IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

RUBY H. MALCOLM)
)
)
)
VS:) NO. 76184
)
)
)
FRED G. MALCOLM)

BOOK 5304 PAGE 871

O R D E R

JUN 29 MISC B* 6.00 * 6.00

This cause came on to be heard before the Honorable Benson Trimble, Judge of the Fourth Circuit Court of Davidson County, Tennessee on Friday March 21, 1975 upon the complaint filed by the plaintiff, the testimony of the plaintiff and witnesses in open court, the statement of Counsel and the entire record from all of which the Court was of the opinion that the allegations in the original complaint were fully sustained by the evidence, i.e., that the defendant, Fred G. Malcolm, has been guilty of such cruel and inhuman treatment and conduct towards the complainant, Ruby H. Malcolm, as renders further cohabitation between the parties unsafe and improper.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore subsisting between Ruby H. Malcolm and Fred G. Malcolm are hereby forever and perpetually dissolved. The plaintiff, Ruby H. Malcolm, is decreed an absolute divorce from Fred G. Malcolm, and she is further restored to all the rights and privileges of an unmarried person.

The Court was of the opinion that that plaintiff and mother was a fit and proper person to have custody and control of the minor child of the party, namely Tammy Marie Malcolm, and it is therefore ORDERED, ADJUDGED and DECREED by the Court that the custody and control of said minor child be and the same is hereby ordered to the mother and plaintiff, Ruby H. Malcolm, with the right and privilege of the defendant father to see and visit said minor child at reasonable times and places.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant father, Fred G. Malcolm pay to the plaintiff mother the sum of $200 per month for the support and maintenance of said minor child.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the right, title and interest in and to the house and real estate located at 2423 Kimberly Drive in Davidson County, Tennessee, which has heretofore been occupied by the parties as their home, and where plaintiff and the child now reside, and which has heretofore been owned by the parties as tenants by the entirety, and more particularly described as follows:

> "Land in Davidson County, Tennessee, being Lot No. 331 on the Plan of Sunset View, Section VI, as of record in Book 2900, Pages 54 and 55, Register's Office for said County.
>
> "Said Lot No. 331 fronts 117 ft. on the southerly line of Kimberly Road, and extends back 134.47 ft. on the easterly line and 218.5 ft. on the westerly line to a dead line measuring 144.2 ft. thereon.
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> "Being the same real property conveyed to Fred G. Malcolm and wife, Ruby H. Malcolm from Glover D. Gilliam and wife, Frances W. Gilliam, of record in Book 4177, Page 464, Register's Office for Davidson County, Tennessee."

now vested in the said Fred G. Malcolm be and the same is hereby divested out of the said Fred G. Malcolm, and the title to said real estate is hereby vested in Ruby H. Malcolm in fee simple, subject to the unpaid balance due on said property.

It is further ORDERED, ADJUDGED and DECREED by the Court that all of the household furniture, personal effects, linens, carpets, drapes, furniture, China, and all personal property contained in the home of every kind and character is hereby decreed to the plaintiff, Ruby H. Malcolm, as her property absolutely.

It is further ORDERED that the defendant, Fred G. Malcolm will keep in effect his hospitilization insurance for the minor child of the parties and further that he will pay all of her medical bills as they come due.

It is further ORDERED, ADJUDGED and DECREED that the title to the 1968 Ford Galaxy automobile which is now owned by the parties jointly be divested from Fred G. Malcolm and vested in Ruby H. Malcolm subject to any outstanding obligations.

The defendant will pay the costs of this cause, for which execution may issue, if necessary.

Enter this the _____ day of _____, 1975.

JUDGE

APPROVED FOR ENTRY:

MONTE D. CURRY, Attorney for Plaintiff

IDENTIF. REFERENCE

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FELIX Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.

7.3.8.5.6.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of this document has been served upon counsel of record for each party in this cause by delivering a true and exact copy of same personally to the offices of said counsel or by placing a true and exact copy of the same in the United States Mail addressed to said counsel at his office, with sufficient postage affixed thereto to carry same to its destination.

This the 31 day of Mar, 75

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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~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Ruby H. Malcolm *Plaintiff, and* Fred C. Malcolm *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* 29th *day of* June *in the year one thousand nine hundred and* Seventy-Eighth *and in the* 202nd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, D. C.