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GEORGE L. ROOKER, CLERK

D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FRANCIS ZEH,	]	
	]	
Plaintiff,	]	
	]	
v.	]	NO. 87D-1725
	]	
MARY ANGELA ZEH,	]	
	]	
Defendant.	]	

150-9
PAR. 21

FINAL DECREE

BOOK 7468 PAGE 742

This cause came to be heard on the 4th day of February, 1988, before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon plaintiff's complaint for absolute divorce, service of process on defendant by publication, motion for default judgment, order of default judgment, testimony of the plaintiff and his two (2) witnesses, the Court finding that the defendant previously appeared in open Court without enefit of counsel, whereupon she was given an additional ifteen (15) days in which to file an answer to the omplaint for absolute divorce but failed to do so timely, the Court further finding that the defendant appeared in open Court with counsel on the morning of the trial following an order of default judgment being entered against her, the Court overruling and disallowing her motion to set aside default judgment and answer and counter-complaint, as being untimely, statements of counsel for both parties and the entire record, from all of which the Court is of the opinion that the allegations in the plaintiff's complaint are sustained by the proof, that the defendant is guilty of refusal to move to this state, without reasonable cause and willfully absenting herself from her spouse residing in Tennessee for two (2) years, and that the parties have established separate residences and have not cohabitated as man and wife during the last three (3) continuous years with

no minor children of the parties, so as to entitle him to an absolute divorce.

It is, therefore, ORDERED, ADJUDGED and DECREED that the plaintiff, Francis Zeh, be and is hereby awarded an absolute divorce from the defendant, Mary Angela Zeh, on the following grounds: 1) refusal of the wife to move to this state without reasonable cause and willfully absenting herself from her spouse residing in Tennessee for two (2) years, and 2) the parties having established separate residences and have not cohabitated as man and wife during the past three (3) continuous years with no minor children of the parties, and that he be restored to all the rights and privileges of an unmarried person and the bonds of matrimony heretofore existing between the parties be hereby perpetually dissolved.

It is further ORDERED that the defendant is hereby divested of her legal, equitable and marital right, title and interest in the parties' home and lot located at 2937 Kinwood Drive, Antioch, Davidson County, Tennessee 37013 and in fee simple ownership of said real property be vested in the plaintiff, Francis Zeh, with plaintiff to be individually responsible for any and all current or future mortgages owing on same and will hold the wife harmless for any liability related thereto, with a legal description of the real property as follows:

> Land in Davidson County, Tennessee, being Lot No. 142 on the Plan of Forest View Park, Section 1, as of record in Book 3700, pages 109 and 110, Register's Office for said County.
>
> Said Lot No. 142 fronts 80 feet on the westerly side of Kinwood Drive, and extends back 103 feet on the northerly line and 199 feet on the sourtherly line to a dead line in the rear of which it measures 124.80 feet.
>
> Being the same property conveyed to Francis Zeh and wife, Mary Angela Zeh by deed from Larry R. Swindle and wife, Brenda L. Swindle, of record in Book 5397, page 920, Register's Office for Davidson County, Tennessee.

It is further ORDERED that all personal property in the possession or in the control of the plaintiff, including his 1980 Cadillac automobile and all other motor vehicles, and also including all household appliances and furnishings contained in the aforementioned home, as of the date of the entry of the final decree of divorce, be his sole and separate property, free from any claims of the defendant.

It is further ORDERED that all debts incurred by the parties individually after the date of separation, be the sole and separate debts of the parties individually, with each to hold the other harmless for any liability related thereto.

It is finally ORDERED that the costs of these proceedings be taxed to the defendant, for which execution may issue if necessary.

Entered this the 8th day of February, 1988.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

STEPHEN W. PATE
Attorney for Plaintiff
172 Second Avenue North
Suite 201
Nashville, TN. 37201

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Order has been mailed, postage prepaid, to Joseph L. Lackey and Clara Willis Byrd, attorneys for defendant, First American Center, 12th Floor, Nashville, TN. 37238, this 5 day of February, 1988.

Stephen W. Pate

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Mail
Francis Zeh
2937 Kenwood Dr.
Apt. 3703

04642

IDENTIFICATION REFERENCE

FEB 12 1 50 PM '88

DAVIDSON COUNTY, TN

STATE OF TENNESSEE

I, **GEORGE L. 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* FOURTH *Circuit Court for Davidson County, Tennessee, on the* EIGHTH *day of* FEBRUARY, *19* 88, *in Case Number* 87D-1725 *between* FRANCIS ZEH *Plaintiff, and* MARY ANGELA ZEH *Defendant, as same remains of record in Book* 167B, *Page* 1746 *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* eleventh *day of* February *in the year one thousand nine hundred and* eighty-eight *and in the* two hundred and twelfth *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Gaddler A. Griffith *D.C.*

Form #GR-117