5/24/72 Map # 125 74
Par # 9

June 1, 1972
228/925

DIANE M. WILKERSON)
)
-vs- No. 63948)
)
JAMES WILBURN WILKERSON)

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE, AT NASHVILLE

Final DECREE

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This cause came on to be heard upon the entire record, together with the testimony of witnesses heard in open court and argument of counsel; from all of which it was made to appear that the allegations of the original bill were sustained by the proof and that the defendant, James Wilburn Wilkerson, has been guilty of such cruel and inhuman treatment or conduct toward the plaintiff, Diane M. Wilkerson, as renders cohabitation unsafe and improper and in the case of the plaintiff for her to remain under the defendant's dominion and control; and it further appearing to the court that the allegations of the cross-bill are not sustained by the proof; and it further appearing to the court that the parties have agreed in the event the court should award a divorce in the cause concerning custody, alimony, child's support and attorney's fees, which agreement after being fully explained to the court is approved by the court.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore subsisting between the parties be and they are hereby completely and forever dissolved, and that the plaintiff, Diane M. Wilkerson, be and she is hereby restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED that custody of the parties' minor children, Dana Wilkerson and Kelli Wilkerson, be and the same is hereby vested in the plaintiff with the right in the defendant to have the children for a period of two weeks during their summer vacations, for the last week of their Christmas vacation and from Friday afternoon at 6:00 o'clock until Sunday afternoon at 6:00 o'clock on the first week end of each month except that either party shall be entitled two weeks in advance of such first week end in each month to advise the other party that it is inconvenient for the other

to have the children on the first week end of a particular month and the parties will then agree upon some other week end during the month in question.

IT IS FURTHER ORDERED that all right, title and interest in and to the following described property be divested out of the defendant, James Wilburn Wilkerson, and vested in the plaintiff, Diane M. Wilkerson:

> Being Lot No. 9 on the Plan of Harpeth Park, Section One, of record in Book 3600, page 92, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 9 fronts 90.0 feet along the easterly margin of Sawyer Brown Road, and runs back between parallel lines 170.0 feet to a dead line in the rear measuring 90.0 feet thereon.
>
> Being the same property conveyed to James W. Wilkerson and wife, Diane Wilkerson, by deed from Andrew Ewing, Trustee, of record in Book 4007, page 448, R.O.D.C., Tennessee.

The plaintiff will assume the present indebtedness secured by a deed of trust upon the aforesaid property. In addition the defendant is awarded a lien against the said property in the amount of Six Thousand ($6,000.00) Dollars without interest, which lien will mature and become payable to the defendant by the plaintiff upon the sale of the said house, upon the plaintiff's remarriage, upon the plaintiff's moving her home from the said property or upon the youngest child of the parties attaining the age of eighteen (18) years, whichever shall first occur.

IT IS FURTHER ORDERED that all furniture, furnishings, china, silver, and other articles of personal property located in the parties' home hereinabove conveyed, except for the defendant's clothes, hunting equipment and fishing equipment, shall be and are hereby declared to be the sole and separate property of the plaintiff.

IT IS FURTHER ORDERED that the defendant will pay to the plaintiff the sum of Thirty ($30.00) Dollars on Monday, May 29, 1972, and a like amount on each succeeding Monday pending further orders

of the court as child's support, and in addition thereto will assume and be responsible for all bills involving medical or dental care and attention of either of the said children. The amount of child's support is fixed upon the premises that the defendant is presently unemployed and drawing unemployment compensation and that either party shall be entitled to apply to the court to redetermine the amount of child's support upon the change of any conditions, and particularly upon the defendant becoming actively employed.

IT IS FURTHER ORDERED that the defendant will pay to the law firm of Hooker, Keeble, Dodson & Harris within sixty (60) days from the date of the entry of this order the sum of Three Hundred Fifty ($350.00) Dollars representing the defendant's portion of the attorney's fee due to counsel for the plaintiff.

IT IS FURTHER ORDERED that the accounts with the following department stores in the approximate amount set out are the obligation of the plaintiff, for which she will be responsible: Sears - $168.32; Castner Knott - $14.18: Loveman's - $115.63; Rich Schwartz - $37.43; Carter Flooring Company - $67.91 and Cain Sloan - $245.40.

The costs of this cause are taxed against the defendant, and for the enforcement of the entire order execution or other appropriate process of the court will issue. The cause is retained in court for such future orders as may be necessary.

O.K. FOR ENTRY:

HOOKER, KEEBLE, DODSON & HARRIS

By Virgil B. Harris, Attorneys for Plaintiff

Don L. Higgins, Attorney for Defendant

Judge

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IDENTIF. REFERENCE

JUL 13 10 11 AM '72

FELIX Z. WILSON JR REGISTER
DAVIDSON COUNTY, TENN.

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STATE OF TENNESSEE

I, GEORGE L. ROOKER, *Clerk of the Circuit Court for the County of Davidson, in the State aforesaid, do certify that the foregoing is a* true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* DIANE M. WILKERSON *Plaintiff, and* JAMES WILBURN WILKERSON *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* 12th *day of* July *in the year one thousand nine hundred and* seventy-two *and in the* 197th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Gayle Jennings, *D. C.*