1329/2162

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

| | | |
|---|---|---|
| JANE LEE POLK, | ) | 146-161 |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| v. | ) | No. 83D-1911 |
| | ) | |
| PAUL EARL POLK, | ) | |
| | ) | |
| Defendant. | ) | |

FILED
'83 OCT 18 AM 8:07
LOUISE L. ROWLETT, CLERK
D.C.

FINAL DECREE

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This cause came on to be heard on the 6th day of September, 1983, upon the Petition for Absolute Divorce heretofore filed in this cause, the amendment to the complaint, the answer of the Defendant, PAUL EARL POLK, and after the testimony of the parties, their witnesses heard in open court; statement of counsel and the entire record herein, from all of which the Court is of the opinion and finds that the allegation that the Defendant, PAUL EARL POLK, has been guilty of such cruel and inhuman treatment towards the Plaintiff as renders further cohabitation between the parties to be unsafe and improper has been fully substantiated by the proof and, therefore, the Plaintiff, JANE LEE POLK, should be granted an absolute divorce from the Defendant, PAUL EARL POLK, and restored to all the rights and privileges of an unmarried person.

II.

The Court is further of the opinion and finds that the Plaintiff, JANE LEE POLK, should be awarded all the household furnishings and effects located at 312 Fieldcrest, Nashville, Tennessee.

III.

The Court is further of the opinion that any interest the Plaintiff, JANE LEE POLK, may have in the property located at Sugar Tree Resort in Camden, Tennessee should be divested out of her, and vested solely in the Defendant, to be his in fee simple absolute and Plaintiff agrees to execute any and all papers necessary to transfer effective title to said property to the Defendant.

IV.

The Court is further of the opinion that the house and lot located at 312 Fieldcrest, Nashville, Tennessee has a market value of approximately Fifty Thousand Dollars ($50,000). Said house is more particularly described below:

> Being Lot No. 442 on the plan of Crieve Hall Estates, Section 6, as of record in book 2331, pages 1 and 2, Register's Office for said County. Said Lot No. 442 fronts 90 feet on the northerly side of Fieldcrest Drive and extends back 259.4 feet on the westerly line and 257.8 feet on the easterly line to a dead line measuring 68 feet thereon. Being part of the property conveyed to Brentwood Homes, Inc., by deed from Crieve Hall Estates, Inc., of record in book 2332, page 92, Register's Office for said County.
>
> This conveyance is made subject to utility easement, 60-foot building setback line and conditions of owners certificate as shown on plan in book 2331, pages 1 and 2, Register's Office for said County, and restrictive covenants contained in an instrument executed by Crieve Hall Estates, Inc., dated November 12, 1954, and recorded in book 2332, page 92, Register's Office for said County.

All right, title and interest which the Defendant has in said property shall be divested out of him and vested solely in the Plaintiff subject to the following conditions:

(a) The Court determines that the Defendant, PAUL EARL POLK's, marital interest in said property to be worth Twenty-five Thousand Dollars ($25,000). Of this Twenty-five Thousand Dollars ($25,000), Twenty Thousand Dollars ($20,000) is to be awarded to the Plaintiff, JANE LEE POLK, as alimony in solido with the Defendant, PAUL EARL POLK, holding a lien on said property for the balance of Five Thousand Dollars ($5,000) in favor of the Defendant PAUL EARL POLK.

V.

The Court is further of the opinion that the 1980 Oldsmobile owned by the Plaintiff, JANE LEE POLK, now

in her possession shall become her sole property and any truck or automobile now in the possession of the Defendant, PAUL EARL POLK, shall become his sole and absolute property and that each party shall retain any property or money which each party may have inherited, to remain theirs absolutely.

VI.

The Court is further of the opinion that the Defendant shall pay a reasonable attorney's fee to the Plaintiff's attorney, Mac E. Robinson, in the amount of Six Hundred Fifty Dollars ($650) for his services in this cause and a judgment is rendered in favor of Mac E. Robinson against the Defendant, PAUL EARL POLK, for Six Hundred Fifty Dollars ($650).

VII.

The Court is of the opinion and finds that the Defendant shall pay the costs of this cause.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

That the bonds of matrimony subsisting between the parties be and they are hereby dissolved and for nothing held, and the Plaintiff be and she is hereby awarded an absolute divorce from the Defendant and restored to all the rights and privileges of an unmarried person.

It is further, ORDERED, ADJUDGED AND DECREED that the Plaintiff, JANE LEE POLK, is awarded all household furnishings and effects located at 312 Fieldcrest, Nashville, Tennessee, which is more particularly described above.

It is further ORDERED, ADJUDGED AND DECREED that any interest the Plaintiff, JANE LEE POLK, may have in the property located at Sugar Tree Resort in Camden, Tennessee shall be divested out of the Plaintiff, JANE LEE POLK, and

vested solely in the Defendant, PAUL EARL POLK, to be his fee simple absolute and Plaintiff agrees to execute any and all papers necessary to transfer effective title to said property to the Defendant.

It is further, ORDERED, ADJUDGED AND DECREED, that the house and lot located at 312 Fieldcrest, Nashville, Tennessee has a market value of approximately Fifty Thousand Dollars ($50,000), and that all right, title and interest which the Defendant has in said property shall be divested out of him and vested into the Plaintiff in the following manner and Defendant agrees to execute any and all papers necessary to effectuate the sale and transfer thereof:

(a) The Court has determined the Defendant's marital interest in the said property to be worth Twenty-five Thousand Dollars ($25,000) and from this Twenty-five Thousand Dollars ($25,000), Twenty Thousand Dollars ($20,000) is to be awarded to the Plaintiff, JANE LEE POLK, as alimony in solido with the Defendant, PAUL EARL POLK, holding a lien on said property for the balance of Five Thousand Dollars ($5,000) in favor of the Defendant, PAUL EARL POLK.

It is further, ORDERED, ADJUDGED AND DECREED that the Plaintiff, JANE LEE POLK, shall be awarded her 1980 Oldsmobile currently in her possession and any truck or automobile now in the possession of the Defendant, PAUL EARL POLK, shall become his sole and absolute property and that each party shall retain any property or money or outside equity of any kind which they have acquired during the marriage.

It is further, ORDERED, ADJUDGED AND DECREED, that the Defendant, PAUL EARL POLK, is ORDERED to pay a reasonable attorney's fee to the Plaintiff's attorney, Mac E. Robinson, in the amount of Six Hundred Fifty Dollars ($650) for his services in this cause and a judgment is hereby rendered in favor of Mac E. Robinson and against the

Defendant, PAUL EARL POLK, for Six Hundred Fifty Dollars ($650) for which execution may issue if necessary.

It is further, ORDERED, ADJUDGED AND DECREED that the Defendant, PAUL EARL POLK, shall pay the costs of this cause for which execution may issue if necessary.

Entered this 7th day of ~~September,~~ October 1983.

Honorable Muriel Robinson

APPROVED FOR ENTRY:

Mac E. Robinson
Attorney for Plaintiff
DODSON, HARRIS, ROBINSON & ADEN
Suite 900
Nashville City Bank Bldg.
Nashville, TN 37219
(615) 244-6840

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree was sent by U. S. Mail to Michael E. Starling, Attorney for Defendant, 417 Welshwood Drive, Suite 302, Nashville, TN 37211 this 26 day of September, 1983.

Mac E. Robinson

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IDENTIF. TREFERENCE

APR 11 10 58 PM '90

DAVIDSON COUNTY TN.

mail
Jane Lee Polk
1016 Oaks Rd
Chapmansboro
Tenn 37035

# 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* 18th. *day of* October, *19* 83, *in Case Number* 83D-1911 *between* Jane Lee Polk *Plaintiff, and* Paul Earl Polk *Defendant, as same remains of record in Book* 132C, *Page* 2162 *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* 11th. *day of* April *in the year one thousand nine hundred and* Ninety *and in the* 214th. *year of American Independence.*

**GEORGE L. ROOKER,** *Clerk,*

*By* D Rooker *D.C.*

**Form #GR-117**