MARCH 18, 1977 THIRD CIRCUIT

111A-294

REBECCA ELLEN HOPKINS BARTON	)	IN THE THIRD CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE
VS.	)	NO. 85875
WILLIE CLINTON BARTON	)	33-16-68 BOOK 5339 PAGE 450 KS

FINAL DECREE

This cause came on for hearing on this the 17th day of March, 1977, before the Honorable Joe C. Loser, Jr., Judge of the Third Circuit Court of Davidson County, Tennessee, upon the original complaint filed by complainant on January 13, 1977, personal service of process had on the defendant, Willie Clinton Barton, on February 2, 1977, pendente lite hearing on February 25, 1977, motion for default judgment filed March 2, 1977, with the judgment by default approved by the Court, it appearing the defendant had failed to answer in the time prescribed by law, testimony of witnesses heard in open Court, statement of counsel and the entire record herein. From all of which the Court found as follows:

That the allegations of complainant, Rebecca Ellen Hopkins Barton, have been fully sustained, that is that the defendant, Willie Clinton Barton, has been guilty of such cruel and inhuman treatment and conduct towards the complainant as renders further cohabitation unsafe and improper for her to remain under his domion and control;

It is, therefore, ORDERED, ADJUDGED and DECREED that the complainant, Rebecca Ellen Hopkins Barton, is hereby awarded an absolute divorce from the defendant Willie Clinton Barton and she is hereby restored to all the rights and privileges of an unmarried person.

It is further ORDERED, ADJUDGED and DECREE that the custody of the two minor children; to wit: Michelle Nicole Barton, Age 3 and Benjamin David Barton, Age 7 months, is hereby committed to the complainant, Rebecca Ellen Hopkins Barton with reasonable visitation privileges awarded to the defendant, Willie Clinton Barton, at the home of the children, pending further orders of the Court.

It is further ORDERED and DECREED that the defendant, Willie Clinton Barton, should be and he is hereby permanently enjoined from coming about complainant's for the purpose of physically abusing, verbally abusing, harrassing or molesting or threatening her in any manner whatsoever.

It is ORDERED, ADJUDGED and DECREED that the homeplace of the parties located at 1240 N. Graycroft Avenue, Madison, Davidson County, Tennessee, is hereby vested in the complainant to be hers absolute and in fee simple, and any interest the defendant, Willie Clinton Barton, has therein is hereby divested from him and reinvested in complainant, Rebecca Ellen Hopkins Barton, absolutely, subject to the first mortgage thereon. Said real property is more particularly described as follows:

> Being Lot No. 49 on the Plan of Primrose Meadows, Section 1, as of record in Book 4675, page 18, Register's Office for said County, to which plan reference is made for a more complete description.
>
> Being the same property conveyed to Willie C. Barton and wife, Rebecca E. Barton by Warranty Deed from Cherokee Mortgage Co. of record in Book 5070, Page 249, Register's Office for Davidson County, Tennessee.
>
> This conveyance is made subject to restrictions of record in Book 4737, page 801, said Register's Office.

It is therefore ORDERED, ADJUDGED and DECREED that the complainant, Rebecca Ellen Hopkins Barton, is hereby awarded the household furniture and furnishings of the parties located in the homeplace and any interest the defendant has therein is divested from him and reinvested in her.

It is further ORDERED and DECREED that the defendant shall pay the sum of One Hundred ($100.00) Dollars per week for the support and maintenance of the two minor children of the parties through the Clerk of this Court, plus the Clerk's Commission commencing the week of Monday, March 21, 1977, and continuing each week thereafter. It is further ORDERED that the defendant shall pay the debts of the parties incurred while the parties were living together and the complainant shall be held harmless thereon.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Willie Clinton Barton, shall maintain hospitalization and medical insurance upon the minor children of the parties.

The complainant, Rebecca Ellen Hopkins Barton, is hereby awarded a judgment against the defendant in the amount of Two Hundred Ninety Eight Dollars and 56/100 ($298.56) representing the March, 1977, housenote payment not paid by him as ordered by the Court on February 25, 1976, and she is awarded a judgment of child support in arrears in the amount of Sixty ($60.00) Dollars per said pendente lite order.

It is further ORDERED and DECREED that the complainant is awarded Three Hundred ($300.00) Dollars of the income tax refund due to the parties and the defendant shall pay the same to her if he receives said refund check and if she receives the same, she will be entitled to this amount and the balance shall be paid to the defendant, Willie C. Barton.

The defendant, Willie Clinton Barton, shall pay to Muriel Robinson, Attorney for Complainant, a reasonable fee in the amount of Two Hundred Fifty ($250.00) Dollars plus the costs of this cause for all of which let execution issue if necessary.

JUDGE

3/18/77

APPROVED FOR ENTRY:

Muriel Robinson
Attorney for Complainant

Enter This 18 Day of March, 1977

I certify that a copy of this Final Decree has been mailed to the defendant, Willie C. Barton, c/o 2005 Roseclift Drive, Nashville, TN and to his attorney of record, as of March 15th, 1977, the Honorable David E. Mead and to the Honorable Eleanor Mead, who appeared in Court March 17, 1977, on this the 17th day of March, 1977.

Muriel Robinson
Attorney for Complainant

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IDENTIF. REFERENCE

SEP 19 11 13 AM '78

FELIX Z. NELSON II REGISTER
DAVIDSON COUNTY, TENN.

BOOK 5339 PAGE 453

File Box 9

Please return to:
Wm. D. Castleman, Atty.
807 American Trust Bldg.
Nashville, TN 37201

SEP 19 78 MISC B* 8.00 * 8.00

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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* Rebecca Ellen Hopkins Barton *Plaintiff, and* Willie Clinton Barton *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* 7th *day of* Sept *in the year one thousand nine hundred and* 78 *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By L Roper, *D. C.*

Form #GR-117