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L. DAVIS, CLERK
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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

ROBERT CHARLES TODD,
Husband

VS.

SARAH ELIZABETH TODD,
Wife

NO. 88D-1891

BOOK 7944 PAGE 71

FINAL DECREE OF DIVORCE

This cause came on to be heard on July 24, 1989, before the Honorable George Duzane, Special Judge for the Fourth Circuit Court for Davidson County, Tennessee, upon the Amended Complaint for Absolute Divorce filed by the Husband, the Answer thereto filed by the Wife, the Court's granting of the Husband's Motion to strike the Wife's Counter Complaint which was filed less than seventy two hours prior to trial, testimony of the parties, their witnesses, statements of counsel, and the entire record in this cause. From all of which, it is the opinion of the Court that the Husband should be awarded an absolute divorce from the Wife on the grounds of cruel and inhuman treatment, and said award is being based on the Wife's own stipulations and admissions of her marital misconduct, and the bonds of matrimony heretofore existing between the parties should be perpetually dissolved, and that the Husband should be restored to all the rights and privileges of an unmarried person.

It is further the opinion of the Court that the Wife should be awarded all right, title and interest in and to the Todd Field Research business.

It is further the opinion of the Court that each party should receive all right, title and interest in and to those items of furniture and furnishings now in his or her respective possessions or titled in their respective names.

It is further the opinion of the Court that the silver bars and savings bonds owned by the parties should be sold, and that the proceeds and the tax liabilities thereon should be divided equally between them.

It is further the opinion of the Court that each

party should receive all right, title and interest in and to the automobile he or she drives, with each party assuming the remaining indebtedness owed on the vehicle which he or she receives, and each holding the other party harmless from repayment thereof.

It is further the opinion of the Court that the Husband should receive all right, title and interest in and to the property located at 5402 Louisiana Avenue, Nashville, Tennessee 37209, which is titled solely in his name, and with the Wife being divested of any interest she may have therein.

It is further the opinion of the Court that the Wife should receive all right, title and interest in and to the jointly owned farm and home located at 4608 Dry Fork Road, Whites Creek, Tennessee 37189, and that she should assume the outstanding indebtedness owed thereon, and hold the Husband harmless from repayment thereof.

It is further the opinion of the Court that, as a further division of property, the Husband should be awarded a judgment against the Wife for $8,000.00, with interest at the legal rate, and that said judgment should be placed as a lien against the Dry Fork Road property which is being awarded to the Wife, and that the Wife should pay to the Husband said judgment at the rate of $150.00 per month with the first payment to be made on the first day of August, 1989, and continuing in a like amount each month thereafter until principal and interest have been paid in full.

It is further the opinion of the Court that the Wife should be responsible for the payment of any and all credit card accounts of the parties, whether titled jointly in the parties' names or in their individual names, and that she should hold the Husband harmless from repayment thereof, with the exception of the Leader Federal credit card, which is solely in the Husband's name, which account the Husband shall be solely responsible for the payment thereof.

It is further the opinion of the Court that each party should pay his or her own attorneys' fees, and that the costs of this cause shall be taxed to the Wife, Sarah Elizabeth Todd.

It is further the opinion of the Court that the Husband's Motion to strike the Wife's Counter Complaint is well taken and should be granted, and the Wife's Counter Complaint should be striken.

It is further the opinion of the Court that the Husband's Petition for Contempt filed against the Wife which was scheduled to be heard at the final hearing in this cause should be reserved to a later date to be heard by Judge Muriel Robinson.

The Court finds that the current residence address of the Husband is 5402 Louisiana Avenue, Nashville, Tennessee 37209; and that the current residence address of the Wife is 4608 Dry Fork Road, Whites Creek, Tennessee 37189.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Husband shall be and he hereby is awarded an absolute divorce from the Wife on the grounds of cruel and inhuman treatment and that the bonds of matrimony heretofore existing between them shall be perpetually dissolved, and that he shall be restored to all the rights and privileges of an unmarried person.

IT IS FURTHER ORDERED that the Wife shall be and she hereby is awarded all right, title and interest in and to the Todd Field Research business, free of any claims from the Husband.

IT IS FURTHER ORDERED that each party shall receive all right, title and interest in and to those items of furniture and furnishings and other items of personal property which are located in his or her possession or titled in his or her name, with the other party being divested of any interest therein.

IT IS FURTHER ORDERED that the silver bars and savings bonds owned by the parties, which are in the possession

of the Wife in the parties' lock box, shall be sold and the proceeds shall be divided equally, and the parties shall share equally any tax consequences incurred upon the sale thereof.

IT IS FURTHER ORDERED that the Husband shall receive all right, title and interest in and to the truck which he drives and which is paid for, and the Wife shall be divested of any interest therein. The Wife shall receive all right, title and interest in and to the Isuzu automobile which she drives, and which is titled in her name, and she shall assume the outstanding indebtedness owed thereon and hold the Husband harmless from repayment thereof.

IT IS FURTHER ORDERED that the Husband shall receive all right, title and interest in and to the real property located at 5402 Louisiana Avenue, Nashville, Tennessee 37209, which is titled solely in his name, and the Wife shall be divested of any interest therein.

IT IS FURTHER ORDERED that the Wife shall receive all right, title and interest in and to the farm and home located at 4608 Dry Fork Road, Whites Creek, Tennessee 37189, and that she shall assume the outstanding indebtedness owed thereon and hold the Husband harmless from repayment thereof. The Husband shall deliver to the Wife a Quitclaim Deed conveying his interest in said property to the Wife.

IT IS FURTHER ORDERED that as a further division of property, the Husband shall be awarded a judgment in the amount of $8,000.00 against the Wife, which judgment shall bear interest at the legal rate and which the Wife shall pay off to the Husband at the rate of $150.00 per month, with the first payment being due on August 1, 1989, and continuing in a like amount until the entire principal and interest have been paid in full. The judgment shall be secured by a lien against the property located at 4608 Dry Fork Road, Whites Creek, Tennessee, which lien shall reflected in the Quitclaim Deed being conveyed by the Husband to the Wife.

IT IS FURTHER ORDERED that the Wife shall be responsible for the payment of any and all credit card accounts of the parties which have accrued during the marriage, that said accounts shall be paid by the Wife in a timely fashion so as not to endanger the credit of the Husband, and that the Wife shall hold the Husband harmless from repayment thereof, with the exception of the Leader Federal credit card account, which is the sole and separate credit card of the Husband, and payment for which shall be the Husband's sole and separate responsibility.

IT IS FURTHER ORDERED that each party shall pay his or her own attorneys' fees, and that the costs of this cause shall be taxed to the Wife, Sarah Elizabeth Todd, for which execution may issue if necessary.

IT IS FURTHER ORDERED that the Petition for Contempt filed by the Husband against the Wife which was also set to be heard at the final hearing in this cause shall be reserved to a later date to be heard by Judge Muriel Robinson.

IT IS FURTHER ORDERED that the Husband's Motion to strike the Wife's Counter Complaint in this cause shall be granted, and the Wife's Counter Complaint shall be and the same hereby is striken.

Entered this _____ day of _____, 1989.

HONORABLE GEORGE DUZANE
SPECIAL JUDGE

APPROVED FOR ENTRY:

Rose Palermo

mail

Rose Palermo (#3330)
Attorney for Husband
43 Music Square West
Nashville, TN 37203
(615) 244-4270

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was mailed to Larry Dewane, Attorney for Wife, Third Floor, 207 Third Avenue, North, Nashville, Tennessee 37201, on this 28 day of July, 1989.

Rose Palermo
Rose Palermo

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IDENTIFICATION REFERENCE

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FELIX Z. WILSON
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* 24th *day of* July, *19* 89, *in Case Number* 88D-1891 *between* ROBERT CHARLES TODD *Plaintiff, and* SARAH ELIZABETH TODD *Defendant, as same remains of record in Book* 180A, *Page* 494 *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* 21st *day of* September *in the year one thousand nine hundred and* Eighty-Nine *and in the* 214th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Sherry Hill *D.C.*

Form #GR-117

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