94-5-88 KS

IN THE FIRST CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

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MARY THELMA BURGESS)
Plaintiff)
VERSUS) FILE NO. 89571
ROBERT EARL BURGESS)
Defendant)

ABSOLUTE DIVORCE DECREE

This cause came on to be heard before the Honorable Hamilton V. Gayden, Judge of the first circuit court of Davidson County, Tennessee on the 20th. day of April, 1979.

Whereupon defendants petition to make a divorce from bed and board an absolute divorce, answer of plaintiff, plaintiffs petition for contempt, answer of defendant and cross-complaint to reduce child support and to adjudicate the property of the parties, the court with the consent of the parties to hear the matters, finds as follows:

The court finds that the divorce from bed and board should be made an absolute divorce.

The court further finds that the plaintiff shall retain custody of the parties minor child and the defendant shall continue to have visitation rights every other weekend as previously ordered by the court.

The court finds that the defendant is in the arrears in the amount of six hundred and sixty ($660.00) dollars in his past child support payments and that the defendant is to pay the plaintiffs attorney of record the sum of two hundred and fifty ($250.00) dollars attorney fee as part of her alimony insolido. The defendants child support payments are reduced from one hundred ($100.00) dollars a week to the sum of twenty-five ($25.00) dollars a week for the support of Gwendolyn Faye Burgess and Robert Dean Burgess is emancipated.

ON THIS ELEVENTH DAY O

The court further finds that the joint savings account the parties have is to be divided equally and the plaintiff is to pay the six hundred and sixty ($660.00) dollars back arrearage to herself and the two hundred and fifty ($250.00) dollars to her attorney as his fee out of the defendants one-half of the savings account and then turn the balance of his one-half over to the defendant.

The plaintiff is to turn the camper and the tires to said camper over to the defendant as his sole and separate property and the plaintiff is to retain possession and title to the household furniture and furnishings.

The court further finds, after the plaintiff waived her rights to alimony in futureo, in open court, that the real property consisting of a house and lot located at 1317 Davidson Street Nashville, Davidson County, Tennessee as of record in Book 4426, page 508 Register's Office for Davidson County, Tennessee is to be divested out of the parties as tenants by the entirety and vested in the plaintiff, Mary Thelma Burgess, in fee simple. The plaintiff shall assume any and all outstanding indebtedness on the aforesaid property. This transfer of property shall be her alimony in solido.

The court finds that each of the parties shall pay one-half of all the costs of the cause.

It is, therefore, ORDERED, ADJUDGED and DECREED by the court the plaintiff is granted an absolute divorce from the defendant in lieu of the divorce from bed and board.

It is further ORDERED, ADJUDGED and DECREED by the court that the plaintiff is to retain custody of the parties minor children and the defendant is to continue to have visitation rights every other week-end as previously ordered.

It is further ORDERED, ADJUDGED and DECREED by the court that the child, Robert Dean Burgess, is emancipated and the defendants child support payments are reduced from one hundred ($100.00) dollars a week to twenty-five ($25.00) dollars for the support of Gwedolyn Faye Burgess who is fourteen years of age.

It is further ORDERED, ADJUDGED and DECREED by the court that the personalty of the parties be divided as follows:

The camper and the tires to said camper are vested in the defendant and the plaintiff shall deliver possession of same to the defendant.

The joint savings account shall be divided equally between the parties and the plaintiff shall pay herself the sum of six hundred and sixty ($660.00) dollars for back child support arrearage and the sum of two hundred and fifty dollars ($250.00) to her attorney of record as part of her alimony in-solido out of the defendant's one-half of the savings account and then plaintiff shall pay the remainder of the defendant's one-half of the joint savings account over to him.

The plaintiff shall retain title and possession to the household furniture and furnishings.

It is further ORDERED, ADJUDGED and DECREED by the court that the real property consisting of a house and lot located at 1317 Davidson Street Nashville, Davidson County, Tennessee as of record in Book 4426, page 508, Register's Office of Davidson County, Tennessee shall divest out of the parties as tenants by the entirety and vest in the plaintiff, Mary Thelma Burgess, in fee simple and the plaintiff shall assume all the outstanding indebtedness on the said property. This divesture and conveyance shall constitute the plaintiff's alimony in solido as plaintiff waived any alimony in futureo in open court.

It is further ORDERED, ADJUDGED and DECREED by the court that each of the parties shall pay one-half of all the costs of the cause, all for which execution may issue if necessary.

JUDGE

APPROVED FOR ENTRY

Mrs. Mary Thelma Burgess
PLAINTIFF

Robert Earl Burgess
DEFENDANT

ATTORNEY FOR PLAINTIFF

ATTORNEY FOR DEFENDANT

MINUTES, ON THE ELEVENTH DAY OF MAY, 1979.

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IDENTIF. REFERENCE

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AUG 3 12 07 PM '79

FELIX Z. WILSON JR REGISTER
DAVIDSON COUNTY, TENN.

Neal
Mary J. Burgess
1317 Harrison St
Nash. Tenn

Mb. 147A/57

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* Mary Thelma Burgess *Plaintiff, and* Robert Earl Burgess *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* 3rd *day of* August *in the year one thousand nine hundred and* Seventy-nine *and in the* 203rd *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By J. Hutson, *D. C.*

Form #GR-117