STATE OF TENNESSEE BOOK 8651 PAGE 166

IN THE FIRST CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT AT NASHVILLE ON THIS FRIDAY, MAY FIFTH, 1978, COURT MET PURUSANT TO ADJOURNMENT: PRESENT AND PRESIDING THE HONORABLE ROBERT E. LILLARD, JUDGE, WHEN THE FOLLOWING PROCEEDINGS WERE HAD, TO-WIT:

Map 83-9
Parcel 120

BILLIE McCAIN STROUD	)	
	)	
VS.	)	NO. 86222
	)	
JESSE STROUD	)	

FINAL DECREE

This cause came on to be heard on the 25th day of April, 1978, before the Honorable Robert E. Lillard, Judge, Division I of the Circuit Court of Davidson County, Tennessee, upon the Amended Counter Complaint filed by the counter-plaintiff and served upon the counter-defendant, the property settlement agreement entered into by and between the parties, the testimony of the counter-plaintiff in open Court, the statements of counsel representing the counter-plaintiff and counter-defendant and the entire record in this cause; from all of which it appears to the Court and the Court so finds that irreconcilable differences have arisen between the parties, that counter-plaintiff should be granted an absolute divorce from counter-defendant; that the property settlement agreement entered into by and between the parties on the 25th day of April, 1978, is fair and equitable, is approved by this Court, and will be so incorporated into the final decree; that counter-plaintiff shall pay all costs of this cause.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THIS COURT that counter-plaintiff be and he hereby is awarded an absolute divorce from counter-defendant and restored to all of the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED AND ADJUDGED BY THIS COURT that the property settlement agreement entered into by and between the parties on April 25, 1978, is hereby approved and is incorporated into this final decree as follows:

PROPERTY SETTLEMENT AGREEMENT

This agreement, made this 25th day of April, 1978, between Billie McCain Stroud, a resident of Davidson County, Tennessee, hereinafter referred to as WIFE, and Jesse Stroud, a resident of Davidson County, Tennessee, hereinafter referred to as HUSBAND;

WHEREAS: The parties hereto are now HUSBAND and WIFE but have been separated and living apart since September, 1976 and said separation resulted from unhappy and irreconcilable differences between them;

WHEREAS: There is now an action for absolute divorce pending in the First Circuit Court of Nashville, Davidson County, Tennessee, wherein the WIFE is the complainant and the HUSBAND is the defendant;

AND WHEREAS: It is the desire of the parties to make an agreement setting forth their rights respecting property now owned by the parties and to adjust and settle all marital interests in said property; both parties being represented by counsel in the preparation of this agreement.

AND WHEREAS: This agreement is not intended nor shall it be construed to be, an agreement for divorce. Either party shall have the right to appear in Court and contest such action. It is agreed by the parties that this Agreement may be submitted to the Court for approval and be made part of the Final Decree and that any terms may be enforceable by contempt proceedings, if necessary. Each party hereby waives any right to apply to any Court for modification of this Agreement prior to the Final Decree of Divorce

WITNESSETH: That now therefore in consideration of the premises and mutual agreements hereinafter contained, the parties do hereby agree as follows:

1. The HUSBAND shall have exclusive control and custody of the minor children of the parties with reasonable visitation rights to the WIFE every other weekend. The WIFE shall pay no child support to the HUSBAND fo the maintenance of their minor children.

2. The WIFE agrees to transfer to the HUSBAND all of her interest in and to the real property owned by the parties, said title to be divested out of her and vested in him in the divorce decree.

3. The parties hereto have, before the execution of this agreement, physically divided and taken into their respective personal possession all tangible personal property in which either party hereto has any interest and which are not specifically herein referred to. Each party does hereby transfer and quitclaim unto the other party all of his or her interest in and to all of the tangible chattels now in the possession of the other party.

4. The HUSBAND will pay to the WIFE as alimony in solido the total sum of One Thousand Dollars ($1,000.00), payable according to the following terms, $500.00 on or before May 2, 1978, and the remaining $500.00 on or before June 6, 1978. The petition for contempt will be dismissed with prejudice and the HUSBAND will be forever released from any obligations for alimony of any kind to the WIFE.

5. Each party shall pay his or her own attorney's fee.

6. HUSBAND shall pay all the costs of this cause.

IN WITNESS WHEREOF, the following have subscribed their names on this the___ day of April, 1978.

/s/ Billie McCain Stroud
Billie McCain Stroud
1221 Stockel Street

/s/ Jesse Stroud
Jesse Stroud
1112 Forrest Avenue

STEPHENSON, LACKEY & WAITE

By:/s/ Nancy K. Corley
Nancy K. Corley
Attorney for Husband

/s/ John R. Reynolds
John R. Reynolds
Attorney for Wife

AMENDMENT TO PROPERTY SETTLEMENT AGREEMENT
WITH REGARD TO VISITATION RIGHTS

1. The WIFE may have visitation with the minor children every other Saturday during the day.

2. The WIFE shall not come around the minor children while she has been drinking and she shall be injoined from drinking while the children are with her.

3. The WIFE shall not take the minor children out of the county of this Court's jurisdiction without the written permission of the HUSBAND and the HUSBAND will not take the minor children out of this county without first informing the WIFE of their destination.

B.L.S.
J.S.

4. ~~The WIFE will inform the HUSBAND of where she intends~~ to take the minor children ~~each~~ Saturday when she exercises her ~~visitation~~ rights.

5. The WIFE will keep the HUSBAND informed of her residence address at all times.

/s/ Billie McCain Stroud
Billie McCain Stroud
1221 Stockel Street
Address

/s/ Jesse Stroud
Jesse Stroud
1112 Forrest Avenue
Address

STEPHENSON, LACKEY & WAITE

By:/s/ Nancy K. Corley
Nancy K. Corley
Attorney for Husband

/s/ John R. Reynolds
John R. Reynolds
Attorney for Wife

M I N U T E S, ON THE FIFTH DAY OF MAY, 1978.

IT IS FURTHER ORDERED AND ADJUDGED that the fee title to the hereinbelow described real property be divested out of Billie McCain Stroud (Billie Stroud) and vested solely in Jesse Stroud (J. W. Stroud), to wit:

> Being Lot No. 29 in the Re-Subdivision of the Bransford McWhirter Subdivision, of the Allison Place, of record in Book 161, page 125, Register's Office for said County.
>
> Said Lot No. 29 fronts 50 feet on the south side of Forrest Avenue and runs back between parallel lines 160 feet to an alley.
>
> Being the same property conveyed to J. W. Stroud and wife, Billie L. Stroud, by warranty deed from Herschel DeLones and wife, Mary Ann DeLones, of record in Book 2141, page Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED AND ADJUDGED THAT Counter-plaintiff shall pay the costs of this cause;

For all of which execution may issue, if necessary.

Robert Dillard
JUDGE

APPROVED FOR ENTRY:

STEPHENSON, LACKEY & WAITE

By: Nancy K. Corley
Nancy K. Corley
Attorney for Counter-plaintiff

CERTIFICATE OF SERVICE

I certify that I have serviced a copy of the foregoing Order to John R. Reynolds, Jr., Atorney for Counter-defendant, by mailing same to his office address at Suite 100, 216 3rd Avenue North, Nashville, Tennessee, on this 3rd day of May , 1978.

Nancy K. Corley
NANCY K. CORLEY

19098

IDENTIF. REFERENCE

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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* First *Circuit Court for Davidson County, Tennessee, on the* 5th *day of* May, *19* 78, *in Case Number* 86222 *between* BILLIE MCCAIN STROUD *Plaintiff, and* JESSE STROUD *Defendant, as same remains of record in Book* 144C, *Page* 1908 *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* 29th *day of* May *in the year one thousand nine hundred and* Ninety-two *and in the* 216th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By William H. Crawford *D.C.*

Form #GR-117