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20B

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

LENA GARRETT HACKETT MYKITTA)
)
)
)
-vs-) NO. 90696
)
)
)
ALVIN WILLIAM MYKITTA, II and)
COMMERCE UNION BANK)

Davidson County DEEDDIV
Recvd: 08/02/05 16:19 3 pgs
Fees:17.00 Taxes:0.00
20050802-0090566

FINAL DECREE

This cause came on to be heard this 23rd day of October, 1978 before the Honorable James M. Swiggart, Judge, upon the original bill, the counter-complaint, testimony heard in open Court, and the entire record. From the foregoing, the Court finds that the allegations of the original bill have been sustained by the proof, that is, that the defendant, Alvin William Mykitta, II has been guilty of such cruel and inhuman treatment or conduct toward plaintiff as renders further cohabitation unsafe and improper. The Court further finds that the allegations of the counter-complaint have not been sustained by the proof, and it is therefore dismissed.

It is accordingly ORDERED, ADJUDGED AND DECREED that plaintiff be, and she is hereby awarded an absolute divorce from defendant, and that she be restored to all of the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED AND DECREED that all right, title and interest of defendant Alvin William Mykitta, II in and to the real and personal property located at 518 Monica Avenue, Goodlettsville, Davidson County, Tennessee, be divested out of him and vested in plaintiff. Said property is more fully described as follows:

"BEING Lot No. 57 on the Map of Gatewood, Sec. 1, of record in Plan Book 3300, page 47 to 52, Register's Office for Davidson County, Tennessee.

"SAID Lot No. 57 fronts 226.6 feet on the easterly side of Monica Avenue and runs back between lines, 118.8 feet on the northerly line and 220.5 feet on the easterly side to a point, said lot being triangular in shape.

"BEING the same real property conveyed to ALVIN WILLIAM MYKITTA, II and wife, LENA HACKETT MYKITTA by deed from Gatewood Development Company, Inc., a Tennessee corporation, of record in Book 3913, page 264, Register's Office for Davidson County, Tennessee."

It is further ORDERED, ADJUDGED AND DECREED that plaintiff be awarded all right, title and interest of defendant in and to the contents in said homeplace at 518 Monica Avenue, Goodlettsville, Davidson County, Tennessee.

It is further ORDERED, ADJUDGED AND DECREED that plaintiff be awarded a judgment of Twenty-Eight Thousand and No/100 ($28,000.00) Dollars against defendant representing lump sum alimony, which sum shall include an attorney fee to J. W. Rutherford, attorney for plaintiff, in the amount of One Thousand and No/100 ($1,000.00) Dollars.

It is further ORDERED, ADJUDGED AND DECREED that defendant pay to plaintiff the sum of One Hundred and No/100 ($100.00) each and every payday or Two Hundred and No/100 ($200.00) Dollars per month as alimony.

It is further ORDERED, ADJUDGED AND DECREED that any and all Restraining Orders heretofore issued with regard to the bank accounts of defendant be, and the same are hereby dissolved. The defendant will pay the costs of this cause, for all of which execution will issue, if necessary.

Enter this 25th day of October, 1978.

JAMES M. SWIGGART, JUDGE

APPROVED FOR ENTRY:

J. W. RUTHERFORD
Attorney for Plaintiff

A COPY OF THIS PLEADING
HAS BEEN FURNISHED Frank S. King, Jr.
ADVERSARY COUNSEL OF RECORD,
AS REQUIRED BY T. C. A. 20-714,
ON THIS October 25, 1978.
RUTHERFORD, CROCKETT, & GUENTHER
By J. W. Rutherford

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 25 day of OCTOBER , 1978 , in the Case Number 90696 between MYKITTA, LENA GARRETT Plaintiff, and MYKITTA, ALVIN WM II Defendant, as same remains of record in Vol. 023A , Page 00608 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 29 day of JULY in the year two thousand five and in the 229th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk