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IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY
TENNESSEE

12-2-75
139B/898

JANICE SELLERS ESMOND]
]
]
VS.] NO. 79537
]
]
JAMES HILLIARD ESMOND]

80-7
35
Pw

AUG 18 MISC 8.00 * 8.00

F I N A L D E C R E E

This cause came on to be heard on November 24, 1975, before the Honorable J. William Rutherford, Judge of the First Circuit Court of Metropolitan Nashville, Davidson County, Tennessee.

It appearing to the satisfaction of the Court that the defendant was served by personal service on July 29, 1975, but failed to answer within the time prescribed by law, a default judgment was taken on October 22, 1975, and the matter set for trial on November 24, 1975.

It further appearing to the satisfaction of the Court that the plaintiff has proved that the defendant is guilty of such cruel and inhuman treatment towards her as renders cohabitation both unsafe and improper, so as to be grounds for the dissolution of this marriage.

It further appearing to the satisfaction of this Court that the plaintiff should have custody of the two minor children of the parties with normal visitation rights with the defendant. That the defendant be ordered to pay $125.00 per month for the support of the two minor children of the parties until further orders of the Court.

PETWAY, BLACKSHEAR,
HAGWOOD & THOMPSON
ATTORNEYS AT LAW
SUITE 1118, PARKWAY TOWERS
NASHVILLE, TENNESSEE 37219

It further appearing to the satisfaction of this Court that all rights, title and interest owned by the defendant, James Hilliard Esmond in any and all real property to wit:

> Land in Davidson County, Tennessee, being Lot No. 489 on the Plan of Section Five, Bordeaux Hills, of record in book 3500, page 114, Register's Office for said County. Beginning at a point in the Northwesterly margin of County Hospital Road at the corner of Lots Nos. 488 and 489; thence with the margin of said Road, southwesterly 40 feet to a concrete monument at the corner of the property of Davidson County; thence along the line of said property, northwesterly 269.5 feet to an iron pin; thence northeasterly 162 feet to a concrete monument; thence easterly 45 feet to the corner of Lot No. 488; thence with the line between Lots 488 and 489, southeasterly 278 feet to the point of beginning.
>
> Being the same property conveyed to Robert M. Potter and wife, Lois D. Potter, by deed from William E. Holt and wife, Rosie O. Holt, of record in Book 4218, page 127, Register's Office for Davidson County, Tennessee.

be divested out of the defendant's name and into the plaintiff, Janice Sellers Esmond.

THEREFORE, it is HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony that existed between Janice Sellers Esmond and James Hilliard Esmond are hereby and forever dissolved and the plaintiff is restored to all the rights and privileges of a single person, along with the return of her maiden name.

It is further ORDERED, ADJUDGED AND DECREED that the defendant pay to the plaintiff the amount of $125 monthly for the support of his minor children, starting December 1, 1975, and continuing each month thereafter until further orders of this Court.

PETWAY, BLACKSHEAR, HAGWOOD & THOMPSON
ATTORNEYS AT LAW
SUITE 1118, PARKWAY TOWERS
NASHVILLE, TENNESSEE 37219

It is further ORDERED, ADJUDGED AND DECREED that all rights, title and interest in the above described property, to wit:

> Land in Davidson County, Tennessee, being Lot No. 489 on the Plan of Section Five, Bordeaux Hills, of record in book 3500, page 114, Register's Office for said County. Beginning at a point in the northwesterly margin of County Hospital Road at the corner of Lots Nos. 488 and 489; thence with the margin of said Road, southwesterly 40 feet to a concrete monument at the corner of the property of Davidson County; thence along the line of said property, northwesterly 269.5 feet to an iron pin; thence northeasterly 162 feet to a concrete monument; thence easterly 45 feet to the corner of Lot No. 488; thence with the line between Lots 488 and 489, southeasterly 278 feet to the point of beginning.
>
> Being the same property conveyed to Robert M. Potter and wife, Lois D. Potter, by deed from William E. Holt and wife, Rosie O. Holt, of record in Book 4218, page 127, Register's Office for Davidson County, Tennessee

be divested out of the defendant, James Hilliard Esmond and vested into the plaintiff, Janice Sellers Esmond.

It is further ORDERED, ADJUDGED AND DECREED that the plaintiff have custody of the two minor children with normal visitation rights reserved for the defendant.

JUDGE 12-2-75

ORDER PREPARED BY

STAFFORD HAGWOOD, Attorney
for Plaintiff

PETWAY, BLACKSHEAR,
HAGWOOD & THOMPSON
ATTORNEYS AT LAW
SUITE 1118, PARKWAY TOWERS
NASHVILLE, TENNESSEE 37219

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C E R T I F I C A T E

I, the undersigned, do hereby certify that a true copy of the foregoing Decree has been mailed to the last known address of the Defendant, this 1 day of December, 1975.

D 6 3 7 8 4

TO REFERENCE

AUG 18 1 37 PM '76

DAVIDSON COUNTY, TENN.

Docket Number 79537 12-2-75 Book Page 1398 / 898

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 a decree ~~correct transcript of the record and proceedings~~ *had in said Court in the case heretofore prosecuted and determined therein, between* James Sellers Esmond *Plaintiff, and* James Hilliard Esmond *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* _____ *day of* August *in the year one thousand nine hundred and* Seventy-Six *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk*

By Robert Murrah, *D. C.*