IN THE SIXTH CIRCUIT COURT OF

DAVIDSON COUNTY, TENNESSEE

JANUARY 8th, 1976.

BOOK 4995 PAGE 849

BILL E. HAMRICK, JR.,

Plaintiff-Counterdefendant

vs.

NO. 79993

JANNA HAMRICK,

MINUTE BOOK 17-C, PAGE 2313

Defendant-counterclaimant

vs.
BILL E. HAMRICK, JR.

75-10
10 pd

DIVORCE DECREE

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This cause came on to be heard on the 5th day of January, 1976 before the Honorable James M. Swiggart, Judge of the Sixth Circuit Court for Davidson County, Tennessee, upon the complaint filed by Bill E. Hamrick, Jr. which was personally served on Janna Hamrick on September 3, 1975, upon the answer and counterclaim of Janna Hamrick which was served on September 29, 1975, upon the answer of Bill E. Hamrick, Jr., upon the appearance of both parties represented by counsel in open Court, upon the testimony of defendant-counterclaimant Janna Hamrick and two witnesses in open Court, upon the statement of counsel for Bill E. Hamrick, Jr. that the answer previously filed by Bill E. Hamrick, Jr. was to be withdrawn, and upon presentation to the Court of letters dated December 29, 1975 and December 31, 1975 from Bernard M. Rosenblum, attorney for Janna Hamrick, to Bill Hodde, attorney for Bill E. Hamrick, Jr., said letters being signed by both attorneys, and said letters setting forth the terms of agreement between the parties for the settlement of all issues relating to property and child custody, subject to the approval of the Court, said letters showing upon their face the intention that they be offered to the Court at the hearing on this divorce as evidence of the agreement reached by the parties; From all of which it appears to the Court that the counterdefendant, Bill E. Hamrick, Jr., is guilty of such cruel and inhuman treatment toward the counterclaimant, Janna Hamrick, as renders cohabitation unsafe and improper.

IT IS THEREFORE ORDERED, that JANNA HAMRICK be awarded an absolute divorce from BILL E. HAMRICK, JR., and that she be restored to all the rights and privileges of an unmarried person. It is further ORDERED that the original complaint of BILL E. HAMRICK, JR. be dismissed for failure of proof.

IT IS FURTHER ORDERED that the property settlement and child custody agreement heretofore entered by and between the parties is approved by the Court with the specific exception of the provision of that agreement to the effect that "Mr. Hamrick is to receive $3,000.00 from Mrs. Hamrick upon the first occurrence of the following events: If and when she sells the house on Luree Lane; if and when the house is foreclosed upon; if and when Mrs. Hamrick remarries; when Amy Leigh Hamrick reaches age 18; or should Amy Leigh Hamrick die; whichever event occurs first; said $3,000.00 to be declared as a lien in favor of Mr. Hamrick." The aforementioned provision is specifically disallowed and unapproved.

In accordance with the remainder of the property settlement agreement which is approved by the Court, the following is ORDERED:

1. JANNA HAMRICK shall have exclusive custody of Amy Leigh Hamrick, with BILL E. HAMRICK, JR. having reasonable visitation rights.

2. Title to the jointly owned house, furnishings, and property of the parties located at 8322 Luree Lane, Hermitage, Davidson County, Tennessee is divested out of the counterdefendant, BILL E. HAMRICK, JR., and is vested solely in the counterclaimant, JANNA HAMRICK. JANNA HAMRICK is to assume responsibility for making the mortgage payment on said property. Said property is more particularly described as follows:

LAND in Davidson County, Tennessee, being Lot No. 45 on the plan of Hermitage Estates

of record in Plan Book 3300, Page 71, Register's Office for said County.

SAID Lot No. 45 fronts 89 feet on the southeasterly margin of Luree Lane and extends back 152.7 feet on the northeasterly line and 156.2 feet on the southwesterly line to a dead line in the rear, measuring 66. feet thereon.

BEING the same property conveyed to Bill E. Hamrick, Jr. and wife, Janna L. Hamrick by deed from James E. Robb and wife, Nina Robb of record in Book 4792, Page 92, Register's Office for Davidson County, Tennessee.

3. BILL E. HAMRICK, JR. is to pay to JANNA HAMRICK for the support of Amy Leigh Hamrick, the sum of Twenty-Five and 00/100 Dollars ($25.00) per week.

4. BILL E. HAMRICK, JR. is to pay to JANNA HAMRICK the sum of Three Hundred Fifty and 00/100 Dollars ($350.00) as reimbursement of attorney's fees, said sum to be paid at the rate of Seventy-Five and 00/100 Dollars ($75.00) per month until paid in full.

5. BILL E. HAMRICK, JR. is to pay and assume full responsibility for the debt of the parties owed to his grandmother, Mrs. Pearl Hamrick, and he is to pay and assume full responsibility for all pending bills of the parties other than those specifically listed below as the responsibility of JANNA HAMRICK.

6. Title to the jointly owned property of the parties located in Lake Tansi Village, a subdivision in Cumberland County, Tennessee, Lot 512 in the Iroquois Section, is divested out of JANNA HAMRICK and is vested in BILL E. HAMRICK, JR., who is to assume full responsibility for the making of mortgage payments thereon. Said property is more particularly described as follows:

Lot 512, Iroquois Section, of Lake Tansi Village, a Subdivision located in

Cumberland County, Tennessee, as shown by the map thereof recorded in the Map Records of said County.

Being the same property for which Lake Tansi Village, Inc., as seller, and Bill E. Hamrick, Jr. and Janna L. Hamrick, as buyers, executed a contract for deed on April 20, 1974.

7. JANNA HAMRICK is to pay and assume full responsibility for her hospital and doctors' bills and all expenses for Ray Jerkins and other counseling expenses.

8. BILL E. HAMRICK, JR. is to maintain and keep in force the life insurance policy which he presently has in force on his life, and Amy Leigh Hamrick shall continue to be named as beneficiary of said policy. BILL E. HAMRICK, JR. is to maintain and keep in force the life insurance which he presently has on the life of Amy Leigh Hamrick. BILL E. HAMRICK, JR. is allowed to drop the life insurance presently held on the life of JANNA HAMRICK.

9. Each party shall keep and retain all personal property presently in his or her possession.

10. In view of the fact that JANNA HAMRICK will be the chief provider of support for Amy Leigh Hamrick, JANNA HAMRICK shall have the exclusive right to claim said child as an exemption on her federal income tax return.

IT IS FURTHER ORDERED that the costs of this cause are assessed to the counterdefendant, BILL E. HAMRICK, JR.

For all of which execution shall issue, if necessary.

This 8th day of Jan., 1976.

James M. Swiggart
JUDGE

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I hereby certify that I have mailed a copy of this order to Bill Hodde, attorney for Bill E. Hamrick, Jr., at his office address of 112 Stadium Drive, Hendersonville, Tennessee 37075, this 7th day of JANUARY, 1976.

BERNARD M. ROSENBLUM, Attorney for Counterclaimant, Janna Hamrick

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TO THE REFERENCE

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REGISTER
DAVIDSON COUNTY, TENN.

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* copy of divorde decree *and had in said Court in the case heretofore prosecuted and determined therein, between* Bill E. Hambrick, Jr., *Plaintiff, and* Janna Hamrick, *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* 10th *day of* Fenruary *in the year one thousand nine hundred and* seventy-six *and in the* 199th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Mildred Carter, *D. C.*