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MARY ELIZABETH KILPATRICK	)	IN THE PROBATE COURT OF DAVIDSON
		COUNTY, TENNESSEE
VS	(	
		Map 61-7
THOMAS ERSKIN KILPATRICK	)	No. 51496 Par 283
		R.S.

DECREE

This cause came on to be heard on May 13, 1968 and on latter days before Judge Shelton Luton upon the original bill of the complainant, Mary Elizabeth Kilpatrick, for an absolute divorce, the answer of the respondent, Thomas Erskin Kilpatrick, the amended and supplemental bill of the complainant and the answer of respondent thereto, the answers of the other respondents, the testimony of the principal parties and their witnesses adduced orally in open Court, together with exhibits to said testimony, the entire record in this cause and argument of Counsel for the parties;

From all of which it satisfactorily appeared to the Court that the allegations of complainant's bill have been successfully met by the proof; namely, that the defendant is guilty of such cruel and inhuman treatment or conduct toward the complainant as renders cohabitation unsafe and improper and as renders it unsafe and improper for her to remain under his dominion and control;

The Court further finds that complainant should be awarded the interest of the defendant in the home of the parties at 1117 Winding Way, Davidson County, Tennessee, together with all of the household furnishings, furniture and appliances situated therein and that in addition thereto she should be awarded alimony in solido in the amount of $25,000.00.

The Court further finds that the sole and exclusive custody of the two minor children of the parties, Debra Susan Kilpatrick and Timothy Herman Kilpatrick should be awarded to the complainant with visitation rights vested in the defendant with the minor son of the parties weekly on weekends during the school year for not more than forty eight hours per week. Visitation rights with the daughter of the parties who was 19 years of age on June 25, 1968 are not specifically spelled out by the Court but the defendant and said daughter are both admonished by the Court to attempt to bring about a better understanding in relationship between them by personal contact at intervals.

The Court further finds that the defendant should pay directly to the complainant or through the Registry of the Court the net sum of $150.00 per month toward the support of and maintenance of the two minor children of the parties and the defendant will also pay the tuition costs and the cost of books for the courses studied by the daughter of the parties, Debra Susan Kilpatrick.

The Court further finds that the defendant should pay J. B. Watson, Jr., Solicitor of record for the complainant in this cause, the sum of $2,500.00 in addition to the $500.00 fee heretofore allowed, for his services rendered the complainant in this cause.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the complainant Mary Elizabeth Kilpatrick be and she is hereby awarded an absolute divorce from the defendant, Thomas Erskin Kilpatrick.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the right, title and interest of the defendant in and to the real estate at 1117 Winding Way together with all of the household furnishings, furniture and appliances situated therein, be and the same is divested out of him and is vested in the complainant, Mary Elizabeth Kilpatrick. A legal description of said real estate is as follows:

> Land in Davidson County, Tennessee, being Lot No. 9 of Block "A" on the Map of Section No. 1, Jackson Park, as of record in Book 843, page 17, Register's Office for said County.
>
> Said Lot No. 9 fronts 60 feet on the northerly side of Winding Way and runs back between parallel lines, 186 feet to a dead line.

It is further ORDERED and DECREED by the Court that the defendant pay the complainant the sum of $25,000.00 in cash as the balance of her alimony in solido. Upon the payment of said sum of $25,000.00 together with the payment of complainant's Solicitors fee, the injunction against the Commerce Union Bank and the defendant Thomas Erskin Kilpatrick is dissolved in toto and for nothing held.

It is further ORDERED, ADJUDGED and DECREED by the Court that the sole and exclusive custody of the two minor children of the parties be and the same is awarded the complainant with visitation rights vested in the defendant to have the minor son of the parties for weekly visitation periods of not more than forty eight hours per week and that during the school year said visitation periods will be on the weekends. The Court does not specify

a time for visitation periods of the defendant with the daughter of the parties but admonishes both of them to endeavor by personal contact to bring about a better understanding and relationship.

It is further ORDERED, ADJUDGED and DECREED by the Court that defendant pay the complainant the total net sum of $150.00 per month beginning with the month of July, 1968 toward the support of the two minor children of the parties. These payments may be directly to the complainant or into the Registry of the Court and if paid through the Clerk's office the Clerk's fee of 5 per cent will be paid by the defendant. In addition to said payment of $150.00 per month the defendant will pay the tuition and cost of books needed for the courses studied by the daughter of the parties, Debra Susan Kilpatrick.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant, Thomas Erskin Kilpatrick, pay J. B. Watson, Jr., the Solicitor of Record for the complainant, his Solicitor's fee in the additional amount of $2,500.00, for services rendered the complainant in this cause. The defendant will pay the costs of this cause for which execution may issue.

JUDGE

O. K. FOR ENTRY:

Solicitor for Complainant

Solicitor for Defendant

T Kail
2110 Wayne Kilpatrick
1111 Winding Way
Nashville Tenn 37216

A 14731

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IDENTIF. REFERENCE

Sep 27 10 55 AM '68

FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

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STATE OF TENNESSEE

I, ~~ALF~~ George Rooker ~~RUTHERFORD~~, Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a ~~correct~~ True Copy ~~transcript~~ of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between Mary Elizabeth Kilpatrick Plaintiff, and Rhonda Erskine Kilpatrick Defendant, as same remain of record in said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 27 day of September in the year one thousand nine hundred and 68 and in the 193 year of American Independence.

~~ALF~~ George Rooker RUTHERFORD, Clerk.

By Willie Ezzell, D. C.

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