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1986 MAY 19 PM 2:57
GEORGE L. ROCKER, CLERK
D.C.

IN THE PROBATE COURT FOR DAVIDSON COUNTY, TENNESSEE

FAYE RICHARDSON FITE,
Plaintiff,
v.
HENRY LEE FITE,
Defendant.

No. 85D-2869
Judge Everett

BOOK 7701 PAGE 561

FINAL DECREE OF DIVORCE

This cause came to be heard on the 15th day of March, 1986, before the Honorable James Everett, Judge of the Probate Court for Davidson County, Tennessee, upon the verified petition for absolute divorce, plaintiff's application to amend the complaint from that of a divorce from bed and board to one for an absolute divorce, judgment by default having been entered against the defendant, the testimony of the plaintiff, interrogatories of two witnesses, statement of counsel, and the entire record.

From all of which the court finds that the defendant has neglected to provide support for the plaintiff and the parties' minor child, and that the defendant has been guilty of such cruel and inhuman treatment so as to render further cohabitation unsafe. The court further finds the plaintiff is a fit and proper person to have the absolute care, custody and control of the parties' minor child.

The court further finds it appropriate to divide the parties' property and to set child support.

It is, therefore, ORDERED, ADJUDGED AND DECREED by

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the court that the plaintiff, Faye Richardson Fite, be awarded an absolute divorce from the defendant, Henry Lee Fite, and that she be restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED by the court that the plaintiff be awarded the absolute care, custody and control of the parties' minor child and that the defendant be required to pay one-third of all monies coming into his hands as child support.

It is further ORDERED, ADJUDGED AND DECREED by the court that the defendant's interest in 1201 Montgomery Avenue be divested from him and awarded to the plaintiff as alimony insolido. The property is more accurately described as follows, to wit:

> Land in Davidson County, Tennessee, being the southerly 85 feet of Lot No. 380 on the Plan of Oakwood Park, as of record in Book 421, page 12, said Register's Office; Said part of Lot No. 380 fronts 85 feet on the easterly side of Montgomery Avenue, formerly North 9th Street, and extends back 90 feet, more or less, on the northerly and 61 feet on the southerly line, with the northerly margin of Richardson Avenue, to the westerly margin of the right of way of the L.&N. Railroad, measuring 85 feet more or less thereon. Being the same property conveyed to Earl Hawkins, by deed from Jacobs H. Doyle, Trustee, of record in Book 5030, page 640, Register's Office for said County.

It is further ORDERED, ADJUDGED AND DECREED that the restraining order, having previously been entered against the defendant be made permanent, thereby prohibiting him from coming about the plaintiff for the purpose of harassing her, bothering her or molesting her or any member of her family. The defendant is further prohibited from interfering with the plaintiff's possession and title of her 1976 Plymouth automobile.

It is further ORDERED, ADJUDGED AND DECREED that the defendant be required to pay the plaintiff's attorney of record the sum of $500.00 as alimony insolido.

It is further ORDERED, ADJUDGED AND DECREED by the court that the defendant be taxed with costs for which execution may issue.

ENTERED this 19 day of May, 1986.

James Everett, Judge

APPROVED FOR ENTRY:

BRANSTETTER, KILGORE, STRANCH
& JENNINGS

By: James G. Stranch, III

James G. Stranch, III
200 Church Street, 4th Floor
P. O. Box 3079
Nashville, TN 37219-0079
(615) 254-8801

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 14 day of ~~April~~ May, 1986, a copy of this Final Decree of Divorce has been mailed to Henry Lee Fite, at his last known address, 1414 Phillips Drive, Nashville, Tennessee, 37208, postage fully prepaid.

James G. Stranch, III

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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* Probate ~~Circuit~~ *Court for Davidson County, Tennessee, on the* 19th *day of* May, *19* 86, *in Case Number* 85D-2869 *between* Faye Richardson Fite *Plaintiff, and* Henry Lee Fite *Defendant, as same remains of record in Book* 33B, *Page* 1401 *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* 9th *day of* November *in the year one thousand nine hundred and* eighty-eight *and in the* 213th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Karen Rooker *D.C.*

Form #GR-117