IN THE FOURTH CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

116-8

101 PW

WILLIAM G. YARBROUGH, JR.,
Plaintiff

V.

ELIZABETH ANN FINNEY YARBROUGH,
Defendant

NO. 71372

FINAL DECREE

This cause came on to be heard this 21st day of July, 1976, before the Honorable Lewis H. Conner, Jr., Special Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the pleadings heretofore filed, the testimony of the parties, the testimony of the witnesses, Kathleen DePierri, Steven Yarbrough, and Nancy Yarbrough, upon statement of counsel and from the entire record the Court is of the opinion that the interest and welfare of the parties' minor children would best be served by the defendant, Elizabeth Ann Finney Yarbrough, having exclusive, complete and sole custody of said children. It is, therefore, ORDERED, ADJUDGED and DECREED that the sole, complete and exclusive custody of Steven Yarbrough and Nancy Yarbrough be and is hereby vested in Elizabeth Ann Finney Yarbrough.

It is further ORDERED, ADJUDGED and DECREED that William G. Yarbrough, Jr., shall have visitation privileges with said minor children for thirty (30) days during the summer months of each calendar year provided that said visitation privileges do not interfere with any special education or medical treatment that Steven Yarbrough may be receiving at the time, and with the further provision that the said William G. Yarbrough, Jr., shall give Elizabeth Ann Finney Yarbrough at least sixty (60) days written notice as to the beginning date of the thirty (30) day visitation period.

It is further ORDERED, ADJUDGED and DECREED that Elizabeth Ann Finney Yarbrough will maintain Steven Yarbrough in Hickory Valley School or Cumberland House School until further orders of this Court. Provided, however, that said Steven Yarbrough may be enrolled in any other school of equivalent capabilities provided Elizabeth Ann Finney Yarbrough make application to this Court and receive permission from this Court prior to the actual enrollment of the child in a different school.

It is further ORDERED, ADJUDGED and DECREED that Elizabeth Ann Finney Yarbrough shall not move her or her children's place of residence from Davidson County unless she shall first obtain approval by this Honorable Court.

It is further ORDERED, ADJUDGED and DECREED that William G. Yarbrough, Jr., and Elizabeth Ann Finney Yarbrough are permanently enjoined from interfering with each other's communication with the parties' minor children and each are enjoined from in any way belittling, downgrading or maligning the other to the parties' minor children. It is further ORDERED, ADJUDGED and DECREED that all household goods, appliances, furniture and miscellaneous items are vested in the defendant, Elizabeth Ann Finney Yarbrough, and divested from William G. Yarbrough, Jr.

It is further ORDERED, ADJUDGED and DECREED that the plaintiff, William G. Yarbrough, Jr., is ordered to maintain, keep and provide a hospitalization, accident and health insurance policy upon the parties' minor children at all times, and is further ordered to make every effort available to him to try to keep the Champus Insurance benefits available for the parties' minor children and in the event he is unable to maintain the Champus Insurance benefits he is further ordered to notify the Court and opposing counsel through his attorney.

It is further ORDERED, ADJUDGED and DECREED that the plaintiff, William G. Yarbrough, Jr., shall pay to the defendant, Elizabeth Ann Finney Yarbrough, the sum of Two Hundred Dollars ($200.00) per month as child support for the parties' minor children, said amount to be paid to Mrs. Yarbrough by the 10th day of each month.

It is further ORDERED, ADJUDGED and DECREED that the plaintiff, William G. Yarbrough, Jr., shall pay one-half (1/2) of any and all medical and educational expenses required for the necessary treatment and care of Steven Yarbrough, included but not limited to psychiatric, psychological and counseling fees and the expenses to be incurred for the special education needs of Steven Yarbrough while enrolled at the Hickory Valley School, the Cumberland House School or their equivalent. The method of payment of said expenses by Mr. Yarbrough shall be that upon receipt of a copy of a statement from the individual or institution providing the service, Mr. Yarbrough shall within ten (10) days forward a check payable to Mrs. Yarbrough for one-half (1/2) of the billed amount.

It is further ORDERED, ADJUDGED and DECREED that William G. Yarbrough, Jr., shall pay to the defendant, Elizabeth Ann Finney Yarbrough, the sum of Six Hundred Dollars ($600.00) representing one-half (1/2) of the psychiatric expenses incurred by Mrs. Yarbrough to date for psychiatric evaluation of the parties' minor children.

It is further ORDERED, ADJUDGED and DECREED that Elizabeth Ann Finney Yarbrough continue to attend the adult training sessions provided by Kathleen DePierri so long as Mrs. DePierri shall in her judgment deem necessary.

It is further ORDERED, ADJUDGED and DECREED that the parties' house and lot located on Dartmouth Street, in Davidson County, Tennessee, be and is hereby awarded to Elizabeth Ann Finney Yarbrough to the complete and total exclusion of William G. Yarbrough, Jr., and that any and all interest in said property that William G. Yarbrough, Jr. may have had be and is hereby divested from him and vested in Elizabeth Ann Finney Yarbrough. Provided, however, that the said William G. Yarbrough, Jr. shall retain a lien against the said property in the amount of Four Thousand Dollars ($4,000.00), but to only be paid in the event and at such time as said property may be sold or otherwise transferred. Provided, however, that at the sole option of Elizabeth Ann Finney Yarbrough the lien may be discharged by reduction or elimination of child support payments

sufficient to satisfy said $4,000.00 amount. Any election so to do must be given in writing by her.

It is further ORDERED, ADJUDGED and DECREED that at all times both the plaintiff and defendant will make known to each other their respective home address, mailing address and telephone number, and in the event either should move, change their mailing address or phone number, they are within ten (10) days from that date to notify the other and their respective counsel in writing of said change.

It is further ORDERED, ADJUDGED and DECREED that Mrs. Margaret Yarbrough, the grandmother of the minor children, is to have visitation privileges one day per month, said visitation privileges beginning on the third Saturday evening at 6:00 p.m., and extending until the third Sunday night at 6:00 p.m. (unless other dates and times are agreed upon) with the children to be exchanged at the appropriate times between Mrs. Margaret Yarbrough and Mrs. Elizabeth Ann Finney Yarbrough at a point agreed on between them, and if agreement cannot otherwise be reached, then it shall be the responsibility of each party to meet at pick-up and delivery times in the Belle Meade Shopping Center.

The Court will retain jurisdiction over all matters herein for the full and complete enforcement of this decree.

The costs of this cause are taxed against the plaintiff, William G. Yarbrough, Jr., for which execution may issue, if necessary.

ENTER this 29th day of September, 1976.

Lewis H. Conner, Jr.

LEWIS H. CONNER, JR.
SPECIAL JUDGE

10-4-76

CC: James W. Rutherford
Allan D. Kerns

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IDENTIF. REFERENCE

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FELIX A. [illegible] 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~~ true copy *of the record and proceedings had in said Court in the case heretofore prosecuted and determined therein, between* William G. Yarbrough, Jr. *Plaintiff, and* Elizabeth Ann Finney Yarbrough *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* 23rd *day of* March *in the year one thousand nine hundred and* Seventy-Seventh *and in the* 201st *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

By Barbara Eddings, *D. C.*

Form #GR-117