BOOK 10720 PG 493

IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

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NEOMIE RUCKER)
VS.) RULE NO. 42409
DAVE RUCKER, JR.)

D E C R E E

This cause came on to be heard the 30th day of October, 1967, before the Honorable Benson Trimble, Judge, etc., upon the entire record, the defendant not being present but being represented by counsel, and upon the testimony of complainant and that of her corroborative witnesses and argument of counsel, from all of which the Court is of the opinion and finds, in accordance with its memorandum decision dated 30 October 1967 which is hereby ordered filed as a part of the record in this case and incorporated by reference and made a part of this decree, that the allegations of the complainant's amended and supplemental bill, as amended, are fully sustained by the proof, that is that the defendant has been guilty of such cruel and inhuman treatment or conduct towards complainant as renders it unsafe and improper for her to cohabit with him or to be under his dominion and control. IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore subsisting between complainant and defendant be and the same are hereby forever and perpetually dissolved and for nothing held and that the complainant be and she is hereby awarded an absolute divorce from the defendant and restored to all the rights and privileges of an unmarried person. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant be and she is hereby given the exclusive care, custody and control of the four minor children of the parties, namely: Gloria Rucker, Elaine Rucker, Harold Rucker and Gary Rucker and that the defendant will pay into the office of the Circuit Court Clerk of Davidson County, Tennessee, each month, beginning 1 November 1967, the sum of $175.00, plus 5% Clerk's commission in amount of $8.75, totaling $183.75, to be paid by the Clerk to complainant for the support of said four minor children, until further orders of the Court. Upon default in any

of said monthly payments, execution may issue. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant have and recover of the defendant the amount of $44.00 by which he is now in arrears in past child support payments and, unless he shall pay this arrearage within sixty days from date of entry of this decree, execution may issue to collect said judgment. Due to the fact that the defendant was not present at the date of hearing, the foregoing monthly child support is established without prejudice to his right to file a petition to adjust or reduce same if a change in circumstances is occasioned insofar as his work is concerned and, in the event he should file such a petition, he shall be allowed to present any evidence he chooses back to the date of the filing of the pleading on behalf of the complainant herein. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest of the defendant, Dave Rucker, Jr., in and to the real estate located at 2100 Hermosa Street, Nashville, Tennessee, and more particularly described as follows:

> Land in Davidson County, Tennessee, being the easterly 44.2 feet of the southerly 162.5 feet of lot No. 2 in the Subdivision of lot No. 4 of the Elizabeth Harding Lytle Tract, as of record in Minute Book "B", page 453, Chancery Court at Nashville, being lot "E" as shown on survey made by James A. Hamilton, Jr., Surveyor, February 26, 1952.
> Said lot "E" fronts 44.2 feet on the northerly side of Hermosa Street and runs back between parallel lines with the westerly margin of an alley 162.5 feet to an alley in the rear.
> Being the same property conveyed by W. P. Shwab, et al, to Dave Rucker, Jr. and wife, Neomie Robertson Rucker, by deed of record in book 2096, page 543, Register's Office for said County.

together with all household furnishings belonging to the parties, be and the same is hereby divested out of him and vested in the complainant, Neomie Rucker, in fee simple and free from any claim thereto by the defendant. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as additional alimony, all right, title and interest of said defendant, Dave Rucker, Jr., in and to the first $500.00 of whatever interest said defendant may have in and to the funds now held by the Clerk of the Circuit Court for distribution resulting from condemnation of real estate at 1004 Sigler Street in the case of "The Nashville Housing Authority vs. Herbert Rucker, et al, No. A-3643" in the Third Circuit Court of Davidson County, Tennessee be and the same is hereby divested out of the defendant and vested

in the complainant and a lien is hereby declared and established upon said defendant's interest in the funds held by the Clerk in the aforesaid law suit in Third Circuit Court until said $500.00 has been paid to the complainant and satisfied in full. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant pay to complainant's solicitors, for her representation in this case, a solicitors fee in amount of $250.00, for which execution may issue, and a lien is hereby further declared and established upon the defendant's interest in said funds now held by the Clerk of the Circuit Court in said condemnation case in Third Circuit Court to secure payment of said solicitors fee. All costs of the cause are taxed against the defendant, for which execution may issue.

LOOBY & WILLIAMS

By _____ Sols. for Complt.

_____ Sol. for Deft.

JUDGE

CERTIFICATE

The undersigned certifies that carbon copy of the foregoing decree was mailed to Tom H. Proctor, Jr., Esquire, American Trust Building, Nashville, Tennessee, solicitor for the defendant, this the 1st day of November, 1967.

97 DEC 15 AM 10:57
FELIX A. ... REGISTER
DAVIDSON COUNTY, TN.
IDENTIFICATION REFERENCE
03799972

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I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the 0 Circuit Court for Davidson County, Tennessee, on the 06 day of NOVEMBER , 19 67 , in the Case Number 42409 between RUCKER, NEOMIE Plaintiff, and RUCKER, DAVE JR Defendant, as same remains of record in Book 55C , Page 0894 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 29 day of OCTOBER in the year one thousand nine hundred and ninety-seven and in the 222nd year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

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