6-11-74
885/293

BOOK 1843 PAGE 741

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

Mrs 72-7
Par. 6X

JANIE MARIE HAWKINS )
)
VS. ) No. 69971
)
DONALD LEWIS HAWKINS )

Mrs 28
Par 32

FINAL DECREE

AUG 15 MISC A* 8.00 * 8.00

This cause came on to be heard on the 4th day of June, 1974, before the Honorable Benson Trimble, Judge of the Fourth Circuit Court for Davidson County, Tennessee, as a contested case. Counsel for the parties hereto announced to the Court that the parties had entered into an agreement, and the case would be heard on an uncontested basis.

After testimony of the original defendant and counter plaintiff, Donald Lewis Hawkins, his corroborating witnesses and statement of counsel, the Court is of the opinion that the original plaintiff and counter defendant, Janie Marie Hawkins, has been guilty of such cruel and inhuman treatment or conduct towards the counter plaintiff as renders further cohabitation unsafe and improper.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the original defendant and counter plaintiff, Donald Lewis Hawkins, be and is hereby awarded an absolute divorce from the original plaintiff and counter defendant, Janie Marie Hawkins, and the bonds of matrimony heretofore existing between the parties are forever and perpetually dissolved, and Donald Lewis Hawkins is restored to all the rights and privileges of an unmarried person.

AND, it further appearing to the Court that the parties hereto have entered into the following agreement:

1. The custody of the parties' minor child is vested in the original plaintiff and counter defendant, Janie Marie Hawkins, with all reasonable visitation privileges being allowed the original defendant and counter plaintiff, Donald Lewis Hawkins including the privilege of calling his minor child, visiting with her at his discretion to include overnight visitation by mutual agreement to the convenience of the parties. It is further agreed that Donald Lewis Hawkins will have the minor child to live with him for a period of six (6) weeks each Summer, commencing July 15, 1974. It is further agreed that Donald Lewis Hawkins will be provided the telephone number where the minor child is living by Janie Marie Hawkins, and that if the number is changed, he will be so notified promptly.

2. The original plaintiff and counter defendant, Janie Marie Hawkins, will be under the following restraining orders:

> Janie Marie Hawkins is restrained and prohibited from taking the minor child on the boat with Joe Don Pyles or any other parties who were named in the divorce complaint.
>
> Janie Marie Hawkins is restrained and prohibited from leaving Davidson County for the purpose of changing her place of residence, or from changing her place of residence within Davidson County without petitioning the Court for permission to do so.

3. The original defendant and counter plaintiff, Donald Lewis Hawkins will pay directly to the original plaintiff and counter defendant, Janie Marie Hawkins, the sum of Twenty Dollars ($20.00) per week for the support and maintenance of the minor child, with the exception of the six (6) weeks that he has custody of the minor child.

4. It is agreed that each party will be solely responsible for the payments and financial maintenance on their respective automobiles, and that any interest that Donald Lewis Hawkins may have in the vehicle which is in the possession of Janie Marie Hawkins, be divested out of him and vested in her for her sole and separate use; further, that any interest that Janie Marie Hawkins may have in the vehicle which is in the possession of Donald Lewis Hawkins, be divested out of her and vested in him for his sole and separate use.

5. It is agreed that any interest which the original defendant and counter plaintiff, Donald Lewis Hawkins may have in the house and lot located at 1160 Kirkland Avenue, Nashville, Davidson County, Tennessee, as described in Book 4358, Page 768, be divested out of him and vested in the original plaintiff and counter defendant, Janie Marie Hawkins for her sole and separate use. The property is described as follows:

> Land in Davidson County, Tennessee, being the westerly one-half of Lot No. 17 on the Map of Inglewood Place, as of record in Book 332, page 101, Register's Office for said County, as follows:
>
> Said Westerly one-half of Lot No. 17 fronts 50 feet on the southerly side of Kirkland Avenue and runs back between parallel lines 266.6 feet on the west line and 264 feet, more or less, on the east line to a line in the rear, measuring 50 feet on said rear line.

6. It is agreed that any interest which the original plaintiff and counter defendant, Janie Marie Hawkins may have in the house and lot located at 5290 Ridge, Road, Joelton, Davidson County, Tennessee, be divested out of her and vested in the original defendant and counter plaintiff, Donald Lewis Hawkins for his sole and separate use, said property being described as follows:

> A tract of land in the 14th, formerly 24th, Civil District of Davidson County, Tennessee, described according to a copy of a survey thereof made July 21, 1936, by John Wilkes, Civil Engineer, as of record in Book 4597, Page 50, said Register's Office, as follows:
>
> Beginning at a point in the center of Ridge Road which is north 75 deg. west 61' from the northwest corner of a tract of land shown as Tract No. 1 conveyed to C. A. Lillard by deed from B. D. High of record in Book 1046, Page 80, Register's Office for said county; thence north 12½ deg. east 593' to a point; thence north 35½ deg. east 667' to a point; thence north 26 deg. east 1226' to a stone; thence north 43½ deg. west 660' to a stake with ironwood pointers; Binkley's corner; thence with the meanders of a branch and hollow as follows: South 22 deg. West 100', south 10 deg. west 112', south 15 deg. west 100' south 23 deg. west 126' to a corner of a tract of land conveyed to J. H. Kirby by deed from J. B. McKinney and wife of record in Book 445, page 331, said Register's Office; thence with Kirby's, now Jarrett's east line south 10 deg. east 520' to a stake in a hollow; thence south 21 1/2 deg. west 564' to a chestnut stump; thence south 35 1/2 deg. west 667' to a stake; thence south 12 1/2 deg. west 593' to a point in the center of the Marrowbone Ridge Road; thence south 75° east 105' to the point of beginning, containing 11 1/2 acres, more or less.

7. It is agreed that each party will be solely responsible for the mortgage indebtedness and taxes for their respective tracts of property.

The Court finds that the above agreement is proper in all respects, and it is further ORDERED, ADJUDGED AND DECREED by the Court that the above property settlement agreement heretofore entered into by the parties to this cause, is in all things ratified, approved and confirmed by the Court, and is made a part of this Decree for all purposes contained therein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the costs in this cause are adjudged against the original plaintiff and counter defendant, Janie Marie Hawkins, for which let judgment be entered and execution issued, if necessary.

JUDGE

6-11-74

APPROVED FOR ENTRY:

JOE P. BINKLEY, JR.
Attorney for Original Defendant and
Counter Plaintiff, Donald Lewis Hawkins

WEST M. COSS
Attorney for Original Plaintiff and
Counter Defendant, Janie Marie Hawkins

FILED
AUG 15 12 05 PM '74
FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

IDENTIF. REFERENCE

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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~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Janie Marie Hawkins *Plaintiff, and* Donald Lewis Hawkins *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* 9 *day of* August *in the year one thousand nine hundred and* seventy-four *and in the* 199th. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

*By* Hattie Gregory, *D. C.*