BOOK 9873 PG 551

10-6-77
143B 987

IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

CONNIE JEAN KILLEN MANNING)
)
VS.) NO. 87913
)
THOMAS WALTER MANNING, JR.)

FILE BOX 45

O R D E R

This cause came on to be heard before the Honorable J. William Rutherford, Judge of the First Circuit Court for Davidson County, Tennessee, on Monday, September 26, 1977, on the pleadings filed herein and all other matters of record, the testimony of complainant, the property settlement agreement signed by the parties, and the statements of counsel. From all these the court finds that the original complaint herein was filed by complainant and served upon the defendant by service upon his attorney, Michael F. Mondelli, on June 26, 1977. No answer has been filed herein, and a default judgment has been granted complainant. The court is of the opinion and so finds that complainant should be granted a divorce on the grounds of irreconcilable differences, and the property settlement agreement exhibited to the court is approved, and should be made a part of this order.

It is, therefore, ORDERED, ADJUDGED, and DECREED that complainant, Connie Jean Killen Manning, be and is hereby granted an absolute divorce from defendant, Thomas Walter Manning, Jr., on the grounds of irreconcilable differences, and complainant is hereby restored to all the rights and privileges of an unmarried person. It is further ORDERED that the property settlement agreement executed by the parties be and is hereby approved by the court, and made a part of this court's order herewith:

> THIS AGREEMENT made and entered into this 5th day of August, 1977, by and between Connie Jean Killen Manning, hereinafter called "WIFE", and Thomas Walter Manning, Jr., hereinafter called "HUSBAND".
>
> WHEREAS, the parties have had certain difficulties between them which has resulted in their being unable to cohabit; and
>
> WHEREAS, there is pending in the Circuit Court for Davidson County, Tennessee a petition for absolute

divorce wherein Wife is complainant, and Husband is defendant; and

WHEREAS, the parties desire, for their mutual benefit, to enter into this agreement in an effort to agree upon the matters of the disposition of their real and personal property, with the intention that this agreement may be and become part of any order awarding absolute divorce in the above referenced matter; and

WHEREAS, the parties understand that this agreement is subject to the approval of the said court.

NOW, THEREFORE, for and in consideration of the mutual covenants to be derived by the parties, they herewith agree as follows:

1. Wife shall retain the title and possession to her 1971 Ford Pinto automobile. Husband shall retain possession of the 1967 Dodge Van.

2. Each party will retain his or her personal belongings, clothes, and similar items, which it is agreed have been divided between them in a mutually satisfactory fashion.

3. Husband will retain all furniture and appliances located in the parties' home at 708 Cameo Drive, Nashville, Tennessee 37211, with the exception of the portable television, which shall, be, and become the sole property of Wife.

4. Husband shall pay to wife Two Thousand ($2,000.00) Dollars in full settlement of all interest she may have in the real and personal property of the parties, which is being retained by Husband hereunder. Wife is to receive $1,000.00 of this amount upon the execution of this agreement, and the remainder upon the conclusion of the above referenced divorce proceeding.

5. All right, title and interest of Wife in and to the house and lot of the parties at 708 Cameo Drive, Nashville, Davidson County, Tennessee, shall be divested from Wife and vested solely in Husband, with the exception that to secure the payment by Husband to Wife of the Two Thousand ($2,000.00) Dollars as aforesaid, or the balance thereof remaining, Wife shall be granted a lien on the property to secure said obligation. Husband further agrees that he shall be responsible for all the indebtedness on the said property, and he shall indemnify Wife and hold her harmless from any liability thereon. The said property at 708 Cameo Drive, Nashville, Davidson County, Tennessee is more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 21, on the Plan of Battlewood, Section I, as of record in Book 1835, page 31, Register's Office for said County, and described as follows:
>
> Beginning at a point in the westerly margin of Cameo DRive, said point being the common corner of Lots Nos. 21 and 22 of said subdivision; thence with the line between said lots, northwesterly 251.97 feet to a point; thence southwardly 120 feet to a point; thence with the line between Lots Nos. 19 and 21, southeastwardly 87.12 feet to a point, being the common corner of Lots Nos. 19, 20 and 21 of said subdivision;

thence with the line between Lots Nos. 20 and 21, eastwardly 138.60 feet to a point in the westerly margin of Cameo Drive; thence with the margin of said Drive, and with the curve of the same, northwardly passing a marker, 70 feet to the point of beginning.

Being the same property conveyed to Thomas W. Manning and wife, Connie J. Manning by deed from Thomas E. Pack, Jr. and wife, Teodora L. Pack of record in Book 5082, page 48, Register's Office for Davidson County, Tennessee.

6. Husband agrees to pay all outstanding and unpaid bills and obligations of the parties.

7. Husband agrees to pay One Hundred Fifty ($150.00) Dollars towards the attorney's fees incurred by Wife pursuant to the above referenced petition for absolute divorce. Husband agrees to pay the court costs assessed in the above referenced petition.

8. Both parties agree to execute any documents that may be necessary to carry out the terms of this agreement.

/s/ Paul S. Roberts	/s/ Connie Jean Killen Manning
Witness to Connie Jean Killen Manning	Connie Jean Killen Manning "Wife"
/s/ Michael F. Mondelli, Atty.	/s/ Thomas W. Manning, Jr.
Witness to Thomas Walter Manning, Jr.	Thomas Walter Manning, Jr. "Husband"

In accordance with the property settlement agreement, it is hereby ORDERED, ADJUDGED, and DECREED that complainant be and is hereby granted Two Thousand($2,000.00) Dollars as alimony in solido from defendant. It is further ORDERED that all right, title and interest of complainant in and to the house and lot of the parties at 708 Cameo Drive, Nashville, Davidson County, Tennessee, be and is hereby divested from her and vested solely in defendant. To secure the payment to complainant of the award of alimony in solido, complainant is hereby granted a lien on the said property. Defendant shall be responsible for all the indebtedness on the said property, and shall indemnify complainant and hold her harmless from any liability thereon. Defendant also shall pay all outstanding and unpaid bills and obligations of the parties.

It is further ORDERED that defendant shall pay One Hundred Fifty ($150.00) Dollars towards the attorney's fees incurred by complainant herein.

It is further ORDERED that complainant have her maiden name, Connie Jean Killen, restored to her.

It is also ORDERED that the costs hereof be taxed to defendant, for which let execution issue, if necessary.

JUDGE 10-6-77

APPROVED FOR ENTRY:

DENNEY, LACKEY & CHERNAU
Attorneys for Complainant

By William L. Rosenberg
William L. Rosenberg

I certify that a copy of the above order has been mailed to Thomas Walter Manning, Jr., at 708 Cameo Drive, Nashville, Tennessee 37211, and to Michael F. Mondelli, attorney of record for defendant, at his office at 214 Third Avenue, North, Nashville, Tennessee 37201, on this 5 day of October, 1977.

William L. Rosenberg

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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 _FIRST Circuit Court for Davidson County, Tennessee, on the _06 day of _OCTOBER , 19 _22 , in the Case Number _87913 between _MANNING, CONNIE JEAN B Plaintiff, and _MANNING, THOMAS WALTER JR Defendant, as same remains of record in Book 1438 , Page _00387 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 _21 day of _NOVEMBER in the year one thousand nine hundred and _ninety-five and in the _220th_ year of American Independence.

RICHARD R. ROOKER, Clerk

By _____ Deputy Clerk

SEAL

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FELIX Z. WILSON III REGISTER
DAVIDSON COUNTY, TN.

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IDENTIF. & REFERENCE

RECORDERS MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN
THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED