C * Bk 14

FILED
1988 FEB 9 PM 3:19
GEORGE L. ROOKER, CLERK
D. Murlock D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

72-10
Par 165 Jo

HAILENE ALEXANDER HARRIS)
)
vs.) NO. 87D-3587
)
JOHN LEE HARRIS, JR.)

BOOK 7567 PAGE 430

FINAL DECREE

This cause came to be heard on the 29th day of January, 1988, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon Plaintiff's complaint for absolute divorce filed in this cause, the default judgment having been entered against the Defendant and his failure to appear at the hearing, upon testimony of Plaintiff and her two supporting witnesses in open Court and statements of Plaintiff's counsel, from which the Court finds that the allegations contained in the complaint are sustained by the proof in that the Plaintiff and Defendant for a continuous period of three or more years lived in separate residences and have not cohabited as man and wife during such period and there are no minor children of the parties, as would entitle Plaintiff to an absolute divorce.

The Court further finds that Plaintiff shall be awarded all right, title and interest in and to the Plaintiff's personal property now in her possession, free and clear of any claim of the Defendant.

The Court further finds that the parties' jointly held real estate situated at 2834 Bronte Avenue, Nashville, Tennessee, shall remain in the parties as tenants in common. The Court finds that Plaintiff be and is hereby entitled to the sum of Ten Thousand Dollars ($10,000.00), representing Plaintiff's equity in the homeplace which Defendant shall pay to the Plaintiff within ninety (90) days from the date of this decree or if the Defendant fails to pay said sum, including interest, to the Plaintiff within the period of ninety (90) days, the property shall be sold and the Plaintiff shall receive Ten Thousand Dollars ($10,000.00) from the net proceeds of said sale. Following the expiration of thirty (30) days from the date of

this decree, the Defendant shall further be liable for interest on said $10,000.00 accruing at the legal rate. The Defendant shall be enjoined from encumbering said real estate except for the purpose of refinancing.

The Court further finds that Plaintiff shall be awarded judgment against the Defendant in the sum of Two Hundred Fifty Dollars ($250.00), representing attorneys fees incurred by Plaintiff in this cause.

The Court finds that Defendant shall pay all court costs.

It is, therefore, **ORDERED, ADJUDGED and DECREED** by the Court that Plaintiff, Hailene Alexander Harris, be and is hereby awarded an absolute divorce from the Defendant, John Lee Harris, Jr., and the bonds of matrimony heretofore subsisting are forever dissolved.

It is further ORDERED, ADJUDGED and DECREED by the Court that Plaintiff be and is hereby awarded all right, title and interest in and to the Plaintiff's personal property now in her possession, free and clear of any claim of the Defendant.

It is further ORDERED, ADJUDGED and DECREED by the Court that the parties' jointly held real estate situated at 2834 Bronte Avenue, Nashville, Tennessee, and more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 3 on the Map of Dugger Brothers Subdivision of part of E. B. Rucker's land on Bronte Avenue, as of record in Book 1130, page 20, Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 3 fronts 60 feet on the easterly margin of Bronte Avenue and runs back between lines measuring 126.1 feet on the northerly line and 124.5 feet on the southerly line to the westerly line of the right of way of the L & N Railroad on which it measures 66 feet.
>
> BEING the same property conveyed to John Harris, Jr. and wife Hailene Harris, from Jewell Kennedy McMillon, by deed of record in Book 3931, page 797, Register's Office for Davidson County, Tennessee.

shall remain in the parties as tenants in common. The Court finds that Plaintiff be and is hereby entitled to the sum of Ten Thousand Dollars ($10,000.00), representing Plaintiff's equity in the homeplace which Defendant shall pay to the Plaintiff within ninety (90) days from the date of this decree or if the Defendant fails to pay said sum, including interest, to the Plaintiff

within the period of ninety (90) days, the property shall be sold and the Plaintiff shall receive Ten Thousand Dollars ($10,000.00) from the net proceeds of said sale. Following the expiration of thirty (30) days from the date of this decree, the Defendant is further be liable for interest on said $10,000.00 accruing at the legal rate. The Defendant is hereby enjoined from encumbering said real estate except for the purpose of refinancing.

It is further ORDERED, ADJUDGED and DECREED by the Court that Plaintiff be and is hereby awarded judgment against the Defendant in the sum of Two Hundred Fifty Dollars ($250.00), representing attorneys fees incurred by Plaintiff in this cause.

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

Entered this 9th day of February, 1988.

JUDGE

APPROVED FOR ENTRY:

Karen Cain

KAREN CAIN
Attorney for Plaintiff
306 Gay Street, Suite 304
Nashville, Tennessee 37201
(615) 256-2806

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and exact copy of the foregoing Final Decree to Mr. John Lee Harris, Jr., at his last known address, 2834 Bronte Avenue, Nashville, Tennessee 37206, on this 3 day of February, 1988.

Karen Cain
KAREN CAIN

BOOK 7567 PAGE 433

38029

IDENTIFICATION REFERENCE

JUN 8 3 08 PM '88

FELIX Z. WILSON II, REGISTER
DAVIDSON COUNTY, TN

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* 9th *day of* February, *19* 88, *in Case Number* 87D-3587 *between* Hailene Alexander Harris *Plaintiff, and* John Lee Harris, Jr. *Defendant, as same remains of record in Book* 167B, *Page* 1848 *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* 8th *day of* June *in the year one thousand nine hundred and* eighty-eight *and in the* two-hundred twelfth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By K. Peterson, *D.C.*

Form #GR-117