4-6-76
100A/466

BOOK 5041 PAGE 921

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

LARRY DEAN CLAYBAKER, SR.	X	
	X	
vs.	X	NO. 75735
	X	1626
CAROLYN CHRISTENE CLAYBAKER	X	93 PW

FINAL DECREE

This cause came to be heard on the 30th day of March, 1976 in the Fourth Circuit Court for Davidson County, Tennessee, the Honorable Benson Trimble, Judge presiding, upon the original bill for an absolute divorce filed in this cause by the complainant Larry Dean Claybaker, Sr., personal service of process upon the defendant, the answer of the defendant, the testimony of the complainant and corroborating witnesses in open court, statement of counsel for complainant in open court, the report of the Special Master filed January 21, 1976 and subesequently confirmed from the motion of complainant, and the whole record in this cause, from all of which the Court finds that the complainant is entitled to an absolute divorce from the defendant on the grounds of cruel and inhuman treatment, and that the complainant should be awarded the custody of all four of the minor children of the parties, that the interest of the defendant in the home of the parties located at 229 Sterry Court in Nashville (Antioch), Tennesse should be divested out of her and vested in the complainant for his sole and separate estate; that the interest of the defendant in the household furniture and furnishings located at the home of the parties at 229 Sterry Court in Nahsville (Antioch) Tennessee should be divested out of her and vested in the complainant for his sole and separate estate; and the Court specifically finds that the defendant is in willful contempt of the Orders of this Court by having removed Kathi C. Claybaker, 8 years of age, from Davidson County contrary to the specific injunction of this Court contained in a Consent Decree on the 8th day of May, 1975 and signed by Mose Davie, Special Judge and the Court finds that defendant

should be ordered to return said child to the complainant and that an attachment for the body of the defendant should be issued, and that the Court should reserve the right to issue such further orders as may be necessary to affect the return of said child and that the Court should reserve the subject of the punishment to be imposed upon the defendant when, and if, she is brought before this Court for such willful contempt; and, the Court further finds that the costs of this cause should be adjudged against the defendant; and, the Court further finds that the defendant should be permanently enjoined from in any way interferring with the care, custody and control of any of the minor children of the parties by the complainant and that she should be strictly enjoined from removing any of the minor children of the parties from Davidson County, Tennessee, under any circumstances without the express written permission of this Court;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, as follows:

1. That the complainant Larry Dean Claybaker, Sr., be and is hereby awarded an absolute divorce from the defendant, Carolyn Christine Claybaker, upon the grounds of cruel and inhuman treatment; and,

2. That the complainant is hereby awarded the absolute care, custody and control of all four of the minor children of the parties being Larry Dean Claybaker, Jr., Charles D. Claybaker, Kathi C. Claybaker and Shelli T. Claybaker; and,

3. That the interest of the defendant, Carolyn Christine Claybaker, being also known as Carolyn D. Claybaker, in the rural property of the parties located at 229 Sterry Court in Nashville (Antioch) Tennessee as hereinafter described be and the same is hereby divested out of her and is hereby vested in the complainant, Larry Dean Claybaker, Sr., for his sole and separate estate.

LAND in Davidson County, Tennessee, being Lot No. 19 on the Plan of Fair Oaks Subdivision Section I as of record in Book 4175, page 42 and 43, Register's Office for Davidson County, Tennessee.

SAID Lot 19 fronts 85 feet on the southwesterly side of Sterry Court and extends back 128.85 feet on the northwesterly line and 127.80 feet on the southeasterly line to a dead line at the rear measuring 84.95 feet thereon.

BEING the same real property conveyed to Larry D. Claybaker, Sr. and wife, Carolyn D. Claybaker by deed from O. W. Cooper and wife, Helen B. Cooper of record in Book 4544, page 782, Register's Office for Davidson County, Tennessee.

4. And that the interest of the defendant in the household furniture and furnishings located at 229 Sterry Court in Nashville (Antioch) Tennessee be and the same is hereby divested out of her and vested in the complainant for his sole and separate estate; and,

5. That the defendant be and is hereby found to be in willful contempt of the orders of this Court entered by Special Judge Mose Davie on the 8th day of May, 1975 wherein she was strictly enjoined from removing directly or indirectly any minor children of the parties from Davidson County, Tennessee pending further orders of this Court, it having been found that the defendant has removed one of the minor children of the parties, Kathi C. Claybaker from Davidson County, Tennessee and the Court hereby reserves decision as to what punishment shall be imposed upon the defendant when and if she is brought before this Court; and,

6. It is further Ordered, Adjudged and Decreed that the Clerk shall issue an attachment for the body of the defendant Carolyn Christine Claybaker and it is further Ordered, Adjudged and Decreed that at such time as the defendant shall be apprehended she shall be held in custody until such time as a hearing can be scheduled before this Court; and,

7. This Court reserves the right to issue such orders as may be necessary to effectuate the return of Kathi C. Claybaker to the complainant; and,

8. The costs of this cause are adjudged against the defendand for which let execution issue if necessary.

BENSON TRIMBLE, JUDGE

4-6-76

APPROVED FOR ENTRY:

John G. Doak

JOHN G. DOAK, Attorney for Complainant

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IDENTIFICATION REFERENCE

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REGISTER
DAVIDSON CO. TENN.

JUL-27 MISC B* 8.00 * 8.00

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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*~~ true copy of a divorce *had in said Court in the case heretofore prosecuted and determined therein, between* Larry Dean Claybaker Sr *Plaintiff, and* Carolyn Christene Claybaker *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* 2nd *day of* July *in the year one thousand nine hundred and* Seventy-Six *and in the* 200th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Robert Murrah, *D. C.*