154B/1330

BOOK 7591 PAGE 236

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

K. Langford

BETTY F. OLIPHANT,
Complainant

vs.

BENJAMIN L. OLIPHANT,
Defendant

No. 85D-3067

RUSH

FILED
JUL 5 3 10 PM '86
FELIX Z. WILSON II, REGISTER
DAVIDSON COUNTY, TN

IDENTIFICATION REFERENCE
46475.

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 23rd day of June, 1986, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee upon the original Complaint filed herein, Answer filed thereto, testimony of the parties and witnesses in open Court, exhibits introduced for the Court's consideration and statement of counsel, from all of which the Court finds as follows:

That the defendant, Benjamin L. Oliphant has been guilty of such cruel and inhuman treatment or conduct towards the complainant as renders further cohabitation unsafe and improper and she should be awarded a divorce on the grounds of cruel and inhuman treatment.

That the complainant should be awarded the 1977 Grand Prix automobile and the defendant should be awarded the 1977 Chevrolet Truck.

That the complainant should be awarded the household furniture and furnishings with the exeception of one bedroom suite which is awarded to the defendant.

That the complainant should be awarded the parties' homeplace located at 408 Patterson Street and shall be responsible for the mortgage thereon. That the defendant should have a lien on said property in the amount of $8,000.00 which represents his property interests therein and the complainant shall pay off said lien in 2 years.

That the defendant shall vacate the above described premises within 30 days of the date of this hearing.

That the restraining order previously entered in this cause should be made permanent.

That the defendant should pay the complainant's reasonable attorney's fees of $300.00.

It is therefore ORDERED, ADJUDGED and DECREED that the complainant, Betty F. Oliphant is hereby awarded an absolute divorce on the grounds of cruel and inhuman treatment and is hereby restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED that the complainant, Betty F. Oliphant is awarded the 1977 Pontiac Grand Prix automobile now in her possession and the defendant is divested of any right, title or interest therein.

It is further ORDERED, ADJUDGED and DECREED that the defendant is awarded the 1977 Chevrolet Truck in his possession and that the complainant is divested of any right, title or interest therein.

It is further ORDERED, ADJUDGED and DECREED that the complainant, Betty F. Oliphant is awarded all household furniture and furnishings now in her possession or located in the parties' homeplace at 408 Patterson Street, Nashville, Tennessee with the exception of one bedroom suite which is awarded to the defendant. Each party is divested of any right, title or interest in the property of the other.

It is further ORDERED, ADJUDGED and DECREED that the parties' homeplace located at 408 Patterson Street, and more particularly described as follows:

> LAND in Davidson County, Tennessee, being the westerly 5 feet of Lot No. 8, and all of Lots Nos. 9 and 10 on the map of Burrell Jackson's Re-Subdivision of part of Block "A" of Patterson's Subdivision of Maple Hill, as of record in Book 332, Page 75, Register's Office for said County, said plan of Burrell Jackson's Re-Subdivision is not of record, described according to a survey made by Z.J. Wilkinson, Surveyor, July 19, 19841, as follows:
>
> BEGINNING on the northerly margin of Patterson Street at the southeast corner of the property conveyed to W.B. Fowlkes, Jr., and wife, by deed from Claude T. Wilson and wife, of record in Book 2041, Page 255, said Register's Office, being the corner of Lots Nos. 10 and 11; thence with the line between said two lots; northwardly 182.7 feet; thence eastwardly 105 feet; thence southwardly 175 feet; more or less, to the northerly margin of Patterson Street; thence with said street westwardly 105 feet to the beginning.
>
> BEING the same property conveyed to Benjamin F. Oliphant, and wife, Betty F. Oliphant, by deed from James S. Ford, and wife, Ruth Ford, of record in Book 5014, Page 425, Register's Office for Davidson County, Tennessee.

It is awarded to the complainant, Betty F. Oliphant and the defendant is divested of any right, title or interest therein except as set forth under the terms and conditions of this Order and all right, title and interest shall vest solely in the complainant. The complainant is responsible for the outstanding indebtedness owed on said property and holds the defendant harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the defendant is awarded a lien against the above described real property in the amount of $8,000.00 which figure represents his property interests in said real estate. The complainant is ORDERED to satisfy said lien within a period of 2 years from the date of this Final Decree of Divorce.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Benjamin L. Oliphant shall vacate the above described real property within 30 days of the divorce hearing.

It is further ORDERED, ADJUDGED and DECREED that the restraining order enjoining and restraining the defendant from coming about the complainant, Betty F. Oliphant for the purpose of physically or verbally abusing her, threatening her or harrassing her in any manner whatsoever, wherever she may be is hereby made permanent.

It is further ORDERED, ADJUDGED and DECREED that the defendant is ORDERED to pay the reasonable attorney's fees of the complainant and attorney Phillip Robinson is therefore awarded a judgment against the defendant in the amount of $300.00.

The defendant shall pay the costs of this cause for which let execution issue if necessary.

This the 21st day of July, 1986.

JUDGE

APPROVED FOR ENTRY:

Phillip Robinson
Attorney for Complainant

CERTIFICATE

I hereby certify that I have mailed a copy of the foregoing Final Decree of Divorce to Jack Green, Attorney for Defendant, 141 Thompson Lane, Nashville, TN 37211, on this the 25 day of July, 1986.

Phillip Robinson

Phillip Robinson

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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* Fourth *Circuit Court for Davidson County, Tennessee, on the* Twenty-second *day of* July, *19* 86, *in Case Number* 85D-3067 *between* Betty F. Oliphant *Plaintiff, and* Benjamin L. Oliphant *Defendant, as same remains of record in Book* 154B, *Page* 1330 *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* Fifth *day of* July *in the year one thousand nine hundred and* Eighty-eight *and in the* 213th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By L Wyatt *D.C.*