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IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

ROSE FORMOSA WELKER	)	
	)	
	)	
-vs-	)	NO. 94486
	)	
	)	
BERNARD FRANCIS WELKER	)	

FINAL DECREE

This cause came on to be heard this 19th day of April, 1979 before the Honorable Harry Lester, Judge, on the original complaint, personal service of process, answer filed by the defendant, testimony of the parties and plaintiff's witnesses heard in open Court and one witness heard in Chambers. Based upon this and the entire record in this cause, the Court finds that the facts of the complaint are true in that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the plaintiff as renders further cohabitation unsafe and improper. The Court further finds that the divorce prayed for should be granted.

Therefore, it is ORDERED, ADJUDGED and DECREED that the plaintiff, Rose Formosa Welker, be and hereby is granted an absolute divorce from the defendant, Bernard Francis Welker, and that they both be restored to all the rights and privileges of unmarried persons.

It is further ORDERED, ADJUDGED and DECREED that the plaintiff, Rose Formosa Welker, shall have the complete care, custody and control of the minor child of the parties with reasonable visitation privileges afforded the defendant.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Bernard Francis Welker, shall pay directly to the plaintiff the sum of $75.00 each and every week as child support for the minor child, and further that he shall carry medical insurance on the minor child.

It is further ORDERED, ADJUDGED and DECREED that all of the defendant's right, title and interest in and to the real property of the parties located at 259 Cathy Jo Drive in Nashville, Davidson County, Tennessee be divested out of the defendant, Bernard Francis Welker, and be vested in the plaintiff, Rose Formosa Welker, in fee simple absolute and that the plaintiff shall assume all indebtedness owed thereon. Said property being situated in Davidson County, Tennessee and more particularly described as follows:

LAND in Davidson County, Tennessee, being Lot No. 98 on the plan of Valley View Meadows, Section III, of record in Book 3700, page 93, Register's Office for said County.

SAID Lot No. 98 fronts 80.0 feet on the easterly margin of Cathy Jo Drive and extends back between parallel lines 133.28 feet to a dead line.

BEING the same property conveyed to Bernard F. Welker and wife Rose M. Welker by deed from William R. Johnson and wife, Jean L. Johnson of record in Book 5374, page 168, Register's Office for Davidson County, Tennessee.

IT is understood and agreed that part of the consideration for the transfer of this property is the agreement of the Grantees to assume the unpaid balance of a note secured by a first mortgage Deed of Trust to Fidelity Federal Savings & Loan Association of record in Book 4153, page 343, said Register's Office, and also that the escrow account in connection with the aforesaid Deed of Trust is hereby transferred to the said Grantees.

It is further ORDERED, ADJUDGED and DECREED that all of the plaintiff's right, title and interest in and to the real property of the parties located at 331 Elysian Fields Road in Nashville, Davidson County, Tennessee be divested out of the plaintiff, Rose Formosa Welker, and be vested in the defendant, Bernard Francis Welker, in fee simple absolute, and further that the defendant shall assume all indebtedness owed thereon. Said property being situated in Davidson County, Tennessee and more particularly described as follows:

LAND in Davidson County, Tennessee, being Lot No. 50 on the Plan of Paragon Hills, of record in Book 3300, page 100, Register's Office for Davidson County, Tennessee.

SAID Lot No. 50 fronts 59.1 feet on the southeasterly side of Elysian Fields Road and extends back 186.0 feet on the northeasterly line and 180.7 feet on the soughwesterly line to a dead line in the rear measuring 46.0 feet thereon.

THE above described property was conveyed to Bernard F. Welker and wife, Rose M. Welker by deed from Thomas G. Rucker and wife, Ruby B.

Rucker of record in Book 5367, page 687, Register's Office for Davidson County, Tennessee.

THIS conveyance is subject to any and all existing restrictions and easements of record.

It is further ORDERED, ADJUDGED and DECREED that the plaintiff, Rose Formosa Welker, shall have all the defendant's right, title and interest in and to the 1976 Buick automobile, and she shall assume all remaining indebtedness owed thereon and shall hold the defendant harmless for said remaining indebtedness.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Bernard Francis Welker, shall receive all of the plaintiff's right, title and interest in and to the 1978 Pontiac TransAm automobile, and that he shall assume all remaining indebtedness owed thereon and shall hold the plaintiff harmless for said remaining indebtedness.

It is further ORDERED, ADJUDGED and DECREED that the income tax refund check in the approximate amount of $1,281.00 shall be used to pay off the Hawaii vacation debt which was incurred by both parties and any remainder from said check shall be delivered to the plaintiff, Rose Formosa Welker.

It is further ORDERED, ADJUDGED and DECREED that the cashier's check in the amount of $12,000.00 which is presently in the name of Bernard F. Welker, shall be awarded to the plaintiff as alimony in solido and the defendant is hereby ordered to endorse said check over to the plaintiff as soon as possible.

It is further ORDERED, ADJUDGED and DECREED that the defendant, Bernard Francis Welker, shall pay to the plaintiff the sum $750.00 as alimony which shall be used to reimburse her for attorney's fees, for which execution may issue if necessary.

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

ENTER this 16 day of May, 1979.

JUDGE

APPROVED FOR ENTRY:

Enter This 17 Day of May 1979

L. R. DEMARCO
Attorney for Plaintiff

RUSH

IDENTIFICATION REFERENCE
DEC 30 11 03 AM '81
PAUL Z. WILSON II REGISTER
DAVIDSON COUNTY, TENN.
G 73588

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Final Decree has been mailed to Mr. Bart Durham, Attorney at Law, Suite 1712, Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee, 37219, this 8th day of May, 1979.

L. R. DEMARCO

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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* Rose Formosa Welker *Plaintiff, and* Bernard Francis Welker *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* 30th *day of* December *in the year one thousand nine hundred and* Eighty-One *and in the* 206th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, *D. C.*

Form #GR-117