147-06-0 084.00 2346/1084

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

94 SEP -9 PM 4:31

RICHARD R. ROOKER, D.C.

HARRIET ELIZABETH UPTON PLAINTIFF	)	
VS.	)	NO. 94D-1229
CHAD CLAYTON UPTON DEFENDANT	)	BOOK 9943 PG 922

FINAL DECREE

THIS CAUSE CAME ON TO BE HEARD ON THE 16TH DAY OF AUGUST, 1994, BEFORE THE HONORABLE RALPH DEMARCO, SPECIAL JUDGE OF THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE, ON THE COMPLAINT FILED BY THE WIFE, HARRIET ELIZABETH UPTON. UPON HEARING TESTIMONY OF WIFE, STATEMENTS OF COUNSEL FOR WIFE, AND UPON THE RECORD AS A WHOLE, THE COURT FINDS THAT THE WIFE HAS SUFFERED CRUEL AND INHUMAN TREATMENT FROM THE HUSBAND AND IS ENTITLED TO A DIVORCE.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT THE WIFE, HARRIET ELIZABETH UPTON, IS HEREBY AWARDED AN ABSOLUTE DIVORCE FROM THE HUSBAND, CHAD CLAYTON UPTON, ON THE GROUNDS OF CRUEL AND INHUMAN TREATMENT AND SHE IS RESTORED TO ALL RIGHTS AND PRIVILEGES OF AN UNMARRIED PERSON.

ON ORAL MOTION TO AMEND HER ORIGINAL COMPLAINT IN THE FOLLOWING MANNER:

D. WIFE - LENGTH OF RESIDENCE AT THE ABOVE ADDRESS: AUGUST 1993.

L. HUSBAND - LENGTH OF RESIDENCE: UNKNOWN.

M. DATE AND PLACE OF BIRTH: NASHVILLE, TENNESSEE.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT THE ORIGINAL COMPLAINT BE AMENDED TO READ AS FOLLOWS:

D. WIFE - LENGTH OF RESIDENCE AT THE ABOVE ADDRESS: AUGUST 1993.

L. HUSBAND - LENGTH OF RESIDENCE: UNKNOWN.

M. DATE AND PLACE OF BIRTH: NASHVILLE, TENNESSEE.

IT FURTHER APPEARED TO THE COURT THAT:

WIFE SHOULD BE GRANTED THE RESIDENCE AT 202 OVERCREST COURT AND THAT ALL INTEREST IN HUSBAND BE DIVESTED FROM HIM AND VESTED IN WIFE.

ALL PERSONAL PROPERTY IN THE POSSESSION OF WIFE IS GRANTED TO HER AND ANY INTEREST HUSBAND MIGHT HAVE IS DIVESTED FROM HIM. HUSBAND IS GRANTED HIS DUFFEL BAG WITH ITS CONTENTS.

WIFE SHOULD BE GRANTED HER MAIDEN NAME OF HARRIET ELIZABETH CATHEY.

WIFE SHOULD PAY THE COSTS OF THIS CAUSE, FOR WHICH EXECUTION MAY ISSUE IF NECESSARY.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED THAT THE HOUSE AT 202 OVERCREST DRIVE IS GRANTED TO WIFE AND THAT ALL RIGHT, TITLE AND INTEREST IN HUSBAND IS DIVESTED FROM HIM AND VESTED IN WIFE. THE PROPERTY AT 202 OVERCREST IS MORE FULLY DESCRIBED AS FOLLOWS:

> LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 30 ON THE PLAN OF SECTION 1, REVISED, CALDWELL HALL, AS OF RECORD IN BOOK 2900, PAGE 57, 58, AND 59, REGISTER'S OFFICE FOR SAID COUNTY.
>
> SAID LOT NO. 30 FRONTS 93 FEET ON THE NORTHERLY MARGIN OF OVERCREST COURT AND EXTENDS BACK 148.5 FEET ON THE EASTERLY LINE AND 151 FEET ON THE WESTERLY LINE, TO A LINE IN THE REAR ON WHICH IT MEASURES 93 FEET.
>
> BEING THE SAME PROPERTY CONVEYED TO DENNIS A. TALBOT AND WIFE, DONNA JEAN TALBOT BY DEED FROM LEE ELTON SOWELL OF RECORD IN BOOK 7996, PAGE 892, REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE.
>
> IT IS UNDERSTOOD AND AGREED THAT PART OF THE CONSIDERATION FOR THE TRANSFER OF THE DESCRIBED PROPERTY IS THE AGREEMENT OF THE GRANTEE TO ASSUME THE UNPAID PRINCIPAL BALANCE OF A NOTE SECURED BY A FIRST MORTGAGE DEED OF TRUST TO CTX MORTGAGE COMPANY, OF RECORD IN BOOK 7996, PAGE 895, SAID REGISTER'S OFFICE; AND THAT THE ESCROW ACCOUNT HELD BY THE MORTGAGEE IN CONNECTION WITH SAID LOAN IS HEREBY TRANSFERRED TO THE SAID GRANTEE. SAID MORTGAGE HAS BEEN ASSIGNED TO FLEET FUNDING.
>
> THIS BEING THE SAME PROPERTY CONVEYED BY DENNIS A. TALBOT AND WIFE, DONNA JEAN TALBOT, TO CHAD C. UPTON AND WIFE, HARRIET C. UPTON, RECORDED IN DAVIDSON COUNTY REGISTER'S OFFICE, BOOK 8887, PAGE 357.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED THAT THE PERSONAL PROPERTY IN WIFE'S POSSESSION IS GRANTED TO HER AND ALL RIGHT, TITLE AND INTEREST IS VESTED IN HER AND DIVESTED FROM HUSBAND. HUSBAND IS GRANTED HIS DUFFEL BAG AND ITS CONTENTS.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THE WIFE'S MAIDEN NAME IS RESTORED TO HARRIET ELIZABETH CATHEY.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THE WIFE SHALL PAY THE COSTS OF THE CAUSE FOR WHICH EXECUTION MAY ISSUE IF NECESSARY.

ENTERED THIS THE 9TH DAY OF September, 1994.

Special JUDGE

APPROVED FOR ENTRY:

THOMAS D. STEELE, No. 4111
604 STAHLMAN BUILDING
NASHVILLE, TENNESSEE 37201
615-242-6497

ATTORNEY FOR WIFE

CERTIFICATE OF SERVICE

THE UNDERSIGNED HEREBY CERTIFIES THAT A COPY OF THE FOREGOING WAS MAILED TO CHAD CLAYTON UPTON AT THE METRO CRIMINAL JUSTICE CENTER JAIL, SECOND AVENUE AND JAMES ROBERTSON PARKWAY, NASHVILLE, TENNESSEE 37201, THIS THE 25TH DAY OF Aug, 1994.

THOMAS D. STEELE

0149160
IDENTIFICATION REFERENCE
PICK-UP
96 FEB -9 PM 12:28
FELIX ... CLERK
DAVIDSON COUNTY, TN.

9943 | 924A

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 FOURTH Circuit Court for Davidson County, Tennessee, on the 09 day of SEPTEMBER , 19 94 , in the Case Number 94D1229 between UPTON, HARRIET ELIZABETH Plaintiff, and UPTON, CHAD CLAYTON Defendant, as same remains of record in Book 234B , Page 1084 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 SEPTEMBER in the year one thousand nine hundred and ninety-four and in the 219th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

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