23/246 11-9-61

BOOK 5136 PAGE 77

BETTY LOUISE JOHNSON )

VS. NO. 35684 ( IN THE FOURTH CIRCUIT COURT for DAVIDSON COUNTY, TENNESSEE

JAMES JOHNSON )

M. 100
P. 14
PW

D E C R E E

This cause came on to be heard this 15th day of May, 1961, before the Honorable Benson Trimble, Judge, holding the Fourth Circuit Court for Davidson County, Tennessee, upon the original bill of complaint, the answer filed thereto by defendant, testimony of witnesse in open Court, the report of the Special Master, argument of the solicitors of record in this cause, from all of which the Court is of the opinion that complainant has successfully proved her cause of action and that defendant has been guilty of such cruel and inhuman treatment or conduct towards her so as to render cohabitation unsafe and improper and for her to be under his dominion and control; that he has abandoned her, turned her out of doors, and failed and refused to provide for her.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that complainant be and she hereby is granted an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREED by the Court that the custody of the three minor children be decreed to defendant for his exclusive custody and control and that complainant be allowed the right of reasonable visitation with her children but that she be and she is hereby enjoined from in any way removing said children from the home or from the jurisdiction of this Court.

It is further ORDERED, ADJUDGED and DECREED by the Court that the property held as tenants by the entirety, a description of which is as follows:

> A tract of land in the 8th Civil District of Davidson County, Tennessee, described according to a survey dated September 9, 1958, by S. H. Hutchison, Surveyor, as follows:
>
> Beginning at a point in the center of Indian Creek Road and C. A. DeMoss line and running thence in an easterly direction north 59 degrees east 80.50 feet to a point in said road; thence north 26 deg. 30' west passing a stake in the line of Indian Creek Road, 295 feet to a stake in a field; thence south 61 deg. west 143 feet to an Elm tree in C. A. DeMoss line; thence sough 37 deg. east 314 feet, passing a stake in the line of Indian Creek Road, to the point of beginning.
>
> Being the same real property conveyed to James A. Johnson and wife, Betty Louise Johnson, by deed from M. D. Holmes and wife, dated May 11, 1959, filed May 14, 1959, and recorded in book 2905, page 377, Register's Office for said County.

that all right, title and interest which Betty Louise Johnson, the complainant herein has in said property be divested out of her and all right, title and interest in said real estate be vested in the defendant, James Alfred Johnson, and the three minor children, James Edward Johnson, Randall Johnson, and Ronnie Johnson, as tenants in common.

RECORDER'S MEMO
Legibility of Writing, Typing or Printing Unsatisfactory in this Document when Received.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant, James Johnson, will pay to the Honorable C. D. Berry the sum of One Hundred Dollars ($100.00) as a fee for his services rendered as Special Master in this cause, for which EXECUTION MAY ISSUE.

It is further ORDERED, ADJUDGED and DECREED by the Court that this decree will be entered nunc pro tunc now for then.

All the costs in this cause will be assessed against the defendant, for which execution will issue if necessary.

JUDGE

Approved for entry:

Howard F. Butler, Solicitor for Defendant

Newman Brandon, Solicitor for Complainant

C. D. Berry, Special Master

I certify that a copy of the foregoing decree was this day mailed to Mr. Newman Brandon, Attorney at Law, Third National Bank Building, Nashville, Tennessee, this 9th day of November, 1961. Also, a copy to Mr. C. D. Berry.

Howard F. Butler

D98723

T

IDENTIFICATION REFERENCE

APR 14 10 53 AM '77

REGISTER
DAVIDSON COUNTY, TENN.

BOOK 5136 PAGE 79

APR 14 77 MISC B* 6.00 * 6.00

Minute Book 23 Page 246

# 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* Betty Louise Johnson *Plaintiff, and* James Johnson *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* 14th *day of* April *in the year one thousand nine hundred and* seventy-seven *and in the* 201st. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

*By* Lucie Bekins *D. C.*

Form #GR-117