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CLERK & MASTER, DAVIDSON COUNTY, TENNESSEE
BY Spurlock

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

JERRY L. TOBITT)
)
VS.) No. 87D-3087
)
ELIZABETH IRENE TOBITT)

BILL GARRETT, Davidson County
Trans:T20090049233 DEEDDIV
Recvd: 07/21/09 16:19 4 pgs
Fees:22.00 Taxes:0.00
20090721-0068518

FINAL DECREE

This cause came on to be heard on the 26th day of February, 1988, before the Honorable Jack Norman, Jr., Special Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon Complaint for divorce heretofore filed on behalf of the Husband, Jerry L. Tobitt, service on the Wife was attempted and returned not to be found, publication was had in the Nashville Record, and default was taken against the Wife, Elizabeth Irene Tobitt. After testimony of witnesses for the Husband and statements of counsel for Husband, the Wife having failed to appear at the hearing, the Court is of the opinion that said Petition is well taken and the Husband should be granted an absolute divorce from the Wife on the grounds of cruel and inhuman treatment.

It is, therefore, ORDERED, ADJUDGED and DECREED that the Husband be and the same is hereby granted an absolute divorce on the grounds of cruel and inhuman treatment and that he be restored to all the rights and privileges of an unmarried person.

It is further ORDERED that the Husband be and the same is hereby awarded the exclusive care, custody and control of the parties minor children. If the Wife chooses to exercise visitation privileges, said visitation shall be restricted to the confines of the Husband's homeplace and in his presence. Any other visitation schedule is reserved until Wife petitions the Court.

It is further ORDERED that the matter of child support to be paid by the Wife is likewise reserved.

It is further ORDERED that the Temporary Restraining ORder heretofore issued against the Wife shall become a Permenant Restraining Order.

It is further ORDERED that all right, title and interest in and to the homeplace located at 1425 Summer Street, Nashville, Tennessee, shall be divested out of the Wife and vested solely in and to the Husband. A more particular description of said property is as follows:

> LAND in Davidson County, Tennessee, being Lot No. 30 on the Map of the Subdivision of Part of the Weakly Home Place, as of record in Book 421, page 35, Register's Office for Davidson County, Tennessee.
>
> SAID Lot No. 30 fronts 50 feet on the northerly side of Sumner Avenue and runs back between parallel lines 150 feet to a 15 foot alley in the rear.

It is further ORDERED that the Husband shall assume all mortgages on said homeplace.

It is further ORDERED that the Husband shall receive all right, title and interest in and to the 1979 Toyoto automobile of the parties.

It is further ORDERED that the Wife shall receive all right, title and interest in and to the 1984 Oldsmobile automobile of the parties, and further, that the Wife shall be solely responsible for any encumbrance on said automobile, and shall indemnify and hold the Husband harmless thereon.

It is further ORDERED that the Wife be and the same is hereby responsible for the outstanding debts on the following charge cards: Lerners, Firestone, Cain Sloan/Dillards, and Castner Knott, and shall hold the Husband harmless on same.

It is further ORDERED that the Husband be and the same is hereby responsible for the outstanding debts on the following charge cards: J.C. Penneys, Sears, and American Express, and shall hold the Wife harmless on same.

It is further ORDERED that the Husband shall be responsible for the costs of this cause for which execution shall issue if necessary.

ENTERED this 21 day of March, 1988

JACK NORMAN, JR., SPECIAL JUDGE
Fourth Circuit Court

APPROVED FOR ENTRY:

PATRICIA MAYES
Attorney for Husband

CERTIFICATE OF SERVICE

I hereby certify that I have sent a copy of this foregoing Final Decree to Elizabeth Irene Tobitt, last known address, c/p U.S. Post Office, Donelson Pike, Nashville, TN this March 9, 1988.

PATRICIA MAYES
Attorney for Husband
500 Stahlman Building
Nashville, TN 37201

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 FOURTH Circuit Court for Davidson County, Tennessee, on the 21 day of MARCH , 1988 , in the Case Number 87D3087 between TOBITT, JERRY L Plaintiff, and TOBITT, ELIZABETH IRENE Defendant, as same remains of record in 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 21 day of JULY in the year two thousand nine and in the 233rd year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

