MINUTES CASH

DECEMBER 5, 1975

Mag Panel 114-6 123

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

HAZEL ERVIN

PLAINTIFF

VS:

CHARLES DOUGLAS ERVIN

DEFENDANT

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NO: 79446

O R D E R

This cause came on to be heard on the sixth day of November, 1975 before the Honorable James Swiggart, Judge of the Sixth Circuit Court for Davidson County, Tennessee upon the original complaint filed by the plaintiff and the default judgment against the defendant. The defendant was personally served on July 24, 1975. From the pleadings and said cause, the testimony heard in open Court, the statement of counsel, and from the entire record in the cause, the Court was of the opinion that the obligations of the original complaint were fully sustained by the evidence, that is, that the defendant, Charles Douglas Ervin has been guilty of such cruel and inhuman treatment and conduct towards the plaintiff Hazel Ervin 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 Hazel Ervin and Charles Douglas Ervin are hereby forever and perpetually dissolved. The plaintiff Hazel Ervin is decreed an absolute divorce from Charles Douglas Ervin and she is further restored all the rights and privileges of an unmarried person. The Court was of the opinion that the plaintiff and mother was a fit person to have custody and control of the minor children of the parties, and it is, therefore, ordered, adjudged and decreed by the Court that the custody and control of said minor children being the same as hereby decreed to the mother and plaintiff Hazel Ervin with the right and privileges to the defendant father to see and visit said minor children at reasonable times and places.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court

that the defendant father, Charles Douglas Ervin, pay to the plaintiff mother the sum of Forty Five Dollars ($45.00) per week for the support and maintenance of said minor children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all the right, title and interest in and to the house and real estate located at 48 Peachtree Street in Davidson County, Tennessee which has heretofore been occupied by the parties as their home and where plaintiff and the children now reside and which as heretofore been ordered by the plaintiff's tenants by the entirety and more particularly described as follows:

> BEING Lot No. 55 on the Map of Sterling Heights, Section Three, as of record in Book 1424, page 113, Register's Office for said County.
>
> SAID Lot fronts 75 feet on the northerly side of Peachtree Street and runs back between parallel lines 160 feet to a dead line.
>
> BEING the same property conveyed to Charles D. Ervin and wife, Hazel L. Ervin by deed from William Henry Mathews, Jr. and wife, Bettie N. Mathews as of record in book 4268, page 20, Register's Office for Davidson County, Tennessee.
>
> Vested in said Charles D. Ervin, be in the same as hereby divested out of the said Charles D. Ervin, and titled to said real estate is hereby vested in Hazel L. Ervin 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 and furnishings contained in the aforementioned real property is hereby decreed to the plaintiff Hazel Ervin as her property absolutely.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff Hazel Ervin be vested with all right and ownership in a 1973 Chevrolet Impala automobile which she is presently has in her possession. The defendant is hereby ordered to take whatever action is necessary to change the title to be solely in the name of the plaintiff Hazel Ervin.

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

Enter this the 5th day of November, 1975.

JUDGE

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APPROVED FOR ENTRY:

MONTE D. CURRY
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

This the 5 day of Dec

Monte Curry

FILED
MAR 2 1 52 PM '79
FELIX Z. WILSON
REGISTER
DAVIDSON COUNTY, TENN.

IDENTIF. REFERENCE

F.1.6 4 6 6

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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* Hazel Ervin *Plaintiff, and* Charles Douglas Ervin *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* 26th *day of* Januar y *in the year one thousand nine hundred and* Seventy-Nine *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, *D. C.*

Form #GR-117