4-28-80
16/0/974

IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

| | | |
|---|---|---|
| INEZ F. CLAYBAKER, | ) | BOOK 5606 PAGE 632 |
| | ) | |
| Plaintiff, | ) | 120-5 |
| | ) | 64 |
| VS. | ) | NO. 97892 |
| | ) | |
| DALE W. CLAYBAKER, | ) | |
| | ) | |
| Defendant. | ) | |

FINAL DECREE

This action came on to be heard the 24th day of April, 1980, before the Honorable James M. Swiggart, Judge, upon the testimony of the parties and their witnesses in open court, the pleadings and the entire record herein, from all of which the Court finds and orders as follows:

1. That the Defendant has been guilty of such cruel and inhuman treatment or conduct towards the Plaintiff as renders further cohabitation unsafe and improper and therefore the Plaintiff is hereby awarded an absolute divorce from the Defendant, and both parties are restored to the rights and privileges of unmarried persons.

2. That all rights, title and interest of the Defendant, Dale W. Claybaker, in and to the following described real property be divested out of said Defendant and same hereby vested in the Plaintiff, Inez F. Claybaker, to wit:

> Being Lot No. 126 on the Plan of Glengarry Park, Section I, as of record in Book 2663, page 72, Register's Office for said County.
>
> Said Lot No. 126 fronts 75 feet on the northerly side of Glengarry Drive, and runs back 140 feet on the easterly line and 212 feet on the westerly line, to a dead line in the rear on which it measures 104 feet.
>
> Being the same property conveyed to Dale W. Claybaker and wife, Inez T. Claybaker, by deed from Atlas Construction Company, a Tennessee corporation, of record in Book 3066, page 561, Register's Office for Davidson County, Tennessee.

Plaintiff takes the above real property subject to all present indebtedness on same and is to discharge said indebtedness on same as it matures.

3. That all rights, title and interest of the Defendant, Dale W. Claybaker, in and to burial crypts at

Woodlawn Memorial Park, Nashville, Davidson County, Tennessee, be divested out of said Defendant and same hereby vested in Plaintiff, Inez F. Claybaker. Said burial crypts are more particularly described as follows, to wit:

Crypt No. 195, Tier A and A1 - North Cross Mausoleum - 1st Floor.

4. The Defendant, Dale W. Claybaker, is hereby ordered to pay directly to the Plaintiff as alimony in futuro the sum of Four Hundred ($400.00) Dollars per month for a period of twelve (12) months, the first payment to be made on May 1, 1980, and the last such payment to be made on April 1, 1981. Thereafter, until further order of this Court, and beginning on May 1, 1981, the Defendant, Dale W. Claybaker, is ordered to pay to the Plaintiff, Inez F. Claybaker, as alimony in futuro the sum of Three Hundred Fifty ($350.00) Dollars per month.

5. The costs of this action are adjudged against the Defendant, Dale W. Claybaker.

IT IS SO ORDERED.

This 28th day of April, 1980.

Enter This 28th Day of April 1980

JUDGE

Approved for Entry:

SAMUEL B. SCHLANGER
Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Final Decree was served upon the Defendant by mailing a copy of it to his attorney, James M. Rutherford, 216 3rd Avenue North, Nashville, Tennessee, 37201, this the 25 day of April, 1980.

SAMUEL B. SCHLANGER

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F. 9-1-178

IDENTIF. REFERENCE T

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FELIX Z. WILSON JR. REGISTER
DAVIDSON COUNTY, TENN.

Mail

Samuel B.
Schlueter

1406 South
5th
Nashville Tenn
37212

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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* Inez F. Claybaker *Plaintiff, and* Dale W. 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* 7th *day of* May *in the year one thousand nine hundred and* eighty *and in the* 204th *year of American Independence.*

GEORGE L. ROOKER, *Clerk.*

*By* [signature], *D. C.*

Form #GR-117