

704
VALENTINE WENDY BEAVERS,
PLAINTIFF

VS.

WILLIAM RAY BEAVERS,
DEFENDANT

IN THE CIRCUIT COURT OF
SHELBY COUNTY, ALABAMA



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Shelby Cnty Judge of Probate, AL
08/17/1979 12:00:00 AM FILED/CERT

CIVIL ACTION NO. DR-79-163

DIVORCE DECREE

This cause coming on to be heard was submitted upon the Bill of Complaint, Answer of Defendant, and on testimony taken ore tenus in open Court and as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Plaintiff is entitled to a divorce from the Defendant a vinculo matrimonii, as prayed for in the Complaint.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the bonds of matrimony heretofore existing between the Plaintiff and the Defendant be, and the same are hereby dissolved, and that the said Valentine Wendy Beavers is forever divorced from the said William Ray Beavers for and on account of incompatibility of temperament and irretrievable breakdown of the marriage, the Court being satisfied from all the testimony that there exists such a complete incompatibility of temperament between the parties that they can no longer live together and that their marriage has broken down to the extent that further attempts at a reconciliation are impractical or futile and are not in the best interests of the parties.

The Court finds from the evidence that the Plaintiff and the Defendant own jointly certain real estate which is situated in Shelby County, Alabama, consisting of acreage and a residence dwelling situated thereon in which the parties were residing at the time of their separation and in which the Defendant continues to reside, said real estate subject to a mortgage encumbrance thereon; that the Defendant has made certain mortgage payments on said mortgage; that the Plaintiff previously furnished, from her own individual funds, the sum of, to-wit, \$1,400.00 which was invested as a part of the down payment on said real estate; and further, that said real estate cannot be equitably divided in kind between the Plaintiff and the Defendant and that the same should be sold, the Plaintiff re-

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imbursed said sum of \$1,400.00 from the net proceeds of such sale, and the remaining net proceeds of said sale be divided equally between the parties.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the parties shall attempt to negotiate for the private sale of said real estate and that upon the sale thereof, the Plaintiff shall be reimbursed from the net proceeds of such sale said sum of \$1,400.00 and the remaining net proceeds of such sale shall then be equally divided between the Plaintiff and the Defendant, and further, that if said parties cannot successfully negotiate and close the sale of said real property within sixty days hereafter, either party may petition this Court in this cause for the sale of such real estate by direction and under the supervision of this Court, all other questions relating to the sale of said real estate being reserved.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the Plaintiff shall have a lien upon said real estate in said amount of \$1,400.00 until such time as said real estate is sold hereafter, as provided herein, or until such time as she otherwise voluntarily releases said lien, as provided by law.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant shall have the right to continue residing in said house and real estate until said real estate is sold, as provided herein, and that said Defendant shall be, and he is hereby, ordered and directed to continue making the monthly mortgage payments which may be now due and which may hereafter become due until said real estate is sold, as provided herein.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the Plaintiff shall have and retain, and is hereby awarded full title to, the Oldsmobile automobile which is presently in her possession.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant be, and he is hereby ordered and directed to pay all accounts and indebtednesses owed by the Plaintiff and the Defendant at the time of their separation, to-wit, April 23, 1979.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant be, and he is hereby ordered and directed to pay to the Attorney of record for the Plaintiff the sum of \$750.00 for the services rendered by said Attorney in this cause.

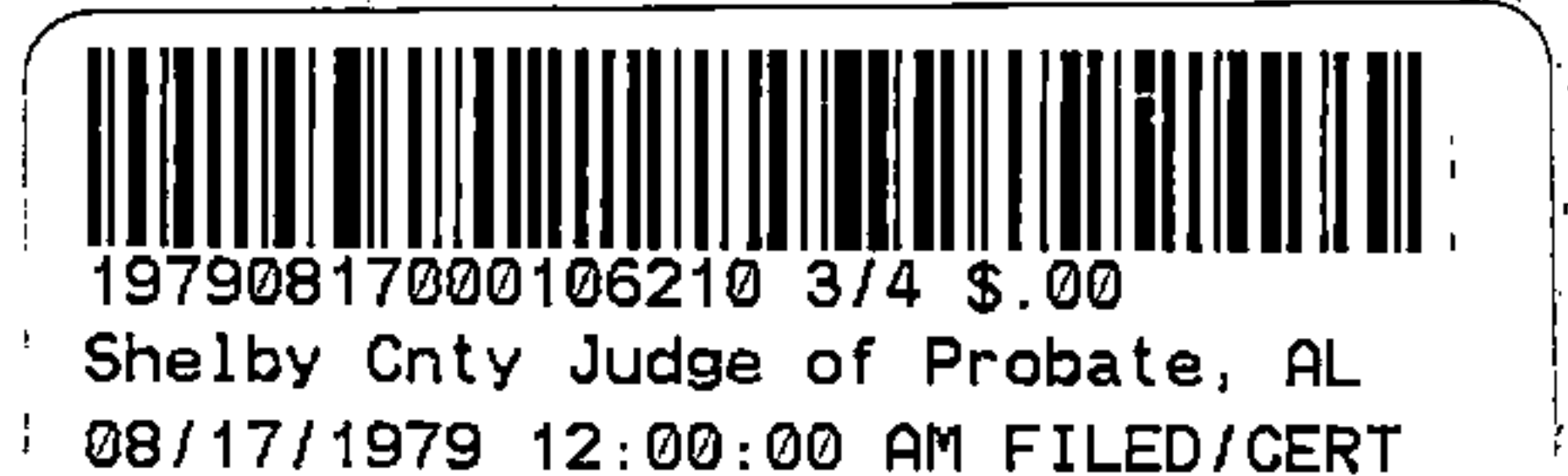
IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED, AND DECREED by the Court that the Defendant is not required to make any other or further alimony payments to the Plaintiff in this cause.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that neither party shall marry again except to each other until 60 days after the date of this divorce decree and if an appeal is taken (which must be instituted within 42 days from this decree or from the date that a post trial motion is denied then neither party shall again marry except to each other during the pendency of the appeal.

IT IS FURTHER ORDERED that the Plaintiff and the Defendant be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

IT IS FURTHER ORDERED that William Ray Beavers, the Defendant, pay the cost herein to be taxed for which execution may issue.

This 23 day of July, 1979.



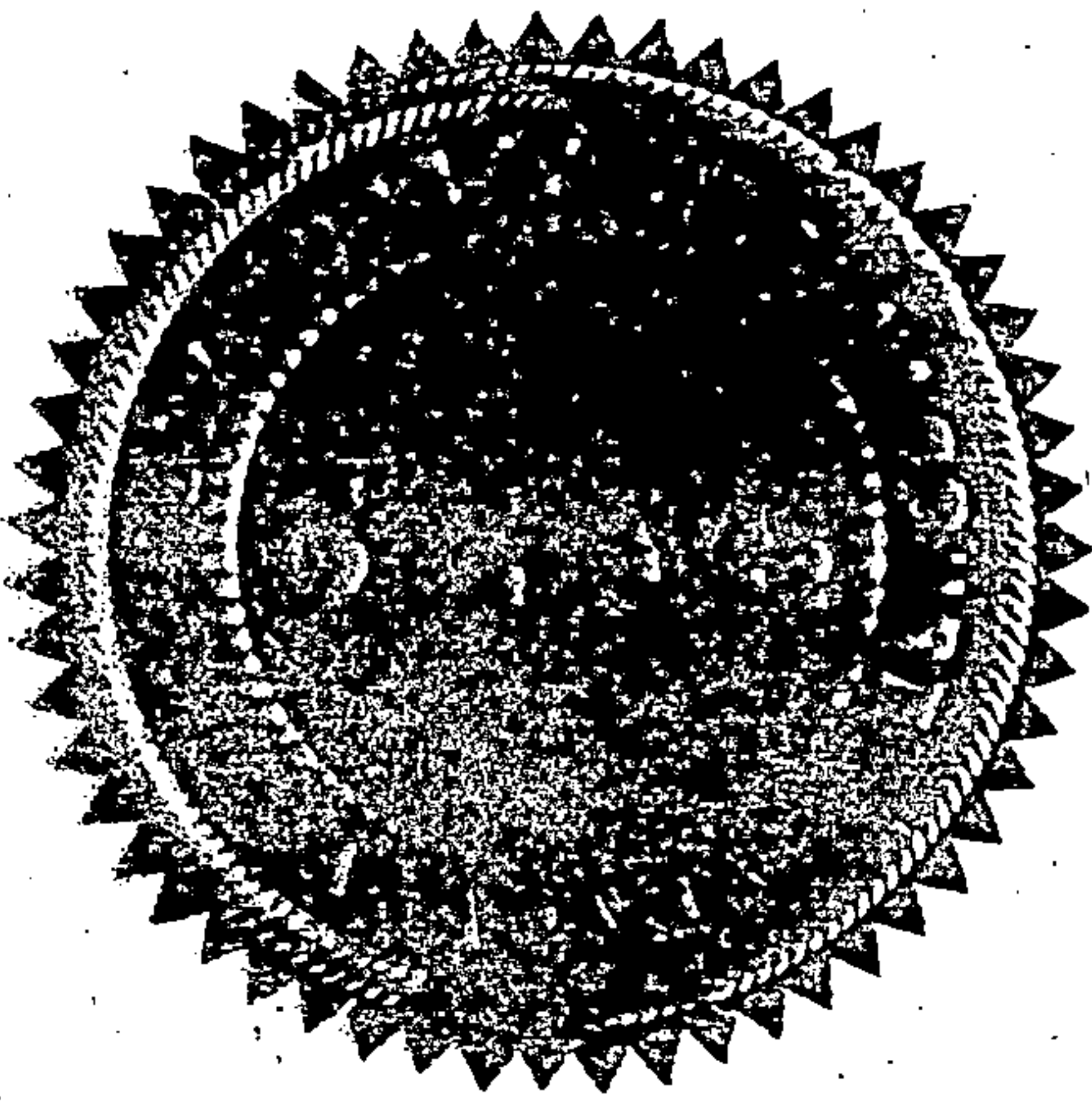
Harold S. Holden
Judge, Circuit Court of Shelby County, Alabama

FILED IN OFFICE, This the 23 day
of July 1979
Kyle L. [Signature]
Clerk, Circuit Court of
Shelby County, Alabama

I, Kyle Lansford, Register of the Circuit Court for Shelby County, Alabama, do hereby certify that the foregoing is a correct copy of the original Decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office and the cost has been paid.

Witness my hand and seal this the 13 day of ^{August}~~July~~, 1979.

Kyle Lansford
Register of Circuit Court of Shelby County,
Alabama



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STATE OF ALA. SHELBY CO.
JULY 17 1979

1979 AUG 17 AM 8:57

Thomas A. Shoulen, Jr.
JUDGE OF PROBATE

Rec. 600
Ord. 100
700