MMP 82-4
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BOOK 5222 PAGE 410

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

4-7-77
1410/1702

VIRGINIA KATHERINE WALTON POPE ]
]
]
]
VS. ] NO. 83193
]
]
]
GARNE NMI POPE ]

FINAL DECREE

This cause came on to be heard upon the entire record, together with the testimony of witnesses heard in open Court and argument of counsel, from all of which it appeared to the Court that the allegations of the original bill were sustained by the proof, and that the defendant has been guilty of such cruel and inhuman treatment and conduct toward the plaintiff as renders cohabitation unsafe and improper and in the case of the plaintiff for her to remain under the defendant's dominion and control. And it further appearing that it is to the manifest best interest of the parties' minor child, Teresa Annette Pope, that her sole and exclusive custody be vested in the plaintiff, Virginia Katherine Walton Pope, with the right of defendant to see, have, and be with the said child at reasonable times and places. And it further appearing that plaintiff should be awarded all right, title, and interest in and to the household furniture, furnishings, equipment, and all other articles of personal property located within the parties' home at 1408 Chester Avenue in Nashville, Davidson County, Tennessee. And it further appearing to the Court that the defendant should pay the sum of $45.00 per week as child support for the care and maintenance of his said daughter.

And it further appearing to the Court from all of the evidence that the interest of both parties in their home located at 1408 Chester Street, Nashville, Tennessee, should be divested out of them and vested in the parties' minor child, but with the cause retained in Court for the Court to order the sale of the property by the Clerk of the Court on such terms and conditions as the Court should deem proper at any appropriate time prior to the eighteenth birthday of the said child. And it further appearing to the Court that all the interest of the plaintiff in a certain tract of property located at 1006 North Sixth Street, in Nashville, Davidson County, Tennessee, which has heretofore been owned by the parties as tenants by the entireties to be divested out of the plaintiff and vested in the defendant. And it further appearing to the Court that the defendant should be solely responsible for the payment of both the mortgages on the two tracts of real property in question as well as the taxes and insurance thereon.

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the bonds of matrimony heretofore subsisting between the parties be and they are hereby completely and forever dissolved and the plaintiff is restored to all the rights and privileges of an unmarried person.

It is further ordered that the sole and exclusive custody of the parties' minor child, Teresa Annette Pope, be and the same is hereby vested in the plaintiff, with the right in the defendant to see, have, and be with the said child at reasonable times and places.

It is further ordered that all interest of the defendant in and to any household furniture, fixtures, equipment, and other articles of personal property located in the parties' home at 1408 Chester Street in Nashville, Tennessee, be and the

same is divested out of the defendant and vested in the plaintiff.

It is further ordered that the defendant pay to the plaintiff the sum of $45.00 per week, commencing on Friday, January 29, 1977, and each Friday thereafter pending further orders of the Court for the support of the parties' minor child.

It is further ordered that all right, title, and interest in the parties to this litigation in a certain piece of real property be and the same is hereby divested out of both of the parties and vested in the parties' minor child, Teresa Annette Pope, said property being more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 15 of Block B on the Map of a Subdivision of Belle Forrest No. 2 as of record in Book 843, page 94, said Resgister's Office.
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> Said Lot 15 fronts 60 feet on the southerly side of Chesterfield Avenue, now Chester Avenue, and runs back between parallel lines 132 feet to a dead line.
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> Being the same property conveyed to Garne Pope and wife, Virginia K. Pope, by deed from W. L. Bainbridge Company of record in Book 4079, page 653, RODC, Tennessee.

The cause as to the future title to the above described property is retained in Court with the right retained in the Court to direct the sale of the said property on behalf of the minor child by deed from the Clerk of this Court on such terms and conditions and at such times as the Court may then determine.

It is further ordered that all of the mortgage payments due on the property hereinabove described and conveyed to Teresa Annette Pope, together with all insurance payments on the said home, and all taxes accruing against the said home shall be the sole responsibility of and shall be paid by the defendant, Garne Pope, pending further orders of the Court.

It is further ordered that all right, title, and interest in and to the following described property be divested out of the plaintiff, Virginia Katherine Walton Pope, and vested in

the defendant, Garne Pope, with the defendant, Garne Pope, being solely responsible for all mortgage payments, taxes, and insurance thereon, without liability to the plaintiff, and more particularly of the property herein ordered vested in the defendant and vested out of the plaintiff being as follows:

> Land in Davidson County, Tennessee, being Lot No. 135 on the Plan of Sharpe and Crutcher's Addition to North Nashville, as of record in Book 57, page 82, Register's Office for said County.
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> Said Lot no. 135 fronts 50 feet on the westerly side of North Sixth Street and runs back between parallel lines 165 feet to the alley.
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> Being the same property conveyed to Garne Pope and wife, Virginia K. Pope, by deed from W. L. Bainbridge Company of record in Book 4411, page 466, RODC, Tennessee.

It is further ordered that the defendant should pay to the law firm of Dodson, Harris & Aden a fee of $350.00, representing a reasonable fee for their services in this cause.

The costs of this cause are taxed against the defendant. For the enforcement of all of the provisions of the foregoing judgment, execution or other appropriate process will issue.

This cause is retained in Court for such future orders respecting child support and respecting the conveyance of the property belonging to the child under the decree of this Court as may be deemed proper.

APPROVED FOR ENTRY:

DODSON, HARRIS & ADEN

By: Thomas B. Harris
900 Nashville City Bank Building
P. O. Box 2524
Nashville, Tennessee 37219

Attorneys for Plaintiff

JOSEPH L. LACKEY, SR.
1822 Parkway Towers
Nashville, Tennessee 37219

Attorney for Defendant

JUDGE 2-7-77

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IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TN.

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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* Virginia Katherine Walton Pope *Plaintiff, and* Garne Pope *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* 11 *day of* November *in the year one thousand nine hundred and* 77 *and in the* 202nd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

*By* [signature], *D. C.*

Form #GR-117