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IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

IDENTIFI REFERENCE

DOROTHY JEAN BARRETT SMITH]

VS.] NO. 53848

DON EARL SMITH] D E C R E E

AUG 27 2 14 PM '6

DAVIDSON COUNTY, TN

PICK-UP

This cause came on to be heard on the 19th day of November, 1968, before the Honorable Shelton Luton, Judge, Probate Court of Davidson County, Tennessee, upon the original petition of the complainant, Dorothy Jean Barrett Smith, the answer of the defendant, Don Earl Smith, having been withdrawn; the Court heard the case on a non-contested basis. From the testimony of the complainant, her corroborating witnesses, statement of counsel, and from the entire record of this cause, the Court is of the opinion that the original complainant did sustain her grounds for divorce, that is, that the defendant has been guilty of such cruel and inhuman treatment towards her as renders further cohabitation unsafe and improper for her to remain under his dominion and control;

It is therefore, ORDERED, ADJUDGED AND DECREED that the complainant, Dorothy Jean Barrett Smith, is awarded an absolute divorce from the defendant, Don Earl Smith, and the bonds of matrimony heretofore existing between the parties, is forever and perpetually dissolved, and the complainant is restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED that as alimony, the complainant is awarded all of defendant's right, title and interest in and to a certain piece of real property, more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 177 on the Plan of Edge O Lake Estates, Section 1, as of record in Book 3600, page 43, Register's Office for Davidson County, Tennessee.

Said Lot No. 177 fronts 80.78 feet on the southerly side of Rural Hill Road and runs back between lines, 162.39 feet on the easterly side and 160.06 feet on the westerly side which is a broken line, to a line at the rear on which it measures 62.48 feet thereon.

Being the same property conveyed to Don Earl Smith and wife, Dorothy Jean Smith, by deed from Thurman and Stevens Construction Company, Inc., of record in Book _____, page _____, Register's Office for Davidson County, Tennessee.

and defendant's interest in said property shall be divested out of the defendant and awarded in the complainant in fee simple. In addition thereto, all of defendant's right, title and interest in and to the household furnishings now located at said aforementioned property as are now vested in the defendant shall be divested out of the defendant and awarded absolutely to the complainant.

It further appearing to the Court that the defendant is now in the possession of a 1968 Buick automobile, but that complainant is under a co-obligation in regard to said aforementioned automobile; it is ORDERED, ADJUDGED AND DECREED that the equity of the parties in said aforementioned automobile shall be conveyed absolutely to the defendant, with the further provision, however, that the defendant shall have the responsibility of retiring the obligation against said aforementioned automobile, and shall hold complainant harmless from any claim that may hereinafter arise as a result of his possession or use of said aforementioned automobile.

It further appearing to the Court that both complainant and defendant are jointly obligated on certain loans heretofore made by the defendant, and it appearing that the defendant received the benefit of said aforementioned loans;

It is, therefore, ORDERED, ADJUDGED AND DECREED that it shall be the responsibility of the defendant to make future payments on said aforementioned outstanding loans, and to hold complainant harmless from any claim thereon.

The defendant will pay the costs of this cause, for which execution may issue, if necessary.

Entered this 25th day of November, 1968.

Stella Luton
JUDGE

APPROVED FOR ENTRY:

Jack Norman, Jr., Attorney
for Complainant

J. W. Rutherford, Attorney
for Defendant

I certify that I have mailed a copy of this Decree to Mr. J. W. Rutherford, attorney, Nashville Bank & Trust Bldg., Nashville, Tennessee, this 22 day of November, 1968.

Attorney

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* NOVEMBER, *19* 68, *in Case Number* 53848 *between* DOROTHY JEAN BARRETT SMITH *Plaintiff, and* DON EARL SMITH *Defendant, as same remains of record in Book* 13, *Page* 68 *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* 27th *day of* AUGUST *in the year one thousand nine hundred and* NINETY-TWO *and in the* 217th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Walter L. Adams *D.C.*