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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

BOOK 9858 PG 505

1995 APR 13 PM 12:08

RICHARD R. ROOKER, CLERK

THOMAS EDWARD O'BRIEN)
)
vs.) NO. 92D-3463
)
CYNTHIA DEE O'BRIEN)

91-11
171

FINAL DECREE/JUDGEMENT OF DIVORCE

This cause came to be heard on the 7th day of March, 1995, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court in and for Davidson County, Tennessee upon Husband's Complaint for Divorce and Intervening Petitioners, Bill and DeAnna Shaw's, Petition for Custody of the minor child, Tamara D. O'Brien. It appears to the Court that on December 4, 1992, a default judgment was granted to Husband against Wife; however the Court allowed Wife's new counsel to participate at this hearing, even though Wife failed to appear at this hearing. It further appears to the Court based upon testimony of the Husband, testimony of witnesses of Husband, statements of Husband counsel that Wife is guilty of cruel and inhuman treatment and adultery. Also, Husband's counsel stated that Benjamin Thomas O'Brien is no longer a minor, that Tamara D. O'Brien is not the natural child of Husband, therefore, Husband does not pursue custody of the said minor child, it is

THEREFORE ORDERED, ADJUDGED AND DECREED Husband, Thomas Edward O'Brien, is hereby awarded an absolute divorce from Wife, Cynthia Dee O'Brien, on the grounds of Cruel and Inhuman Treatment and Adultery and restored to all rights and privileges of an unmarried person. Further, the bonds of matrimony heretofore existing between the parties are hereby perpetually dissolved. It is

FURTHER ORDERED, ADJUDGED AND DECREED that the aunt and uncle, DeAnna and Bill Shaw, are hereby awarded absolute care, custody and control of the minor child, Tamara Dee O'Brien, date of birth, October 29, 1990. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife is hereby awarded any and all personalty in her possession at the time of this hearing. It is

BOOK 9858 PG 506

FURTHER ORDERED, ADJUDGED AND DECREED that Husband is hereby awarded any and all personalty in his possession at the time of this hearing. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Husband is hereby awarded the marital homeplace located at 4804 Indiana Avenue, Nashville, Davidson County, Tennessee; more fully described as follows, to wit:

> *BEING Lots Number 709 and 711 of Blk 101, Plan No. 1, West Nashville, as of record in Book 57, Pages 74 and 75, Register's Office for Davidson County, Tennessee.*
>
> *SAID Lots Number 709 and 711 front together 50 feet on the northerly side of Indiana Avenue and run back parallel lines 150 feet to an alley.*
>
> *BEING the same property conveyed to Cynthia O'Brien et vir Thomas O'Brien by Quitclaim Deed from George J. Duzane, Trustee, of record in Book 7040, Page 421, Register's Office for Davidson County, Tennessee.*

However, same has been condemned by the Metropolitan Codes Administration. Further, Husband had paid back taxes on the house for the last three years to avoid foreclosure.

Therefore, Wife shall be divested out of any right, title and interest she may have in the aforementioned property and said right, title and interest shall be vested in Husband solely. Further, Wife shall execute any and all documents to effectuate such change. It is

FURTHER ORDERED, ADJUDGED AND DECREED that Wife shall pay the costs of this cause for which execution shall issue if necessary.

ENTERED this 17th day of April, 1995.

HONORABLE MURIEL ROBINSON
Judge of Fourth Circuit

APPROVED FOR ENTRY:

GEORGE J. DUZANE, #6461
Attorney for Husband
One Church Street--Suite 300
Nashville, TN 37201
(615) 259-1214

CERTIFICATE OF SERVICE

BOOK 9558 PG 507

I hereby certify that a true and exact copy of the foregoing Final Decree/Judgment of Divorce has been forwarded by U.S. Mail to Mr. John Aaron Holt Attorney for Bill and DeAnna Shaw, 311 White Bridge Road, Nashville, TN 37209-3237 and to Mr. Frank E. Clayton, Attorney for Wife, 213 Third Avenue North, Nashville, TN 37201 on this 30th day of March, 1995.

GEORGE J. DUZANE, #6461

xc: Mr. Thomas Edward O'Brien
1055 Bald Eagle Drive
Kingston Springs, TN 37082

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IDENTIF. # REFERENCE

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FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.

MAIL ENV.

STATE OF TENNESSEE

BOOK 9558 PG 508

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 FOURTH Circuit Court for Davidson County, Tennessee, on the 1 day of OCT, 19 94, in the Case Number 93C3467 between O'BRIEN, THOMAS EDWARD Plaintiff, and O'BRIEN, CYNTHIA DEE ET AL Defendant, as same remains of record in Book 7130, Page 286 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 13 day of NOVEMBER in the year one thousand nine hundred and ninety-five and in the 220th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

by Betty W. Murray
Deputy Clerk

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