolute Divorce filed by Mrs. Pewitt, answer filed by Mr. Pewitt, testimony of the parties and corroborative witnesses, submission to the Court of exhibits, statement of counsel in open Court, and from the entire record in this cause. From all of which the Court finds that the Defendant, Mr. Pewitt, has been guilty of such cruel and inhuman treatment or conduct towards Mrs. Pewitt as renders further cohabitation unsafe and improper. It is, therefore,

ORDERED AND ADJUDGED by the Court that the bonds of matrimony heretofore subsisting between the parties be, and the same are, hereby forever and perpetually dissolved and the Complainant, Shelby Ann Cassell Pewitt, is granted an absolute divorce and restored to all the rights and privileges of an unmarried person.

It is further **ORDERED AND ADJUDGED** by the Court that the absolute care, custody and control of the two minor children born to this union, namely, Courtney Pewitt and Robert Howard Pewitt, shall be awarded to Mrs. Pewitt, and the Court will not grant any visitation privileges to Mr. Pewitt at this juncture.

It is further **ORDERED AND ADJUDGED** by the Court that the Defendant, Mr. Pewitt, shall pay the sum of **FIVE HUNDRED DOLLARS ($500.00)** per month for the support and maintenance of the two minor children, said payments to be made directly to Mrs. Pewitt, with the first payment to be due on 10 August 1987, and a like sum on the 10th day of each month thereafter pending further Orders of this Court. The Defendant, Mr. Pewitt, shall be responsible for payment of one-

half of the July house note, and further, to comply with the pendente lite Order through the month of July, 1987.

It is further **ORDERED AND ADJUDGED** by the Court that the Defendant, Mr. Pewitt, shall pay alimony in futuro in the sum of **ONE HUNDRED DOLLARS ($100.00)** per month, said payments to be made directly to Mrs. Pewitt with the first payment being due August 10, 1987, and a like sum on the 10th day of each month thereafter until her death or remarriage.

It is further **ORDERED AND ADJUDGED** by the Court that the Defendant, Mr. Pewitt, shall maintain in full force and effect hospital and medical insurance coverage for the benefit of the two minor children. The Defendant, Mr. Pewitt, shall also maintain health insurance coverage for Mrs. Pewitt and pay the premium thereon in accordance with T.C.A. Section 56-7-1501, which enacts the Federal Cobra Statutes.

It is further **ORDERED AND ADJUDGED** by the Court that all right, title and interest which Mr. Pewitt has in and to the home of the parties located at 559 McMurray Drive, Nashville, Davidson County, Tennessee, more specifically described as follows:

> LAND in Davidson County, Tennessee, being Lot No. 33 on the Plan of McMurray Woods Section One, as of record in Book 2900, Page 99, Register's Office for said County.
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> SAID Lot No. 33 fronts 254.8 feet on the southerly side of McMurray Drive and extends back 210.0 feet on the westerly line and 257.8 feet on the easterly line to a dead line in the rear, measuring 256.3 feet thereon.
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> BEING the same property conveyed to Robert Howard Pewitt and wife, Shelby Pewitt, by deed from Lester T. Box and wife, Anita G. Box, said Robert Howard Pewitt and wife, Shelby Pewitt, having since been divorced in the Fourth Circuit Court for Davidson County, Tennessee, as of date 27 July 1987.

shall be divested from him, and the sole and exclusive ownership in said home shall be vested in Mrs. Pewitt, in fee simple absolute ownership, and she shall assume the balance of mortgage indebtedness thereon. The Court is awarding Mrs. Pewitt her husband's one-half equity in the home as alimony in solido.

It is further **ORDERED AND ADJUDGED** by the Court that the certificate of deposit in Dominion Bank previously escrowed pursuant to Court Order, and in the approximate sum of **FORTY THOUSAND DOLLARS ($40,000.00)** shall be divided equally between the parties, and Mr. Pewitt shall cause to be issued a check, immediately, to Mrs. Pewitt

for her portion thereof. The balance of funds at Third National Bank which were advanced to Mrs. Pewitt from escrow, and in the approximate sum of **ONE THOUSAND EIGHT HUNDRED DOLLARS ($1,800.00)** shall become the sole and exclusive property of Mrs. Pewitt.

It is further **ORDERED AND ADJUDGED** by the Court that Mr. Pewitt shall retain the sole and exclusive ownership of any and all funds on deposit in the ADT, Inc., profit sharing plan including the check in the approximate sum of **SEVEN THOUSAND EIGHT HUNDRED DOLLARS ($7,800.00)** which he withdrew from the profit sharing fund on July 13, 1987.

It is further **ORDERED AND ADJUDGED** by the Court that all right, title and interest which Wife has in and to the unimproved property located in College Grove, which is approximately six acres, shall be divested from her and the sole and exclusive ownership in said property shall be vested in fee simple absolute ownership in Mr. Pewitt.

It is further **ORDERED AND ADJUDGED** by the Court that Mrs. Pewitt shall be awarded the sole and exclusive ownership of the 1982 Datsun Sentra automobile, and the 1983 Ford Escort automobile. Mr. Pewitt shall be awarded the sole and exclusive ownership of the 1982 Toyota Corolla automobile.

It is further **ORDERED AND ADJUDGED** by the Court that all household furniture and furnishings situated in the home at 559 McMurray Drive shall become the sole and exclusive property of Mrs. Pewitt.

It is further **ORDERED AND ADJUDGED** by the Court that Mrs. Pewitt's solicitor of record, Robert L. Jackson, shall have and recover of the parties an attorney fee in the sum of **THREE THOUSAND FIVE HUNDRED DOLLARS ($3,500.00)**, to be paid one-half by Mrs. Pewitt and one-half by Mr. Pewitt.

The costs of this cause are taxed against the Defendant, Mr. Pewitt, for all of which execution may issue if necessary.

Enter this 18th day of ~~July~~ August, 1987.

JUDGE

APPROVED FOR ENTRY:

ROBERT L. JACKSON & ASSOCIATES

Robert L. Jackson

BY: ROBERT L. JACKSON
SOLICITOR FOR MRS. PEWITT
216 Third Avenue, North
Nashville, Tennessee 37201
615/256-2694

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Order has been furnished to Ralph Gordon, Attorney for Mr. Pewitt, 1704-18th Avenue, South, Nashville, Tennessee 37203, this 29th day of July, 1987.

Robert L. Jackson
ROBERT L. JACKSON

ADDRESS OF THE PARTIES IS AS FOLLOWS:

Shelby Ann Pewitt
559 McMurray Drive
Nashville, TN 37211

Robert Howard Pewitt
120 Tusculum Square Dr.
Nashville, TN 37211

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IDENTIFI REFERENCE

Nov 24 12 00 PM '87

DAVIDSON COUNTY, TN

RUSH

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* 19th *day of* August, *19* 87, *in Case Number* 86D-2161 *between* SHELBY ANN CASSELL PEWITT, *Plaintiff, and* ROBERT HOWARD PEWITT, *Defendant, as same remains of record in Book* 163C, *Page* 2026 *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* 24th *day of* November *in the year one thousand nine hundred and* eighty-seven *and in the* two hundred twelfth *year of American Independence.*

GEORGE L. BOOKER, *Clerk,*

By W. L. Rowland *D.C.*

Form #GR-117