5-1-78
350/2036

BOOK 7830 PAGE 616

IN THE FIFTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Map 120 par 47
120-1 " 74
120-1 " 73 Jd

BETTE BIGGS KASPRZYCKI,)
)
Plaintiff)
)
VS.) NO. 90292
)
RAYMOND JOHN KASPRZYCKI,)
)
Defendant)

2114 05/02 0101 03CHECK 12.00

FINAL DECREE

This cause came on to be heard on the 9th day of May, 1978, before the Honorable Stephen North, Judge of the Fifth Circuit Court for Davidson County, Tennessee, upon the complaint of plaintiff, the answer of defendant, testimony of witnesses in open Court, and the entire record; during the course of the trial, counsel for the parties having requested a recess and said recess being granted, and upon the hearing being resumed, the attorneys for the parties having announced to the Court that certain matters in controversy had been agreed upon; and after hearing the terms of the recommended agreement and having approved same, the Court finds as follows:

That the defendant, Raymond John Kasprzycki, is guilty of such cruel and inhuman treatment or conduct towards the plaintiff, as renders cohabitation unsafe and improper, and that plaintiff is entitled to a divorce from bed and board. That injunctions should issue against each party in this cause; that the property rights of the parties should be adjudicated at this hearing; and that either party should be entitled to petition this Court to grant an absolute divorce at the expiration of six months from the entry of this decree providing the parties have not become reconciled.

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

1. The plaintiff, Bette Biggs Kasprzycki, is hereby awarded a divorce from bed and board from the defendant, Raymond John Kasprzycki; and that either party shall be entitled to petition this Court to grant an absolute divorce at the

expiration of six months from the entry of this decree providing the parties have not become reconciled.

2. The plaintiff shall hold defendant harmless on the following joint indebtednesses of the parties, said debts being in the following amounts claimed by the respective creditors:

a. Jim Nelson: $19,407.08;

b. Al Roehrig: $10,000.00; and

c. The note of the parties in the approximate amount of $12,000.00 held by Fidelity Federal Savings and Loan Association and secured by a first mortgage on the residence of the parties located at 1204 Kermit Avenue;

3. All claims which the defendant may have, whether of a legal or equitable nature, in, to or against the Colony Inn Motel owned by Josephine Biggs and located at 1608 Murfreesboro Road, Nashville, Tennessee, are divested out of the defendant, Raymond John Kasprzycki, and vested solely in plaintiff, Bette Biggs Kasprzycki;

4. All right, title and interest of the defendant, Raymond John Kasprzycki, in the home of the parties located at 1204 Kermit Avenue, Nashville, Tennessee, is hereby divested out of the defendant and vested solely in the plaintiff, Bette Biggs Kasprzycki. The legal description of said real estate is as follows:

> LAND in Davidson County, Tennessee, being Lots 4, 5, 6, 7 and part of Lot No. 8 on the Plan of Mire Meadows, of record in Book 1424, pages 94 and 95, and a reserved tract on the Map of the First Addition of Mire Meadows, as of record in Book 1424, page 106, Register's Office for said County, described together as follows:
>
> BEGINNING at a point on the westerly margin of Kermit Drive, at the corner of Lots Nos. 3 and 4 on said plan of Mire Meadows; thence with the margin of said Drive northeasterly 260 feet to the southwest corner of that part of Lot No. 8 conveyed to Donald E. Schmidt et ux by deed of record in Book 3403, page 36, said Register's Office; thence with Schmidt's western boundary line northwardly 220 feet, more or less, to the

southern boundary line of said reserved strip; thence with the line between said reserved strip and Lots Nos. 9 and 10 north 80° 33' east 81.6 feet to the southwest corner of Lot No. 29 on the map of First Addition of Mire Meadows, of record in Book 1424, page 106 said Register's Office; thence with the southern boundary line of Lots Nos. 30, 31 and 32 northwestwardly 241 feet to the southeast corner of Lot 33; thence with the southeasterly line of said Lot 33 southwestwardly 131 feet to the corner of Lots Nos. 33 and 34; thence with the southern boundary line of Lots 34 and 35 northwestwardly 132 feet to the southwest corner of Lot No. 35; thence south 2° 39' west 274 feet to the corner of said Lots Nos. 3 and 4; thence with the line between said lots southeastwardly 200.1 feet to the beginning.

Being the same property conveyed to Raymond J. Kasprzycki and wife, Bette B. Kasprzycki, by deed from Leroy Van Dyke and wife, Carole Sue Van Dyke, of record in Book 4010, page 418, Register's Office for Davidson County, Tennessee.

5. The defendant, Raymond John Kasprzycki, who is presently living at the aforesaid residence located at 1204 Kermit Avenue, shall vacate same on or before May 23, 1978;

6. All right, title and interest of the plaintiff in and to the 1973 El Camino automobile titled in the name of defendant is hereby divested out of plaintiff and vested solely in defendant;

7. Plaintiff, Bette Biggs Kasprzycki, is hereby premanently enjoined from coming about or telephoning defendant, Raymond John Kasprzycki, for the purpose of annoying, harassing, or molesting him;

8. The defendant, Raymond John Kasprzycki, is hereby enjoined from coming about the aforesaid Colony Inn Motel or the residence located at 1204 Kermit Avenue (after he vacates same) except upon the express invitation of plaintiff. Defendant is further permanently enjoined from coming about plaintiff for the purpose of harassing, annoying or molesting her;

9. All right, title and interest of the defendant, Raymond John Kasprzycki, in and to the household furnishings and equipment of the parties located at 1204 Kermit Avenue, is hereby divested out of defendant and vested solely in plaintiff,

Bette Biggs Kasprzycki, with the exception of the following which shall be the sole and exclusive property of defendant: the color TV, den furniture, matching couch and two chairs, bedroom suite and dinette set; and

10. The costs of this cause shall be shared equally by the parties hereto.

ENTER this 11th day of May, 1978.

JUDGE

APPROVED FOR ENTRY:

ATTORNEY FOR DEFENDANT

ATTORNEY FOR PLAINTIFF

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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* FIFTH *Circuit Court for Davidson County, Tennessee, on the* ELEVENTH *day of* MAY, *19* 78, *in Case Number* 90292 *between* BETTYE BIGGS KASPRZYCKI *Plaintiff, and* RAYMOND JOHN KASPRZYCKI *Defendant, as same remains of record in Book* 35C, *Page* 2036 *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* May *in the year one thousand nine hundred and* eighty-nine *and in the* two hundred and thirteenth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Kathleen Garrett *D.C.*

Form #GR-117