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FILED

DEC 3 1982

GEORGE L. ROOKER, Clerk

By _____ Deputy

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

106-14
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ROYCE C. HICKS,

Complainant - Husband

VS

SANDRA I. HICKS,

Defendant - Wife

No. 82D-3098

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ORDER

This cause came on for final hearing on the 29th day of November, 1982, before the Honorable James M. Swiggart, Judge of the Sixth Circuit Court for Davidson County, Tennessee, upon Husband's Complaint, Wife's Answer, Wife's Cross-Complaint, the testimony of both parties and of Wife's witnesses in open Court, and argument of counsel for both parties, from all of which it does appear to the Court as follows:

1. That Husband has been guilty of such cruel and inhuman treatment or conduct towards Wife as renders cohabitation by her with him unsafe and improper and that Wife is granted an absolute divorce from Husband upon the grounds of cruel and inhuman treatment and that both Wife and Husband are restored to all the rights and privileges of unmarried persons.

2. That Wife is awarded the absolute custody, care and control of the parties' three (3) minor children with Husband to have reasonable visitation privileges with said children.

3. That Husband shall pay the sum of Forty-Five ($45.00) Dollars per week to Wife as child support for said minor children, and said child support shall continue without diminution until the youngest child attains the age of majority. This weekly child suppor payment of Forty-Five ($45.00) Dollars, together with Two and 25/100 ($2.25) Dollars representing the Clerk's five (5%) per cent commission,

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IDENTIFICATION REFERENCE

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shall be paid to the Clerk of this Court by Husband. These payments are to begin on Friday, December 10, 1982, and to continue on the same day of each succeeding week.

4. That the ownership and title to the house and lot presently owned by the parties at 1974 Loney Drive, Nashville, Tennessee, and more specifically described as:

> Being Lot No. 61 on the Plan of Raymond Heights as of record in Book 1424, page 141, Register's Office for said County.
>
> Said Lot No. 61 fronts 65 feet on the southeasterly side of Loney Drive and runs back 226.9 feet on the northeasterly line and 218.8 feet on the southwesterly line to a dead line, measuring 80 feet thereon.
>
> Being the same property conveyed to Royce C. Hicks and wife, Sandra Ivey Hicks, by deed from James Thomas Ivey and wife, Marion Pauly Ivey of record in Book 4699, page 679, Register's Office for Davidson County, Tennessee.

shall be as follows: Wife shall have an undivided three-fourths (3/4) interest in said house and lot, and Husband shall have an undivided one-fourth (1/4) interest in said house and lot. Wife shall have the sole and exclusive right to possession of the house and lot with the right of living there with the children until the youngest child attains the age of eighteen (18) years. Wife shall have the sole and exclusive title to and possession of all the furniture, furnishings, and other personal property presently located in this house, and Husband is fully divested of any interest therein.

5. That Husband shall pay the full monthly payments on all mortgages outstanding against the above house and lot. Of the portion of those payments allocated to the payment of principal and insurance seventy-five (75%) per cent thereof shall be considered as alimony payable by Husband. Husband shall commence these payments upon the execution of this Order and shall also pay all such payments due, owing and unpaid at that time.

6. That Husband shall keep the three (3) minor children of the parties listed as insured parties on the medical insurance he presently has with his employer.

7. That of the four (4) cemetery lots presently owned by the parties in the Harpeth Hills Memorial Gardens, Wife shall have sole title to and ownership of two (2) of said lots, each adjacent to the other, and Husband shall have sole title to and ownership of the remaining two (2) lots, each adjacent to the other.

8. That Husband shall pay to Wife the sum of Two Hundred Fifty ($250.00) Dollars for her attorney's fees, for the payment of which execution may issue if necessary.

9. That the costs of this cause are taxed against Husband, for the payment of which execution may issue if necessary.

And it further appearing to the Court that all of the above is well-founded,

IT IS, THEREFORE, ALL SO ORDERED, ADJUDGED AND DECREED.

Entered this 3rd day of December, 1982.

JUDGE

APPROVED FOR ENTRY:

EDWARD S. KELLY, JR.
Attorney for Defendant-Wife
6202 Charlotte Avenue
Nashville, Tennessee 37209

KAREN CAIN
Attorney for Complainant-Husband
430 Third Avenue North
Nashville, Tennessee 37201

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STATE OF TENNESSEE

I, **RICHARD R. 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 SIXTH Circuit Court for Davidson County, Tennessee, on the 03 day of DECEMBER, 19 82, in the Case Number 82D3098 between HICKS, ROYCE C Plaintiff, and HICKS, SANDRA I Defendant, as same remains of record in Book 032A, Page 00052 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 04 day of MAY in the year one thousand nine hundred and ninety-three and in the 217th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By Barbara Eddings
Deputy Clerk