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IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

BARBARA EDLIN TIPPIT)
)
VS.)
)
WILLIAM HERMAN TIPPIT, JR.)

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NO. 63003 and NO. 63484

FINAL DECREE

This cause came on to be heard February 8, 1972, before the Honorable Earl McNabb, Special Judge of the Probate Court of Davidson County, Tennessee, upon the original bill of the complainant, the answer and cross-bill of the defendant and cross-complainant, the amended cross-bill of the cross-complainant, witnesses introduced in open Court and the entire record in this cause.

From all of which the Court is of the opinion that the cross-bill of the cross-complainant is sustained by the proof, that is, that the complainant and cross-defendant has been guilty of such cruel and inhuman treatment or conduct toward cross-complainant as renders cohabitation unsafe and improper; and

It is accordingly ORDERED, ADJUDGED and DECREED that he be and he is hereby awarded an absolute divorce from the cross-defendant and restored to all the rights and privileges of an unmarried person. This decree is entered nunc pro tunc based on a memorandum opinion rendered by the Court to which reference is here made and which is incorporated into this final decree by reference.

It is further ORDERED, ADJUDGED and DECREED by the Court that the original complainant, Barbara Edlin Tippit, is awarded the absolute care, custody and control of the children with the visitation periods for cross-complainant to remain as previously set out by a pendente lite order entered in this cause and in addition thereto, he will have the right to have the children with him one-half of each Easter Holiday period and

one-half of each Christmas vacation and in addition thereto, to have the children with him for a period of four weeks during the summer vacation period. That in the event the parties cannot agree on the four weeks in the summer time and the other dates herein specified, the Court will then establish the hours and dates for the children to visit and be with their father, the said William Herman Tippit, Jr.

It is further ORDERED, ADJUDGED and DECREED by the Court that the cross-complainant will pay to the cross-defendant as child support the sum of One Hundred ($100.00) Dollars bi-monthly, plus the Clerk's fee, making a total of Two Hundred Five ($205.00) Dollars per month, and in addition thereto, he will establish a fund known as a college educational fund for the two children and he will deposit into the fund each month commencing in March of 1972 the sum of Fifty ($50.00) Dollars with both the said cross-complainant and cross-defendant designated as trustees, requiring the signatures of both of the said parties, and the said funds will not be withdrawn for any purpose whatsoever except for the college education of these two children.

It is further ORDERED, ADJUDGED and DECREED by the Court that the said William Herman Tippit, Jr., will maintain in full force and effect at all times a medical and hospitalization insurance policy for the minor children of the parties.

It is further ORDERED, ADJUDGED and DECREED by the Court that each of the parties are hereby awarded all of the furniture and household furnishings that each of them had in their possession at the time of this divorce decree to be their sole property.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the cross-defendant, Barbara Edlin Tippit, has or may have in the hereinafter described real estate

be and the same is hereby divested out of her and vested in the cross-complainant, William Herman Tippit, Jr., as his sole property:

TRACT NO. 1:

Land in Davidson County, Tennessee, being Lot No. 17 on the Plan of Section I, McGavock Heights, as of record in Book 2330, page 70, Register's Office for Davidson County, Tennessee, described as follows:

BEGINNING in the easterly margin of Glenoaks at the common corners of Lots 16 and 17; thence northerly along the east margin of Glenoaks, 120 feet to the corner of Lots 17 and 18; thence easterly with the line between said lots 413.3 feet to a point; thence along the rear line of Lot 17, south 2° 40' east 120.4 feet to the corner of Lots 16 and 17; thence westerly with the line between said lots 422.3 feet to the point of beginning.

Being the same property conveyed to Frank K. Bellar and wife, Ruth H. Bellar by deed from Clarence E. Elrod and wife Elaine C. Elrod of record in book 2901, page 531, Register's Office for Davidson County, Tennessee.

TRACT NO. 2:

First Tract: BEGINNING on a stake on the north side of the road from Piney to Fall Creek Falls, running North 81 deg. West with said road 360 feet to a stake; thence North 3 deg. East 351 feet to a stake in Rocky River Co., Inc. line; thence South 87 deg. 30 min. East 350 feet to a stone, said Co. corner; thence South 3 deg. West 390 feet to the BEGINNING, containing 3 acres, more or less.

Being part of the same property conveyed to A. L. Windle, Trustee by deed from Bridge Bayless and wife, Margaret Bayless of record in Deed Book 14-N, page 240-1, Register's Office for Van Buren County, Tennessee.

Second Tract: BEGINNING on a rock on the west bank of Fall Creek Fall's Road, being a common corner between the grantors and J. C. Bayless, Jr.; thence Northwestwardly 380 feet to a stone in the Van Buren Coal & Iron Co., line; thence Northeastwardly 124 feet to a rock with said Van Buren Coal & Iron Co. line; thence Southeastwardly 354 feet to a rock on the south side of a driveway and on the bank of the Fall Creek Fall's Park Road on the west side; thence Southwestwardly 124 feet with the meanders of said road to the place of BEGINNING.

Being part of the same property conveyed to A. L. Windle, Trustee by deed from Bridge Bayless and wife, Margaret Bayless, of record in Deed Book 14-N, page 242, Register's Office for Van Buren County, Tennessee.

TRACT NO. 3: BOOK 4620 PAGE 154

Land in Davidson County, Tennessee, being Lot No. 385 on the Map of Cloverhill, Section Seven, as of record in Book 2133, page 92, Register's Office for said County.

Said Lot No. 385 fronts 95 feet on the south side of Dunmore Drive and runs back between lines 178.5 feet on the west line and 127 feet on the east line to a dead line in the rear on which it measures 78.5 feet.

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Being the same property conveyed to Ellen M. Jennings by deed from Harry Zeitlin, et al as of record in Book 2335, page 30, and by decree in the 4th Circuit Court under Rule No. 47490, in the cause of Ellen McFarlin Jennings vs. Neal Lee Jennings dated May 9, 1967, a certified copy of which is of record in Book 4142, page 575.

Cross-complainant, William Herman Tippit, Jr., will hold the cross-defendant, Barbara Edlin Tippit, harmless and free of all mortgage indebtedness on the Glenoaks, Falls Creek and Dunmore properties.

Cross-complainant, William Herman Tippit, Jr., will hold the cross-defendant, Barbara Edlin Tippit, harmless on the indebtednesses to the Commerce Union Bank in the amount of $909.00 and the balance on the First American National Bank stock.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the cross-defendant has or may have in the following personal property is divested out of her and vested in the cross-complainant as his sole property: First American National Bank stock; King of The Road stock; camper, sail boat, one-half (½) Series E Goverrment bonds; 1966 Chevrolet automobile and canoe.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest that the cross-complainant, William Herman Tippit, Jr., has or may have in the hereinafter described real estate will be divested out of him and vested in the cross-defendant, Barbara Edlin Tippit, as her sole property:

Land in Davidson County, Tennessee, being lot No. 4 on the plan of Hermitage Estates, Section 4, as of record in book 3700, page 148, Register's Office for said County.

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Said lot No. 4 fronts 80 feet on the northerly margin of Harwell Drive and extends back 176.0 feet on the easterly line and extends back 200.3 feet on the westerly margin of a dead line measuring 71.6 feet thereon.

Being the same real property conveyed to Mrs. Louise S. Hughes, by deed from Robert E. Baker, Trustee, of record in Book 4182, page 758, in the Register's Office for Davidson County.

Cross-defendant will hold cross-complainant free and harmless from any and all mortgage indebtednesses on this tract of land.

It is further ORDERED, ADJUDGED and DECREED by the Court that whatever right, title or interest the cross-complainant has or may have in the following personal property is divested out of him and vested in her as her sole property: 1966 Ford Mustang; old coins and one half (½) Series E. Government bonds.

It is further ORDERED, ADJUDGED and DECREED by the Court that Cross-complainant will pay all of the indebtednesses owed by the parties in the total amount of Seven Thousand Seven Hundred Ninety-Two and 82/100 ($7,792.82) Dollars which are fully set out and itemized in the Court's memorandum opinion.

It is further ORDERED, ADJUDGED and DECREED by the Court that the cross-complainant will pay to Mr. Seth Norman, cross-defendant's attorney of record, the sum of Four Hundred ($400.00) Dollars for his services to the cross-defendant.

The cross-defendant, Barbara Edlin Tippit, will pay the costs of this cause for which execution may issue if necessary.

Enter nunc pro tunc as of February 8, 1972
This May 16, 1972.

O. K. FOR ENTRY:

JUDGE

Seth Norman, Atty. for Barbara Edlin Tippit

Howard F. Butler, Atty. for William Herman Tippit, Jr.

Mail
Wm. Traber Atty
2525 Lebanon Pk
Nash. Tenn 37214

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IDENTIF. REFERENCE

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FELIX Z. WILSON II 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 correct transcript of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Barbara Edlin Tippit *Plaintiff, and* William Herman Tippit, Jr. *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* 19th. *day of* JULY *in the year one thousand nine hundred and* seventy-two *and in the* 196th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By June Smith, *D. C.*

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