D

167A/574

BOOK 11661 PAGE 370

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY
TWENTIETH JUDICIAL DISTRICT OF TENNESSEE

97 DEC -8 AM 11:03

CLERK

B. Eddings D.C.

DONNA KAY EDENS HARTLEY
1502 Sevier Court
Nashville, Tennessee 37206

Social Security No. [redacted]-2662

PLAINTIFF

vs.

ROBERT A. HARTLEY, SR.
Criminal Justice Center
448 Second Avenue, North
Nashville, Tennessee 37201

Social Security No. [redacted]-2939

DEFENDANT

No. 96D-2557

PICK-UP

99 SEP 14 PM 12:51

0635621

FINAL DECREE

This cause came on before the Court on Thursday, December 5, 1996, upon the original complaint of the plaintiff, Donna Kay Edens Hartley, hereinafter referred to as "Wife;" personal service upon the defendant, Robert A. Hartley, Sr. (hereinafter referred to as "Husband"); default judgment previously entered against the Husband; presence of the defendant in open court; testimony in open court of Wife and two (2) witnesses; statement of counsel for Wife; and the entire record.

From all of which, the Court is of the opinion and so finds as follows:

1. This cause is properly before the Court upon Wife's complaint for divorce filed on September 4, 1996; personal service of the complaint on Husband on September 16, 1996; and default judgment entered against Husband on November 15, 1996.

2. Wife is entitled to an absolute divorce from the Husband on the grounds that the Husband is guilty of such inappropriate marital conduct toward the Wife as to render cohabitation unsafe and improper.

3. Pertinent personal information concerning Wife is as follows:

Address: 1502 Sevier Court
Nashville, Tennessee 37206

Social Security Number: [redacted]-2662

4. Pertinent personal information concerning Husband is as follows:

Last Known Address: Criminal Justice Center
448 Second Avenue, North
Nashville, Tennessee 37201

Social Security Number: [redacted]-2939

5. The parties have one minor child, Robert A. Hartley, II, born 04/07/1981. Because Husband is currently incarcerated in the Criminal Justice Center and because Husband has made no request for visitation with the minor child, visitation with the minor child by Husband shall not be established at this time. Child support for the minor child is established at $65.00 per week with the first payment due seven (7) days after Husband is released from jail.

6. The parties have lived during the marriage at 1502 Sevier Court, Nashville, Davidson County, Tennessee 37206, which is property acquired by the Wife in 1993, with her own funds and upon which she has since made all mortgage payments on the property, with no contribution from Husband. The Court finds, therefore, that this property is and shall remain the separate property of Wife, free and clear of any claims of Husband.

7. All of Husband's personal property has been removed from the residence of the parties.

8. Each item of personal property currently in the possession of Wife shall become the separate property of Wife and shall be free and clear of any claim of Husband whatsoever.

9. The parties owe no joint debts.

10. Husband shall be responsible for all court costs in this cause.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT that Wife be, and the same is hereby, granted an absolute divorce from the Husband on the grounds of inappropriate marital conduct and restored to all the rights and privileges of an unmarried person, including the restoration of her maiden name, Donna Kay Edens.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that Husband shall pay to Wife the amount of $65.00 per week as support for the minor child of the parties, Robert A. Hartley, II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that no visitation between the Husband and the parties minor child, Robert A. Hartley, II, be set at this time. Husband shall be only be awarded visitation upon motion of the Husband.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that the property located at 1502 Sevier Court, Nashville, Davidson County, Tennessee, which is property acquired by the Wife in 1993, with her own funds and all mortgage payments on the property having been made by Wife with no contribution from Husband shall remain the separate property of Wife, free and clear of any claims of Husband.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that a certified copy of this Final Decree of Divorce shall be recorded in the Register's Office for Davidson County, Tennessee, and this decree shall constitute a transfer of all of Husband's right, title and interest in and to the property located at 1502 Sevier Court, Nashville, Davidson County, Tennessee, more particularly described as follows:

> Land in Davidson County, Tennessee, being Lot No. 101 on the Plan of Shelby Village No. Two as of record in Book 1835, page 48, Register's Office of Davidson County, Tennessee. Said Lot No. 101 fronts 54 feet on the northwesterly margin of Sevier Court and extends back 93.4 feet on the southwesterly line and 155.1 feet on the northeasterly line to a dead line measuring 91.5 feet thereon.
>
> Being the same property conveyed to Robert A. Hartley and wife, Donna Kay Hartley, by deed from the Secretary of Housing and Urban Development, of record in Book 9017, page 605.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that each item of personal property currently in the possession of Wife shall become the separate property of Wife and shall be free and clear of any claim of Husband whatsoever.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED BY THE COURT that Husband be and the same is hereby responsible for all court costs in this cause, for which execution shall issue if necessary.

ENTERED this 9 day of January, 1997.

Marietta M. Shipley

MARIETTA SHIPLEY, JUDGE

09/14 0101 03CHECK 22.00

APPROVED FOR ENTRY:

MOSELEY & MOSELEY
Attorneys at Law, P.C.

BY: _____
Susan H. Moseley, No. 6458
Attorneys for Plaintiff

Suite 100, American Trust Building
301 Union Street
Nashville, Tennessee 37201-1406
(615) 254-0140

CERTIFICATE OF SERVICE

I, Susan H. Moseley, hereby certify that an authentic copy of the foregoing Final Decree has been served by U.S. Mail, postage prepaid on **Mr. Robert A. Hartley, Sr.**, at his last known address, Criminal Justice Center, 448 Second Avenue, North, Nashville, Tennessee 37201, on this the 30th day of December, 1996.

Susan H. Moseley

cc: client

STATE OF TENNESSEE

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 SECOND Circuit Court for Davidson County, Tennessee, on the 08 day of JANUARY , 19 97 , in the Case Number 96D2557 between HARTLEY, DONNA KAY EDENS Plaintiff, and HARTLEY, ROBERT A. SR. Defendant, as same remains of record in Vol. 167A , Page 574 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 10 day of JUNE in the year one thousand nine hundred and ninety-nine and in the 223rd year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By B. Rawls
Deputy Clerk