9-22-70

17A/140

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

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HELEN DELORESE YOUNKER STOREY]

Petitioner]

vs.] No. 57904

EARL EDGAR STOREY]

Defendant]

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ORDER

This cause came on to be heard before the Honorable Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee on the 22nd day of September, 1970 on the original Petition, pro confesso taken thereon, examination of the petitioner and witnesses in open Court, statement of counsel, and the entire record in the cause, from all of which the Court is of the opinion that the grounds alleged in the Bill are sustained, to wit:

That the defendant has been guilty of such cruel and inhuman treatment as renders co-habitation unsafe, and that it is improper for the petitioner to be under the defendant's dominion and control.

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

1. The petitioner is granted a full, final, and absolute divorce from the defendant.

2. The petitioner is granted the exclusive care, custody and control of the three minor children of the parties.

3. All of the defendant's right, title, and interest to the home of the parties is divested from him and vested in the petitioner in fee simple absolute, said property being more particularly described as follows:

> Land in Davidson County, Tennessee, being the north half of Lot No. 152 on the Map of the North part of Noel's Subdivision of Watkins Grove, as of record in Book 547, page 156, Register's Office for said County.
>
> Said north half of Lot No. 152 fronts 100 feet on the westerly side of Hopkins Street, and runs back between parallel lines 200 feet to a dead line.
>
> Being the same property conveyed to Sam W. Austin and wife, Muriel H. Austin, by deed from John R. Cox and wife, as of record in Book 3219, page 151, said Register's Office.
>
> This conveyance is made subject to restrictions of record in Book 1454, page 442, said Register's Office.

4. An assignment previously made by the defendant to the petitioner concerning commissions and allowances from Lafayette Life Insurance Company is made permanent, to be considered child support, said assignment reading as follows:

> FOR VALUE RECEIVED, I, Earl E. Storey, do hereby transfer, assign, and set over to Helen Y. Storey, all moneys due or to become due me whether by way of commissions or allowances under the terms of my General Agent's contract with The Lafayette Life Insurance Company, dated November 21, 1957, and I direct said Company to pay such sums directly to said Helen Y. Storey, subject to any and all indebtedness now or hereafter owing by me to said The Lafayette Life Insurance Company.
>
> WITNESS my hand this 7th day of July, 1970.
>
> _____
> Earl E. Storey
>
> State of Tennessee)
> County of Davidson)
>
> Before me, the undersigned Notary Public, personally appeared Earl E. Storey and acknowledged the execution of the foregoing assignment.
>
> _____
> Notary Public
>
> My Commission expires:
> November 13, 1973

The Lafayette Life Insurance Company hereby acknowledges receipt of the foregoing Collateral Assignment, and agrees to honor the same, subject to the prior satisfaction by the Assignor of all obligations which now are or may hereafter come due from the Assignor to the said The Lafayette Life Insurance Company.

THE LAFAYETTE LIFE INSURANCE COMPANY

By:
W. J. Mattingly, Agency Vice President

Dated this 14th day of July, 1970.

The defendant is enjoined from revoking said assignment.

5. The defendant is permanently enjoined from coming about the petitioner and the minor children at any time for the purposes of harassment and molesting, and is permanently enjoined from coming about the petitioner and the minor children at any time while he is under the influence of an intoxicant, barbiturates, or narcotics.

6. The Honorable Daniel D. Finch is granted a fee in the amount of Two Hundred Fifty Dollars ($250.00) for services rendered.

7. The costs will be assessed to the defendant for which let execution issue if necessary.

Shelton Suto
JUDGE

APPROVED FOR ENTRY:

Dan Finch
Attorney for Petitioner

I, Daniel D. Finch, hereby certify that I did this 23rd day of September, 1970 send a copy of the foregoing Order to the defendant Earl Edgar Storey at his last known address.

Dan Finch

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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* 22nd *day of* September, *19* 70, *in Case Number* 57904 *between* HELEN D. STOREY *Plaintiff, and* EARL EDGAR STOREY *Defendant, as same remains of record in Book* 17A, *Page* 140 *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* 23rd *day of* May *in the year one thousand nine hundred and* eighty-nine *and in the* 213th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Karen Rooker, *D.C.*

Form #GR-117