IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

DIANNA ELIZABETH NEATHERY,
Plaintiff,
vs.
CARTER ANDREW NEATHERY,
Defendant.

NO. 87D-1787

FILED
MAR 15 12 57 PM '88
FLEX Z. WILSON, II, REGISTER
DAVIDSON COUNTY, TN
IDENTIFICATION REFERENCE
12870

FINAL DECREE

This cause came on to be heard before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, on the 31st day of July, 1987, on the Plaintiff's complaint for divorce. The Defendant having been served by personal service of process and not having answered, a default judgment was taken on July 24, 1987, and the case set for July 31, 1987.

The Court heard testimony from DiAnna Neathery and her witnesses, Joe Eades and Pamela McCollum. The Defendant was present and the Court questioned him briefly. After hearing all the testimony of the Plaintiff and her witnesses, the Court is of the opinion that a divorce should be granted to the Plaintiff on the grounds of cruel and inhuman treatment.

It is, therefore, ORDERED, ADJUDGED AND DECREED that the Plaintiff, DiAnna Elizabeth Neathery, is granted a divorce on the grounds of cruel and inhuman treatment and the parties are restored to their former status as single persons.

The addresses of the parties are as follows:

Plaintiff: 825 Sandberg Place
Nashville, Tennessee 37214

Defendant: c/o I. C. Thomasson & Associates
P. O. Box 40527
Nashville, Tennessee 37204

It is further ORDERED, ADJUDGED AND DECREED by the Court that the custody, child support and property division should be as follows:

1. The parties will have joint legal custody of the minor child, James David Andrew Neathery. DiAnna Neathery will have primary possession of the child. Carter Neathery will have reasonable visitation with the child. Specifically, he will be allowed visitation every other weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday. He will

have further visitation on alternating holidays. Mr. Neathery will have Christmas visitation for one week, if requested by Mr. Neathery, beginning Christmas Day at 10:00 a.m., 1987. The parties shall alternate the Christmas weeks every year.

2. The house and lot located at 825 Sandberg Place is presently in the names of both parties and is more particularly described in Exhibit A, as attached hereto. The interest of Carter Neathery shall be divested by this order out of Carter Neathery and vested in DiAnna Neathery so that she will be the sole owner of the property. Carter Neathery shall retain a lien on the property in the amount of $4,000.00, which represents his equity in the home. This order shall be filed with the Register of Deeds Office to show a lien upon the house. The lien shall be satisfied at the time that the house is sold.

3. The Husband shall pay child support in the amount of $150.00 per month directly to DiAnna Neathery. Such payments shall be sent by mail to arrive in the Wife's hand no later than the fifth of every month, beginning August 5, 1987. The Wife may ask the Court to increase the child support by motion within six months of this order. At the time of the divorce hearing, the Defendant earns a net income of $950.00 per month.

4. The Husband and Wife will divide the personal property. Husband will receive all items listed in Exhibit B as attached hereto. The Wife will receive all other items.

5. The Husband and Wife own jointly two vehicles. All title and interest in the 1986 Supra shall be divsted out of the Wife and vested in Husband. All title and interest in the 1985 Dodge pick-up truck shall be divsted out of the Husband and vested in the Wife.

6. The parties have separate savings accounts. Each party shall retain his/her separate account.

7. The Husband has a life insurance policy with Travelers Insurance Company in the amount of $20,000.00. He shall designate the beneficiary of the policy to be James David Andrew Neathery.

8. DiAnna Neathery will be restored to her maiden name of DiAnna Tindell.

9. The parties will each pay one-half of the attorneys fee

owing to Shipley & Behm in the total amount of $600.00, for which execution may issue, if necessary.

10. The parties will each be responsible for one-half of the costs of this action, for which execution may issue, if necessary.

Entered this 31st day of August, 1987.

Judge

APPROVED FOR ENTRY:

Marietta M. Shipley
SHIPLEY & BEHM
306 Gay Street, Suite 206
Nashville, Tennessee 37201
(615) 256-6346

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a copy of the foregoing to Mr. Carter Andrew Neathery, c/o I. C. Thomasson & Associates, P. O. Box 40527, Nashville, Tennessee 37204, on this 21st day of August 1987.

Marietta M. Shipley

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BOOK 7491 PAGE 684

EXHIBIT A

Land in Davidson County, Tennessee, being Lot No. 39 on the Plan of Reelfoot Subdivision, Section Three, as of record in Plat Book 6250, page 167, Register's Office for said County, to which plan reference is made for a more complete description.

Being the same property conveyed to Carter A. Neathery and wife, DiAnna E. Neathery, by deed of record in Book 6647, page 623, Register's Office for Davidson County, Tennessee.

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EXHIBIT B

Drop leaf secretary's desk
Sleeper sofa in rec room
Stereo in rec room
Beta VCR in rec room
Bookcase in spare room
Desk in spare room
Pictures in spare room
Old silverware
Old china (from mother)
Brass and glass table in kitchen (Husband will pay Wife $75.00)
Majority of tools, except yard equipment
1951 Plymouth
1982 650 Yamaha Maxim
One (bedroom) bathroom set
Thermos ware
Insulated glasses
10-speed bike
Weight bench and weights
Sporting goods except racket ball and camping tent
Large red cooler
Kerosene heater
75th Anniversary Aladdin lamp
Old marble lamps in spare room
Old framed newspaper
Glass coffee table in rec room
Non-cordless phone
Rubber tree plant
Christmas cactus

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* thirty-first *day of* August, *19* 87, *in Case Number* 87D-1787 *between* DIANNA ELIZABETH NEATHERY, *Plaintiff, and* CARTER ANDREW NEATHERY, *Defendant, as same remains of record in Book* 164A, *Page* 111 *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* second *day of* September *in the year one thousand nine hundred and* eighty-seven *and in the* two hundred twelfth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

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

Form #GR-117