BOOK 9594 PG 274

1-22-70
64A/179

EVIA B. CLAYWELL) IN THE FOURTH CIRCUIT COURT OF
DAVIDSON COUNTY, TENNESSEE
VS
(
ARTHUR BRYANT CLAYWELL) No. 53060

107-14
12

ORDER

This cause came on to be heard before Judge Benson Trimble on January 19, 1970 upon the original bill of Evia B. Claywell for separate support and maintenance, the amendment of said bill allowed by Order of Court wherein Evia B. Claywell was permitted to amend her original bill so as to charge the statutory ground for divorce of cruel and inhuman treatment, namely, that the defendant is guilty of such cruel and inhuman treatment or conduct toward her as renders cohabitation unsafe and improper and as renders it unsafe and improper for her to remain under his dominion and control, and further that the prayer of her original bill be amended so that there is added to the prayer of her original petition a request that the Court grant her an absolute divorce, custody of the three minor children of the parties, alimony and child support, her Solicitor's fee, and specifically that as a part of her alimony that all the right, title and interest of the defendant in real estate located at 918 Kipling Drive in Davidson County, Tennessee be divested out of him and vested in her, the answer of the defendant to the original bill as amended, the cross-bill of the defendant, the answer of the original complainant to said cross bill, the entire record in this cause, the announcement to the Court of the Solicitors of Record for the parties that the cause would not be contested by the defendant and cross-complainant, and that subject to the approval of the Court that the parties had agreed that in the event a divorce should be granted the original complainant that she should have vested in her all the right, title and interest of the defendant in the real estate situated at 918 Kipling Drive and all of the household goods of the parties located therein as alimony, and that the defendant would continue to pay $50.00 per week plus the Clerk's fee into the Registry of the Court as child support, and that in addition thereto he would pay toward the Solicitors fee of J. B. Watson, Jr. the additional sum of $150.00, and that the defendant have visitation rights with the children at reasonable times

times and places but that the care, custody and control of the children of the parties be vested in the complainant, and the testimony of the complainant and her witnesses examined in open Court.

From all of which it satisfactorily appeared to the Court that the cross-bill of the cross-defendant should be dismissed; that the allegations of the original bill of the complainant as amended have been fully met by the proof, namely, that the defendant is guilty of such cruel and inhuman treatment or conduct toward the complainant as renders cohabitation unsafe and improper and as renders it unsafe and improper for her to remain under his dominion and control; also, the Court further finds that the agreement of the parties relative to their community property and as to payments toward the support of the minor children of the parties is fair and equitable and should be the judgment of the Court.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that complainant be and she is granted an absolute divorce from the defendant. The care, custody and control of the minor children of the parties, Dwight Anthony Claywell,born February 13, 1953, Michael David Claywell, born January 12, 1956, and Patricia Faye Claywell, born February 3, 1957, be vested in the complainant with the privilege vested in the defendant of seeing said children at reasonable times and places.

It is further ORDERED, ADJUDGED and DECREED by the Court that the defendant, Arthur Bryant Claywell, Jr., pay into the Registry of the Court the sum of $50.00 per week beginning January 24, 1970 together with the Clerk's commission, and each Saturday thereafter a like sum toward the support of the children of the parties pending further orders of the Court.

It is further ordered that the defendant pay J. B. Watson, Jr. toward his Solicitors fees in this cause the additional sum of $150.00 for services rendered the complainant in this cause.

It is further ordered by the Court that all the right, title and interest of the defendant, Arthur Bryant Claywell, in the real estate located at 918 Kipling Drive in Davidson County, Tennessee and described as

> Tract or parcel of land in Davidson County, Tennessee being Lot No. 71 on the Map of Miro Meadows as of record in Book 1424 pages 94 and 95, Register's Office for Davidson County, Tennessee.

Said Lot fronts 60 feet on the Easterly side of Kipling Drive and runs back between lines 230 feet on the north line and 209.4 feet on the south line to a dead line in the rear on which it measures 106 feet.

Being same property conveyed to Arthur B. Claywell and wife by A. D. Hewlett, et ux of record in Book 2106, page 191, Register's Office for Davidson County, Tennessee

together with all of the household goods, furniture and personal effects situated therein, be and the same is divested out of him and vested in the complainant, Evia B. Claywell, as alimony.

The defendant will pay the costs of this cause for which execution may issue together with said sums of money ordered to be paid by the defendant, if necessary.

JUDGE

O. K. FOR ENTRY:

Solicitor for Complainant and Cross-Defendant

Solicitor for Defendant and Cross-Complainant

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IDENTIF. & REFERENCE

95 FEB 13 PM 1:16
PELIA [illegible] REGISTER
DAVIDSON COUNTY, TN.

PICK-UP

1355 02/13 01:01 01CASH 16.00

STATE OF TENNESSEE

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I, RICHARD R. ROOKER, Clerk of the Circuit Court for Davidson County, in the State aforesaid, do hereby certify that the foregoing is a true and correct copy of the Order heretofore entered in the 0 Circuit Court for Davidson County, Tennessee, on the 22 day of JANUARY , 19 70 , in the Case Number 53060 between CLAYWELL, EVIA B Plaintiff, and CLAYWELL, ARTHUR B Defendant, as same remains of record in Book Y64A , Page 0179 of the Minutes of said Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the seal of said Court, at office, in Nashville, the 13 day of FEBRUARY in the year one thousand nine hundred and ninety-five and in the 219th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk