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BOOK 1633 PAGE 36

IN THE PROBATE COURT OF DAVIDSON COUNTY, TENNESSEE

LILA ANNE YATES)

)

vs.) No. 56465

)

CARL HAILEY YATES)

AUG 30 MISC A* 8.00 * 8.00

FINAL DECREE

This cause came on to be heard on this the 28th day of April, 1970, before the Honorable Shelton Luton, Judge of the Probate Court for Davidson County, Tennessee upon the original bill, the amended and supplement bill, pro confesso duly taken, the testimony of the complainant and witnesses in open Court, from all of which the court is of the opinion that the allegation contained in the original and supplement bill is sustained and that the defendant has been guilty of such cruel and inhuman treatment as renders further cohabitation unsafe and improper for the complainant to be under his dominion and control.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore subsisting by and between the parties are hereby perpetually dissolved and the complainant, Lila Anne Yates, is restored to all the rights and privileges of an unmarried person.

The Court further finds that the absolute care, custody and control of the minor children of the parties should be awarded to the complainant with reasonable rights of visitation to the

defendant provided he will only be allowed to visit said children at such times as he is not indulging in or under the influence of alcholic beverages or drugs. The Court further find that the defendant is not working at the present time and that the half order previously entered should remain in full force and effect, and that at the present time, the defendant is behind in said payments to the extent of Seventy-five ($75.00) Dollars and a judgment should be entered for this amount.

It is therefore ORDERED that the custody of the minor children of the parties, Carla Ann Yates, Carl Hailey Yates, Jr., and Kimberly Renee Yates, be in the complainant, Lila Ann Yates, and that the defendant, Carl Hailey Yates, may visit these children at reasonable times provided the visits shall be had at a time when the defendant is not indulging in or under the influence of alcoholic beverages or drugs. It is further ORDERED that the defendant pay one-half of all money coming into his possession to Clerk of the Circuit Court for Davidson County, Tennessee for the support of the minor children of the parties. It is further ORDERED that a judgment issue against the defendant, Carl Hailey Yates in the sum of Seventy-five ($75.00) Dollars, being the amount that he is presently in arrearage on support payments. It is further ORDERED that the defendant should obtain employment as of May 30, 1970, and as of that time the Court orders the support payments to be modified, and the Defendant to pay one-half of all monies coming into his possession, or Forty ($40.00) Dollars per week, whichever is greater.

The Court further finds that the complainant, Lila Anne Yates, is entitled to alimony in the amount of $300.00 to pay for an overdraft at the First American National Bank, Nashville, Tennessee; and in the amount of $309.00 to pay the telephone charges with Southern Bell Telephone & Telegraph Company, and, that the complainant be awarded the home of the parties at 136 Port Drive, Madison, Tennessee, along with all personal property including furniture, household goods and appliances.

It is therefore, ORDERED that the Complainant, Lila Anne Yates, have as alimony Three Hundred ($300.00) Dollars to pay the First American National Bank for an overdraft, and Three Hundred Nine ($309.00) Dollars to pay Southern Bell Telephone & Telegraph Company, and that judgment be awarded accordingly. It is further ORDERED that the home of the parties located at 136 Port Drive, Madison, Tennessee, and more particularly described as follows:

> Land in the 11th Civil District of Davidson County, Tennessee being Lot No. 97 on the plan of Sherry Heights, Section 3, as of record in Book 2331, pages 126 and 127, Register's Office for said County.
>
> Said Lot No. 97 fronts 101 feet on the westerly side of Port Drive and extends back 304.3 feet on the southerly line and 349.3 feet on the northerly line to a dead line measuring 147 feet thereon.
>
> Being the same property conveyed to Carl H. Yates and wife Lila A. Yates by deed from James Phillip McCabe, Jr. and wife, Ruth T. McCabe as of record in Book 3761, page 18, Register's Office for said County.

be divested out of the Defendant, Carl Hailey Yates, and vested in the complainant, Lila Anne Yates to be hers absolutely and in fee simple. And further that all personal property, furniture and appliances be awarded to the complainant as a further part of her alimony.

The defendant, Carl Hailey Yates, will pay the costs of this cause and the judgments above, for all of which execution may issue if necessary.

Shelton Luton
JUDGE

Approved for Entry:

Thomas O Bradley
Attorney for Complainant

B7.38837

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IDENTIF. REFERENCE

AUG 30 1 58 PM '72
FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

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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 of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* Lila Anne Yates *Plaintiff, and* Carl Hailey Yates *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* 28th *day of* August *in the year one thousand nine hundred and* seventy-two *and in the* 197th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By [signature], *D. C.*