LORENE KELLEY SHERRELL] - NO. 41150 -

- V -] IN THE FOURTH CIRCUIT COURT OF DAVIDSON

JAMES HENRY SHERRELL] COUNTY, TENNESSEE

- FINAL DECREE - BOOK 8746 PAGE 567

This cause came on for further and final hearing before the Hon. Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee, on Tuesday, November 26, 1963, upon the original bill filed by the complainant and the answer of the defendant.

From the evidence in the cause, oral testimony heard in open court, statement of counsel, and from the entire record, the Court was of the opinion that the allegations of the original bill were fully sustained by the proof, that is, that the defendant has been guilty of such cruel and inhuman treatment and conduct towards the complainant as renders it unsafe and improper for her to further cohabit with him and remain under his dominion and control.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the complainant, Lorene Kelley Sherrell, and the defendant, James Henry Sherrell, be and the same are hereby forever and perpetually dissolved; the complainant is decreed an absolute divorce from the defendant; and she is further restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the complainant and mother is the fit and proper person to have the custody and control of the minor child of these parties, namely, Sandra Lorae Sherrell, a girl, eleven years of age,

It is ORDERED, ADJUDGED AND DECREED by the Court that the custody of said minor daughter be, and the same is hereby, decreed to the complainant, with the right and privilege to the defendant father to see and visit said child at reasonable times and places.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant pay to the complainant the sum of Twenty-One ($21.00) Dollars per week for the support and maintenance of said minor child until said minor child reaches her majority or becomes self-supporting.

As alimony, it is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to the real estate consisting

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of a house and lot heretofore owned by the parties as tenants by the entirety, and heretofore used as their home, located at 1302 Tenth Avenue, North, in Nashville, Davidson County, Tennessee, and more particularly described, as follows:

> Land in Davidson County, Tennessee, being the northerly 26 feet of Lot No. 139, and the southerly 20 feet of Lot No. 140, on the Plan of McGavock, Wetmore and Others First Addition to Nashville, called the Town of McGavock, as of record in Book 21, Page 23, Register's Office for said county.
>
> Said parts of Lots Nos. 139 and 140 front together 46 feet on the easterly side of Tenth Avenue, North, formerly Polk Street, and run back between parallel lines 150 feet to an alley.
>
> Being the same property conveyed to James H. Sherrell and wife, Lorene K. Sherrell, by deed from E. V. Grizzle and wife, Bessie Grizzle, and Clarence B. Hall and wife, Birdie Hall, of record in Book 2249, Page 81, Register's Office for Davidson County, Tennessee.

now vested in the defendant, James Henry Sherrell, be and the same is hereby divested out of the said James Henry Sherrell, and fee simple title to said real estate is hereby decreed to and vested in the complainant, Lorene Kelley Sherrell.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to the furniture and household effects heretofore used by the parties in the maintenance of their home, now located in said home described above, and in the possession of the complainant, now veste in the defendant, James Henry Sherrell, be and the same is divested out of the said James Henry Sherrell, and title to the same is vested in the complainant, Lorene Kelley Sherrell, absolutely.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that in full and final settlement of all property rights of the parties involved, and in order to provide for the education of the minor child of the parties, that a certain piece of real estate, the same being a vacant lot, heretofore owned by the complainant and defendant as tenants by the entirety, and locate at City No. 1630 Emerald Drive in Davidson County, Tennes see, and being lan in Davidson County, Tennessee, more particularly described, as follows:

> Land in the 13th, formerly the 21st, Civil District of Davidson County, Tennes see, being part of Tract No. 1 on the Plan of the M. W. Brown Farm, not of record and the northeast part of Parcel marked "Reserved" on the Plan of Hydes Ferry Park, Section 2, as of record in Book 2330, Page 176, Register's Office for said County, described together according to a survey made by Hickerson-Miller, Engineers, December 14, 1959, as follows:

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Beginning at an iron pin on the southeasterly margin of Emerald Drive at the most westerly corner of that part of Tract No. 1, conveyed to James Utley and wife, by deed from Sam J. Chandler, III, of record in Book 2592, Page 265, said Register's Office; thence with said Utley's southwestern boundary line, south 46° 15' east 147 feet to an iron pin; thence south 7° west 240 feet to an iron pin, the southeast corner of the property conveyed to Lorensa A. Dennis and wife, by deed from H. A. Vantrease and wife, of record in Book 3027, Page 124, said Register's Office; thence with the northeasterly line of said Dennis property north 29° 15' west 317.5 feet to the southeasterly margin of Emerald Drive; thence with said Drive northeastwardly 100 feet to the beginning.

Being part of the real property conveyed to H. A. Vantrease by two deeds, one from Sam J. Chandler, Jr., dated December 8, 1959, filed December 8, 1959, and recorded in Book 2996, Page 339, and the other from W. L. Bainbridge, Jr., and wife, dated December 14, 1959, filed December 17, 1959, and recorded in Book 2997, Page 381, said Register's Office.

And being the same property conveyed to James Henry Sherrell and wife Lorene Kelley Sherrell, by deed from H. A. Vantrease and wife, Ruth C. Vantrease, of record in Book 3158, Page 136, Register's Office for Davidson County, Tennessee.

be sold by the parties and the proceeds from said sale reinvested in some statutorily authorized investment, and be retained solely for the educational purposes of the minor daughter of the parties. The Court directs both the complainant and the defendant to sign and execute any deed, document, transfer or papers necessary to effect the sale of this piece of property, and to invest the proceeds of such sale for the benefit of the child, as directed above. In the event of the refusal or failure of either or both of the parties to carry out this direction of the Court, either party may apply to the Court for more specific orders in order to effect the decree of the Court in this regard.

The defendant, James Henry Sherrell, will pay to Jack Norman, Attorney the solicitor of record for the complainant, the sum of Two Hundred Fifty ($250.00) Dollars for professional services rendered the complainant in this cause, and execution may issue for said sum if necessary.

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

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FOR ENTRY:

Jack Norman, Attorney for Complainant

John Hooker, Attorney for Defendant

DEC 4 1963

Judge

This is to certify that a copy of this Order has been delivered to Mr. John Hooker, Attorney for the defendant, this December 4, 1963.

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IDENTIFICATION REFERENCE

Oct 2 12 57 PM '92

ALEX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN

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PICK-UP

STATE OF TENNESSEE

I, ALF RUTHERFORD, Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between Lorene Kelley Sherrell *Plaintiff, and* James Henry Sherrell *Defendant, as same remain of record in said Court.*

IN TESTIMONY WHEREOF, *I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the* 16th. *day of* March *in the year one thousand nine hundred and* sixty*four *and in the* 188th. *year of American Independence.*

ALF RUTHERFORD, Clerk.

By _____, *D. C.*