73-10-123

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BOOK 5058 PAGE 622

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

OTISINE H. LaBAR	]	
	]	
VS.	]	NO: 82005
	]	
JACK R. LaBAR	]	

D E C R E E

This cause AUG 18 came on MISC to be heard before B* 6.00 * 6.00 the Honorable William Rutherford, Judge, upon the original bill filed by plaintiff, judgment by default entered against the defendant, witnesses heard in open Court, statement of counsel and the entire record in this cause; from all of which the Court finds that the plaintiff is entitled to an absolute divorce from the defendant upon the statutory ground of cruel and inhuman treatment; that plaintiff should be granted the exclusive care, custody and control of the minor child of the parties and that defendant should pay the house payment in the amount of $109.27 until the minor child reaches 18 years of age; that all right, title and interest the defendant has in the home of the parties located at 305 Tyler Drive, Hermitage, Tennessee, be divested out of him and vested in plaintiff together with the household furniture and furnishings presently located in the home of the parties; that all right, title and interest the defendant has in the 1967 Corvair automobile be divested out of him and vested solely in plaintiff; that defendant shall pay the balance owing Fidelity Federal, monthly payment $52.00 and the balance owing Security Federal, monthly payment $32.00; and that the defendant shall pay a reasonable attorney fee to Dan Garfinkle, attorney for plaintiff in this cause.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Otisine H. LaBar, is hereby granted an absolute divorce from the defendant, Jack R. LaBar, and she is restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the plaintiff, Otisine H. LaBar, is hereby awarded the exclusive care, custody and control of the minor child of the parties; namely, Lou Ann LaBar.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant shall pay the house note in the amount of $109.27 until the minor child, Lou Ann LaBar, reaches her majority which will be December 20, 1976. Defendant shall pay this amount directly to plaintiff on the first day of each month beginning September 1, 1976 and each month thereafter through December 1, 1976, when said payments shall terminate, making a total of five (5) monthly house payments.

It is further ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest the defendant has in the home of the parties located at 305 Tyler Drive, Hermitage, Tennessee, be divested out of him and vested solely in plaintiff together with all household furniture and furnishings presently located in said home. Said house and lot is described as follows:

> Being Lot No. 78 on the Plan of Hermitage Estates, as of record in Book 3300, pages 70 and 71, Register's Office for said County, described as follows:
>
> BEGINNING at a point in the northerly margin of Tyler Drive at the corner of Lots Nos. 78 and 79; thence with the line between said lots, northerly 150 feet to a corner of Lot No. 77; thence with the line between Lots Nos. 77 and 78, southeasterly 137.6 feet to the westerly margin of Terry Lane; thence with the margin of the same, southwesterly 90.8 feet to the beginning of a curve; thence around said curve, westerly 37.5 feet to the margin of Tyler Drive; thence with the margin of the same, northwesterly 95 feet to the point of beginning.
>
> Being the same property conveyed to Jack R. LaBar and wife, Otisine H. LaBar, by deed from Joe B. Simpson and wife, as of record in Book 3917, page 782, said Register's Office.

It is further ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest the defendant has in the 1967 Corvair automobile be divested out of him and vested solely in plaintiff, said automobile bearing Tennessee Title No: 16914770, and manufacturer's i.d. no: 105397W127076.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant shall pay the remaining balance owing Security Federal, monthly payment $32.00 and Fidelity Federal, monthly payment $52.00.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant shall pay to Dan Garfinkle, attorney for plaintiff, the sum of $250.00 as his reasonable fee in this matter, and the defendant, Jack R. LaBar, shall pay the costs of this cause, for all of which execution may issue, if necessary.

Enter this 29 day of July, 1976.

/s/ J. William Rutherford
JUDGE

APPROVED FOR ENTRY:

SI Dan Garfinkle
Dan Garfinkle
Attorney for Plaintiff

cc: Mr. William J. Faimon
200 Court Square Bldg.
300 James Robertson Parkway
Nashville, TN 37201

FILED
AUG 18 12 07 PM '76
DAVIDSON COUNTY, TENN.
REGISTER
TIME AND 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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* OTISINE H. LABAR *Plaintiff, and* JACK R. LABAR *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* 18th. *day of* August *in the year one thousand nine hundred and* Seventy-six *and in the* 201st. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Jane Smith, D. C.

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