IN THE FIRST CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

52-8-57

EVANDER McIVER PATTERSON III
Plaintiff
Cross-Defendant

vs.

BARBARA ARMSTRONG PATTERSON
Defendant
Cross-Plaintiff

No. 86002

FINAL DECREE

SEP-2[illegible] MISC 8* 8.00 * 8.00

This cause came on to be heard before the Honorable J. William Rutherford, Judge of the First Circuit Court, on the 22nd day of August 1977 upon the original Complaint filed by the Plaintiff; Bill of Particulars; Answer filed by the Cross-Defendant; bill for separate support and maintenance which was amended at the trial of this cause to pray for an absolute divorce and which charged the Cross-Defendant with the statutory offense of Tennessee Code Annotated 36-802-1, such cruel and inhuman treatment towards the Cross-Plaintiff as to render further cohabitation unsafe and improper, and without objection, the Court was pleased to grant said motion; and witnesses heard in open court; from all of which the Court finds that the original Plaintiff and Cross-Defendant, Evander McIver Patterson III, has been guilty of the statutory offense of Tenneseee Code Annotated 36-802-1, such cruel and inhuman treatment towards the Cross-Plaintiff as to render further cohabitation unsafe and improper. The Court further found that the Cross-Plaintiff is entitled to the absolute care, custody, and control of the two minor children of the parties, to-wit, Darcy Lyn Patterson and Barbara Vanessa Patterson, and allowed the Cross-Defendant visitations every other weekend commencing on September 3, 1977, beginning Saturday morning at 9:00 a.m. and ending Sunday evening at 6:00 p.m. The Court admonished the Cross-Defendant concerning drinking in the presence of the children and driving

his automobile and being protective of the children while they were in his custody.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Cross-Plaintiff be awarded an absolute divorce from the Cross-Defendant and be restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Cross-Plaintiff be awarded the absolute care, custody, and control of the two minor children of the parties, to-wit, Darcy Lyn Patterson and Barbara Vanessa Patterson, and the Cross-Defendant shall have visitations commencing on Saturday, September 3, and ending Sunday, September 4, at 6:00 p.m., said visitation to begin at 9:00 a.m. on Saturday morning, and each succeeding alternate weekend at the same time until further orders of the Court and a maximum of two weeks for summer vacation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Cross-Defendant shall pay to the Cross-Plaintiff one-third (1/3) of his net pay after making deductions for his expenses, but said one-third (1/3) payment shall not be less than $100.00 per month with a maximum payment of $400.00 per month. The Cross-Defendant will forward an accounting to Barbara Patterson with her check each month showing his gross commissions and itemizing his expenses every 30 days until further orders of the Court, said first payment to commence on September 15, 1977.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the furnishings owned by the parties and located at Cross-Plaintiff's residence, 525 Canton Pass, Madison, Tennessee, shall be the sole and separate property of Barbara Armstrong Patterson, the Cross-Plaintiff, and all interest in the Cross-Defendant shall be divested out of him with the exception of his personal articles.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all right, title, and interest in the 1974 Chrysler automobile

shall be vested in Barbara Armstrong Patterson and divested out of Evander McIver Patterson III and Barbara Patterson shall hold Evander Patterson harmless on the bank notes for said automobile.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the home of the parties, the same being 525 Canton Pass, Madison, Tennessee, formerly owned as tenants by the entirety, shall now be vested in the Cross-Plaintiff as her sole and separate property and all right, title, and interest of the Cross-Defendant shall be divested out of him; however, the Court finds that he shall have a lien on the house in the amount of $7,500.00 which shall be held in abeyance so long as either of the children of the parties remains under 18 years of age or unless the Cross-Plaintiff shall become remarried at which time said lien shall become enforceable. The aforesaid lien will remain on the property and in the event of the sale of the residence shall be payable to the Cross-Defendant. The subject property is described as follows:

> Lot No. 80, Sequoia Valley, Section II, as of record in Book 3700, page 114, Register's Office of Davidson County, Tennessee, to which plan reference is here made for a more complete and accurate description.
>
> Being the same property conveyed to Evander McIver Patterson III and wife, Barbara Armstrong Patterson, by Deed of Trust from Gene E. Tidwell and wife, Bobbie J. Tidwell.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that as further alimony to the Cross-Plaintiff that her attorney, William L. Underhill, is awarded a fee in the amount of $500.00 against the Cross-Defendant and the costs of this cause shall be taxed to the Cross-Defendant, for all of which let execution issue if necessary.

Entered this 25 day of August 1977.

E23853

IDENTIF. REFERENCE

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FELIX DAVIDSON COUNTY, TENN. REGISTER

/s/ T. W. Rutherford
JUDGE

APPROVED FOR ENTRY:

William D. Underhill
Attorney for Cross-Plaintiff
214 Third Avenue North
Nashville, Tennessee

I hereby certify that a copy of the foregoing Final Decree has been mailed to Mr. Edward Nave, Suite 715, Stahlman Building, Nashville, Tennessee 37201, this 23rd day of August 1977.

William D. Underhill

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* EVANDER MCIVER PATTERSON III *Plaintiff, and* BARBARA ARMSTRONG PATTERSON *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* 2nd. *day of* SEPTEMBER *in the year one thousand nine hundred and* SEVENTY-SEVEN *and in the* 202nd. *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By June Smith, *D. C.*

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