IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

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SHARON ROBY,
Complainant,

vs.

NO. 89D-1402

ALFRED O. ROBY, JR.,
Defendant.

082-03-0
318.00

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 20th day of March, 1990 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court, upon Wife's Complaint for Absolute Divorce; default judgment heretofore entered against the Defendant Husband; testimony of the Complainant Wife; testimony of two (2) witnesses, to-wit: Clarinda Nelson and Sheila Wiggins; statements of counsel for the Complainant Wife; and the entire record in this cause. From all of which the Court finds that the Complainant Wife, Sharon Roby, should be awarded an absolute divorce against the Defendant Husband, Alfred O. Roby, Jr., on the ground of Cruel and Inhuman Treatment.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded an absolute divorce from the Defendant Husband, Alfred O. Roby, Jr., on the ground of Cruel and Inhuman Treatment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded sole and exclusive custody of the parties' minor children, Bryan Roby and Shereka Roby.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Husband, Alfred O. Roby, Jr., shall be and he is hereby awarded visitation privileges with the minor children to include every other weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Husband, Alfred O. Roby, Jr., shall and he will hereby pay to the Complainant Wife, Sharon Roby, the sum of TWO HUNDRED TWENTY-NINE DOLLARS ($229.00) per month as child support with such amount to be paid through his Chapter 13 Bankruptcy Plan so long as it continues and thereafter to be paid by wage assignment with the Defendant Husband being responsible for the Clerk's lawful commission of Five Percent (5%).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Husband, Alfred O. Roby, Jr., shall be and he is hereby required to pay all medical, dental, orthodontic and eyecare expenses of the minor children which are not covered by insurance.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall and she will hereby maintain medical insurance on the minor children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded all right, title and interest in all items of personal property now in her possession; any separate bank accounts which she may maintain in her individual name; and any interest in her Retirement/Pension Plan provided through her employment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Husband, Alfred O. Roby, Jr. shall be and he is hereby awarded all right, title and interest in any personal property now in his possession and any separate bank accounts maintained by him in his individual name.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded a judgment against the Defendant Husband, Alfred O. Roby, in the amount of EIGHT HUNDRED DOLLARS for child support currently in arrears with such amount to be paid through the Defendant Husband's Chapter 13 Bankruptcy Plan.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded a judgment against the Defendant, Alfred O. Roby, Jr., in the amount of TWO HUNDRED TWENTY-FOUR DOLLARS ($224.00) for the cost of eye glasses and examination heretofore incurred by her for the parties' minor daughter.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby responsible for payment of all debts listed in her Chapter 13 Bankruptcy Plan, including but not limited to, the mortgage on the parties' marital residence at 1109 Pennock Avenue, Nashville, Tennessee, and that the Complainant Wife shall hold the Defendant Husband harmless on such indebtednesses.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Defendant Husband, Alfred O. Roby, Jr., shall be and he is hereby responsible for paying all debts contained in his Chapter 13 Bankruptcy Plan and that he shall hold Wife harmless on all such indebtednesses, with such obligation being an award of alimony in solido for the support of the Complainant Wife.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded all right, title and interest in the parties' marital residence known as 1109 Pennock Avenue, Nashville, Tennessee, with all right, title and interest in the Defendant Husband being divested out of him and being divested into the Complainant Wife. The said property is more fully described as follows:

> Being Lot No. 31 on the Map of Crutcher Bros. Plan, of record in Book 161, Page 158, Register's Office for Davidson County, Tennessee.
>
> Said Lot No. 31 fronts 50 feet on the easterly side of Pennock Avenue and runs back between lines 151.45 feet on the southerly line and 152 feet on the northerly line, to an alley in the rear, on which it measures 50 feet.

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Being the same property conveyed to Alfred O. Roby, Jr. and wife, Sharon Denise Roby by deed from Clarence Ernest Elrod and wife, Carlene C. Elrod of record in Book 7003, Page 762, Register's Office for Davidson County, Tennessee.

This is improved property known as 1109 Pennock Avenue, Nashville, Tennessee 37207.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant Wife, Sharon Roby, shall be and she is hereby awarded a judgment against the Defendant Husband, Alfred O. Roby, Jr., in the amount of $500.00 for her reasonable attorney's fees incurred in this proceeding and that all costs of this cause shall be assessed to the Defendant Husband, Alfred O. Roby, Jr.,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that when the Defendant Husband's child support payments begin to be paid by wage assignment his total monthly payment shall be in the amount of TWO HUNDRED FORTY DOLLARS FORTY-FIVE CENTS ($240.45), such amount representing current child support of TWO HUNDRED TWENTY-NINE DOLLARS ($229.00) and Clerk's commission of ELEVEN DOLLARS FORTY-FIVE CENTS ($11.45).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all child support shall be payable in accordance with the provisions of TENN. CODE ANN. 34-1-101(b) and that unless specifically ordered by the Court, all child support payments contained herein shall not be prorated or reduced.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount of child support set forth herein is in full compliance with all applicable State and Federal child support guidelines.

The addresses of the parties and the Husband's employment address are as follows:

1. Sharon D. Roby
   1109 Pennock Avenue
   Nashville, TN 37207

2. Alfred O. Roby, Jr.
   117 Robert Yoest Drive
   Antioch, TN 37013

   Murray Guard, Inc.
   220 Great Circle Road
   Suite 134
   Nashville, TN 37228

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For all of which execution may issue if necessary.

ENTER this 21st day of March, 1990.

MURIEL ROBINSON
JUDGE OF FOURTH CIRCUIT COURT

APPROVED FOR ENTRY:

JAMES R. TOMKINS
Attorney for Complainant Wife
JENNINGS & TOMKINS
Suite 2240 - L & C Tower
Nashville, Tennessee 37219
(615) 244-0847
Reg. No. 11161

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing FINAL DECREE OF DIVORCE has been forwarded to Mr. Alfred O. Roby, Jr., Defendant Husband, 117 Robert Yoest Drive, Antioch, Tennessee 37013 on this 21st day of March, 1990.

JAMES R. TOMKINS

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IDENTIFICATION FEB 12 3 56 PM '91

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* 20th *day of* March, *19* 90, *in Case Number* 89D-1402 *between* Sharon Roby *Plaintiff, and* Alfred O. Roby, Jr. *Defendant, as same remains of record in Book* 185B, *Page* 1189 *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* 12th *day of* February *in the year one thousand nine hundred and* ninety-one *and in the* 215th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By Sue King *D.C.*

Form #GR-117