Nov. 6, 1973
25A/330

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JANIE MARIE LAWRENCE BRADY) IN THE PROBATE COURT
VS. FILE NO. 65265) OF
CHARLES THOMAS BRADY) DAVIDSON COUNTY, TENNESSEE

FINAL DECREE OF ABSOLUTE DIVORCE

This cause came on to be heard on November 1, 1973, before the Honorable Shelton Luton, Judge, holding the Probate Court of Davidson County, Tennessee, at Nashville, upon Complaint for Separate Maintenance, personal service of process which was had on the defendant, Charles Thomas Brady, Answer and Cross-Bill for Absolute Divorce, Answer to Cross-Bill, testimony of the parties and their witnesses who were heard in open Court, exhibits to the testimony of the parties, statement and argument of counsel and the entire record; and counsel for the plaintiff and cross-defendant, Janie Marie Lawrence Brady, having moved the Court to be allowed to amend the Complaint for Separate Maintenance by adding thereto the allegations and charges of cruel and inhuman treatment and abandonment and failure to provide and further to amend said Complaint by adding thereto a prayer for an Absolute Divorce, and the Court being of the opinion that said Motion is proper and should be granted, there being no objection thereto; wherefore,

It is, accordingly, ORDERED, ADJUDGED and DECREED that the Complaint for Separate Maintenance be, and it is hereby, amended by adding thereto the following language;

> "Plaintiff, therefore, charges that the defendant, Charles Thomas Brady, has been guilty of such cruel and inhuman treatment or conduct toward her as renders further cohabitation unsafe and improper and that said defendant has abandoned her, turned her out of doors, and refused or neglected to provide for her."
>
> "Plaintiff prays that she be awarded, among other things, an Absolute Divorce from the defendant."

And it appearing to the satisfaction of the Court from the testimony of the parties and their witnesses as well as the exhibits to the testimony that the defendant, Charles Thomas Brady, has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff as to render further cohabitation unsafe and improper, that said plaintiff, Janie Marie Lawrence Brady, should be granted an absolute divorce from the defendant, and that she should be restored to all the rights and privileges of an unmarried person;

It is, accordingly, ORDERED, ADJUDGED and DECREED that the bonds of matrimony heretofore existing between the parties be, and the same are hereby, forever and perpetually dissolved; that Janie Marie Lawrence Brady be, and she is hereby, granted an absolute divorce from Charles Thomas Brady; and that said plaintiff be, and she is hereby, restored to all of the rights and privileges of an unmarried person.

It is, further, ORDERED, ADJUDGED and DECREED that the Cross-Bill for Absolute Divorce, filed herein by the said Charles Thomas Brady be, and the same is hereby, dismissed and for nothing held. And it appearing from the proof before it that this is a proper case in which to award alimony in solido, alimony in future, support and maintenance for the minor children of the parties and to adjust the property rights of said parties; wherefore,

It is, therefore, ORDERED, ADJUDGED and DECREED as follows:

1. That all right, title and interest which Charles Thomas Brady has in and to the following described improved real estate in Davidson County, Tennessee:

> Being Lot No. 73 on the Plan of Gateway, Section I, as of record in Book 3300, pages 39 and 40, Register's Office for said County. Said lot fronts 74 feet on the south side of Janette Avenue and runs back 172.07 feet more or less on the east line and 161.5 feet more or less on the west line to Dry Creek and measures 75 feet more or less.
>
> Being part of the same property conveyed to Jones Lumber Company, Inc., by deed from Murphree Realty Company, as of record in Book 4025, page 636, said Register's Office. Said property conveyed to Charles T. Brady and wife, Janie M. Brady, by deed from Jones Lumber Company, Inc., as of record in book 4146, page 521, said Register's Office.

be, and the same is hereby, divested out of him and all right, title and interest in and to said property is vested absolutely and in fee simple in the plaintiff, Janie Marie Lawrence Brady, as an adjustment of the property rights of the parties and to the end that she will own said property in fee simple absolute without any claim thereon by the said Charles Thomas Brady but subject to any indebtedness thereon;

2. It is, further, ORDERED, ADJUDGED and DECREED that the absolute care, custody and control of the minor children of the parties be, and the same is hereby, awarded to the plaintiff with the right in defendant to visit said children at reasonable times and places;

3. That the ownership in the following life insurance policies:

(a) Policy # 5 057 720 issued by the Penn Mutual Life Insurance Company;

(b) Policy # 400746 issued by the Midland Mutual Life Insurance Company, and

(c) Policy # 2739537 issued by the Franklin Life Insurance Company.

be, and the same is hereby, divested out of the said Charles Thomas Brady and vested absolutely in Janie Marie Lawrence Brady subject to premium payments being continued by the said plaintiff;

4. That the defendant will do any and all acts necessary to effectuate the transfer of title which he now holds to a certain 1968 Ford Fairlane automobile to the plaintiff and it shall become her sole and seperate property free from any claim thereon by said defendant;

5. That all right, title and interest in and to the household goods, furniture and furnishings located at 445 Janette Avenue, Goodlettsville, Tennessee, be, and the same is hereby, vested in said plaintiff as her sole and separate property free from any claim thereon by defendant;

6. That commencing on November 1 and continuing every two weeks thereafter, said two weekly intervals being based on pay periods which defendant has in his employment, said defendant will pay to the plaintiff the sum of One Hundred ($100.00) Dollars; and that Twenty-Five ($25.00) Dollars of said payment shall be considered alimony in futuro and Seventy-Five ($75.00) Dollars thereof will be considered support and maintenance for the minor children of the parties;

7. That the payments ordered hereinabove as alimony in futuro and child support and maintenance shall be paid directly to the plaintiff by defendant and he shall pay the amount due as of November 1, 1973, immediately and he shall thereafter pay every two weeks within twenty-four hours of receiving his pay from his employment;

8. That the defendant will pay to Tom H. Proctor, Jr., Solicitor for plaintiff, the sum of Seven Hundred ($700.00) as a reasonable attorney's fee to be borne by defendant and said amount shall be considered as an award of alimony in solido and it is in addition to the attorney's fee heretofore awarded pendente lite;

9. That said attorney's fee hereinabove adjudicated may be paid by the defendant at the rate of Twenty-Five ($25.00) Dollars every two weeks commencing on the next pay day of said defendant which is on or about November 15, 1973; and

10. That the defendant will pay the costs of this cause for which execution may issue if necessary.

JUDGE

APPROVED FOR ENTRY:

TOM H. PROCTOR, JR.,
SOLICITOR FOR PLAINTIFF

C E R T I F I C A T E

I, Tom H. Proctor, Jr., Solicitor for Plaintiff, do hereby certify that a copy of this Decree is being forwarded by U. S. Mail on November 2, 1973, to Walter C. Leaver, Jr., Attorney, 7th floor, Third National Bank Building, Nashville, Tennessee 37219.

TOM H. PROCTOR, JR., ATTORNEY
1133 Stahlman Building
Nashville, Tennessee 37201

15.00

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IDENTIFICATION REFERENCE

Dec 22 10 41 AM '87

DAVIDSON COUNTY, TN

Mail
Janie L. Brady
745 Janette Ave
Goods 37072

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* First *day of* November, *19* 73, *in Case Number* 65265 *between* JANIE MARIE LAWRENCE BRADY *Plaintiff, and* CHARLES THOMAS BRADY *Defendant, as same remains of record in Book* 25A, *Page* 330 *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* 22nd *day of* December *in the year one thousand nine hundred and* Eighty-seven *and in the* 212th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Mary Vaden *D.C.*

Form #GR-117