IN THE FOURTH CIRCUIT COURT FOR METROPOLITAN DAVIDSON COUNTY, TENNESSEE

SHIRLEY BENNETT YOES

VS.

GARY EUGENE YOES

APPEARANCE NO. 54706

Map 29
Par. 8-9
m.o.

DECREE

This cause came on to be heard this 3rd day of March, 1969, before the Honorable Benson Trimble, Judge, holding the Fourth Circuit Court for Metropolitan Davidson County, Tennessee, upon the petition for absolute divorce filed by the complainant herein, personal service having been had upon the defendant, pro confesso heretofore entered, oral testimony of witnesses in open Court, from all of which it appeared to the Court that the allegations contained in said petition are true, and that the defendant has been guilty of such cruel and inhuman treatment or conduct towards the complainant so as to render cohabitation unsafe and improper.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore subsisting between the parties to this cause be, and the same hereby are dissolved and for nothing held, and that the complainant, Shirley Bennett Yoes, be, and she hereby is granted 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 by the Court that the absolute custody and control of the minor children of the parties, namely, Daryl Eugene Yoes, Kevin Derek Yoes, Barry Dale Yoes, Kimberly Dawn Yoes, and Stacey Leland Yoes, be committed to your complainant, Shirley Bennett Yoes, with the right of all reasonable visitation

awarded to the defendant as long as he is not drinking.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant be, and he hereby is, ordered to pay directly to the complainant herein the sum of Two Hundred Fifty and no/100 ($250.00) Dollars per month as support and maintenance for the minor children of the parties, and that said payment shall be considered due upon the entry of this decree.

It is further ORDERED, ADJUDGED and DECREED by the Court that all right, title and interest in and to the real property located at 4145 Knipfer Road, Joelton, Tennessee, be divested out of the defendant and vested in the complainant in fee simple, subjec t to the mortgage thereon. A more particular description of the property is as follows:

Tract I

A tract of land in the 14th Civil District of Davidson County, Tennessee, being shown as part of Tract 2 on an unrecorded subdivision of Lot No. 6 of the Enerlee Lands, described according to a survey by C. J. Carney, Surveyor, dated May 28, 1956, as follows: BEGINNING at a spike in the center of Knipfer Road 134 feet south of the Savage property, this point being the southeast corner of C. B. Arrington's 0.93 acre tract, running with the center of Knipfer Road, South 7° 30' east 66 feet to a point; thence south 6° 30' west 79 feet to a spike, this being the northeast corner of Sam Arrington's one (1) acre tract; thence due west 310 feet running with Sam Arrington's north boundary line to an iron pin in the east boundary line of C. B. Arrington's 8.10 acre tract; thence due north 140.6 feet with the east boundary line of C. B. Arrington's 8.10 acre tract to an iron pin, this point being the southwest corner of C. B. Arrington's 0.93 acre tract; thence due east 310 feet running with the south boundary line of C. B. Arrington's 0.93 acre tract to the beginning, containing one (1) acre, more or less.

Tract II

Land in the 14th, formerly 24th Civil District, of Davidson County, Tennessee, being part of Lot 6 of the Eberlee Lands, not of record, and described according to a survey by C. J. Carney, dated May 28, 1956, as follows: BEGINNING in the center line of Knipfer Road at the southeast corner of the property conveyed to B. T. Stagner and wife, by deed from Sam Arrington and wife, as of record in Book 2633,

page 195, Register's Office for Davidson County, Tennessee; thence west along their south line, 310 feet to the southwest corner; thence south 159.4 feet to the northwest corner of Tract No. 1, as shown on the Carney survey; thence east 294 feet to the center line of Knipfer Road; thence with said Road, North 6° 30' East 159 feet to the beginning, containing about one (1) acre.

BEING the same property conveyed to Gary Yoes and wife, Shirley Bennett Yoes, by deed from James R. Arrington and wife, Margaret L. Arrington, of record in Book 4231, page 991, Register's Office for Davidson County, Tennessee.

It is further ORDERED, ADJUDGED and DECREED by the Court that all the household furnishings and fixtures located at 4145 Knipfer Road, Joelton, Tennessee, be, and the same hereby are awarded to the complainant, Shirley Bennett Yoes, as alimony in solido.

It is further ORDERED, ADJUDGED and DECREED by the Court that complainant have and recover of the defendant herein as a final fee in this matter the sum of One Hundred Fifty and no/100 ($150.00) Dollars as a solicitor's fee for her solicitor of record in this cause, for which execution will issue, if necessary.

J. Russell Tuttle
JUDGE

APPROVED FOR ENTRY:

J. Victor Barr
Solicitor for Complainant

CERTIFICATION

I, J. Victor Barr, Jr., hereby certify that a copy of this Decree has been mailed to the defendant, Gary Eugene Yoes, 1200 Stainback Avenue, Nashville, Tennessee, this 3rd day of March, 1969.

J. Victor Barr
J. Victor Barr, Jr.

A 38382

BOOK 4328 PAGE 160

IDENTIF. REFERENCE

APR 24 10 47 AM '69

FELIX Z. WILSON REGISTER
DAVIDSON COUNTY, TENN.

$ MISC 6.00 * A 6.00

#54706 60c/933

STATE OF TENNESSEE

I, ~~ALF RUTHERFORD~~ 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 SHIRLEY BENNETT YOES Plaintiff, and GARY EUGENE YOES 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 24 day of APRIL in the year one thousand nine hundred and 69 and in the 193rd year of American Independence.

GEORGE L. ROOKER
ALF RUTHERFORD, Clerk.

By [signature], D. C.