TOMMIE MARIE FERGUSON ROBERTS]
]
VS.]
]
WILLIAM ALBERT ROBERTS]

No. 54985

IN THE PROBATE COURT, DAVIDSON COUNTY, TENNESSEE

3/20/69
12/4/97

- FINAL DECREE - BOOK 8552 PAGE 329

This cause came on to be heard before the Hon. Shelton Luton, Judge of the Probate Court of Davidson County, Tennessee on March 20, 1969, upon the original bill filed by the complainant, Tommmie Marie Ferguson Roberts and the judgment pro confesso heretofore regularly entered in this cause upon the failure of the defendant, William Albert Roberts, to plead, answer or demur within the time required by law.

From the pleadings in the cause, oral testimony of the complainant and her corroborating witnesses heard in open court, statement of counsel, and from the entire record in the cause, the Court was of the opinion that the allegations of the original bill were fully sustained by the proof, that is, that the defendant, William Albert Roberts, has been guilty of such cruel and inhuman treatment and conduct towards the complainant as renders it unsafe and improper for her to further cohabit with him and be under his dominion and control.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the complainant, Tommie Marie Ferguson Roberts, and the defendant, William Albert Roberts, be and the same are hereby forever and perpetually dissolved; the complainant is hereby decreed an absolute divorce from the defendant, and she is further restored to all the rights and privileges of an unmarried person.

It further appearing to the Court that the parties to this cause, by and with the advice of counsel of record for the respective parties, have heretofore entered into a property settlement agreement, which was signed by the respective parties and their respective solicitors, which has been heretofore shown to the Court; and the same appearing to be reasonable and fair, the Court hereby approves the same and orders it made a part of the final decree in this cause.

It is, therefore, ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to the following

described real estate consisting of a house and lot at 126 Stewart's Ferry Road in Davidson County, Tennessee, and more particularly described, as follows:

> Land in Davidson County, Tennessee, being Lot No. 31 on the Plan of Cloverbottom Subdivision, Section One, as of record in Book 1424, Page 50, Register's Office for said county, described, as follows:
>
> Beginning at a point in the southerly margin of Stewart's Ferry Road, at corner of Lots Nos. 30 and 31; thence with the line between said lots, southwesterly 166.1 feet to the northerly line of Lot No. 32; thence with the line between Lots Nos. 21 and 32, northwesterly 104.76 feet to the southeasterly margin of Blue Brick Drive; thence with the margin of same, northeasterly 25.43 feet to a point; and continuing with the margin of same, northeasterly 99 feet to the beginning of a curve; thence around said curve easterly 31.5 feet to the southerly margin of Stewart's Ferry Road; thence with the margin of same, southeasterly 80 feet to the beginning.
>
> Being the same property conveyed to William Albert Roberts and wife, Tommie Marie Roberts, by deed from T. T. McWhirter and wife, Eunice Ross McWhirter, as recorded in Book 4129, Page 159, Register's Office for Davidson County, Tennessee.

now vested in the defendant, William Albert Roberts, be and the same is hereby divested out of the said William Albert Roberts, and title to said property is vested in the complainant, Tommie Marie Ferguson Roberts, in fee simple.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to certain real estate consisting of a house and lot located at 205 Fairway Drive in Davidson County, Tennessee, and more particularly described, as follows:

> Land in Davidson County, Tennessee, being Lot No. 18 on the Plan of Merry Oaks, as of record in Book 1835, Pages 67 and 68, Register's Office for said county.
>
> Said Lot No. 18 fronts 79 feet on the easterly side of Fairway Drive and runs back 265.2 feet on the northerly line and 282 feet on the southerly line, to a dead line, measuring 105 feet thereon.
>
> Being the same property conveyed to W. A. Roberts and wife, Marie Roberts, by deed from Donald F. Behm and wife, Euline H. Behm, of record in Book 3339, Page 595, Register's Office for Davidson County, Tennessee.

now vested in the defendant, William Albert Roberts, be and the same is divested out of the said William Albert Roberts, and title to said property is vested in the complainant, Tommie Marie Ferguson Roberts, in fee simple.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all right, title and interest in and to a certain installment deed note executed on February 16, 1962, by Wilbur Sensing, Jr., and wife, Lucy Sensing, payable to W. A. Roberts and wife, Marie Roberts, in the original amount of $20,750.00, and bearing interest at the rate of 6%, and payable by monthly payments at the rate of $125.00, said payments to be applied first to payment of interest at the rate of 6% per annum on the principal sum, and the balance to be applied to the payment of the principal sum, which note is now in the possession of the complainant, Tommie Marie Ferguson Roberts, and which was given to insure payment of Lot No. 1 and parts of Lots Nos. 5, 6, 8, 10, 11 and 2 on the Plan of E. B. Graves Land, of record in Plan Book 2, Page 90, Chancery Court of Davidson County, Tennessee, now vested in the defendant, William Albert Roberts, be and the same is hereby transferred to and vested in the complainant, Tommie Marie Ferguson Roberts, as her sole and separate property.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, Tommie Marie Ferguson Roberts, will, upon the entry of this decree, pay to the defendant, William Albert Roberts, the sum of Twenty-Six Thousand ($26,000.00) Dollars, which will represent the sum of Ten Thousand ($10,000.00) Dollars of the marital estate which was on deposit in the Home Federal Savings and Loan Association of Nashville through its Donelson Branch, under savings account ownership certificate No. 2743, in the name of Mrs. W. A. Roberts, and the sum of Sixteen Thousand ($16,000.00) Dollars to equalize the division of the marital estate, whereby the title to the real estate owned by the parties on Stewart's Ferry Road and on Fairway Drive is decreed to the complainant, as stated above.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the complainant, Tommie Marie Ferguson Roberts, will retain the sole ownership of the first mortgage note, which is now in her possession, resulting from the sale of property on Nolensville Road, heretofore owned by the parties, as her sole and separate estate, and the defendant will sign all necessary papers and legal documents

to effect sole ownership of this note and its proceeds in the complainant.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant, William Albert Roberts, will sign all necessary documents to transfer to the complainant, Tommie Marie Ferguson Roberts, all funds on deposit in the names of these parties as a checking account in the Third National Bank.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that all of the furniture and personal property now located in the former home of the parties on Stewart's Ferry Road, now in the possession of the complainant, Tommie Marie Ferguson Roberts, be and the same is hereby decreed to her as her sole and separate property.

It is FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the defendant, William Albert Roberts, will pay fo Jack Norman, Solicitor of record for the complainant, the sum of Three Thousand ($3000.00) Dollars as counsel fees for services rendered the complainant in this cause, for which execution may issue, if necessary.

The costs of this cause will be paid by the defendant, for which execution may issue, if necessary.

FOR ENTRY:

Jack Norman

Jack Norman, Attorney for Complainant

William A. Parsons

William A. Parsons, Attorney for Defendant

Stella Luter

Judge

PROPERTY SETTLEMENT
AGREEMENT

WHEREAS, Tommie Marie Ferguson Roberts and William Albert Roberts are wife and husband but have experienced marital difficulties; and

WHEREAS, there is now pending in the Circuit Court of Davidson County, Tennessee, a divorce action between said parties; and

WHEREAS, the parties hereto desire to settle the property matters between them, subject, however, to the approval of the Court;

Now, therefore, it is agreed by and between the parties, as follows:

1. The defendant, William Albert Roberts, shall deed to the complainant, Mrs. Roberts, all of his interest in and to the title to the house and lot at 126 Stewarts Ferry Road in Nashville, Davidson County, Tennessee;

2. The complainant, Tommie Marie Ferguson Roberts, will deed to Mr. Roberts her interest in and to title to the house and lot located at 205 Fairway Drive in Nashville, Davidson County, Tennessee;

3. The first mortgage on the house and lot on Lebanon Road in Davidson County, Tennessee, to secure a note of Wilbur Sensing, Jr., in the amount of $19,000.00, now held jointly by the parties, will be by Mr. Roberts endorsed over to Mrs. Roberts so as to make it her sole and separate property.

4. The Home Federal Savings account in the approximate amount of $10,000.00, now carried in the name of Mrs. Roberts, will be by Mrs. Roberts transferred to Mr. Roberts.

5. The joint checking account at the Third National Bank will be by Mr. Roberts transferred to Mrs. Roberts.

6. Mrs. Roberts will retain the sole ownership of the first mortgage note on the Nolensville Road property, which is already in her name.

7. Mrs. Roberts will release any claim she might have as the result of this marriage to any other property, real or personal, which now belongs to Mr. Roberts.

In the event, however, that Mrs. Roberts desires the house and lot now owned by the parties as tenants by the entirety at 205 Fairway Drive in Nashville, Davidson County, Tennessee, then in that event Mr. Roberts will deed his interest in the same to Mrs. Roberts so as to make her owner in fee simple of this property, upon the payment to Mr. Roberts by Mrs. Roberts of the sum of $16,000.00 Mrs. Roberts will, of course, be decreed the household furniture and personal effects now located in her home described above.

Mr. Roberts will pay to Jack Norman, as solicitor of record for Mrs. Roberts, for services performed in these matters, such sum or fee as the Court may determine. Both parties will execute all documents and papers necessary to effectuate the above described settlement. Mrs. Roberts shall have no other rights or claims against Mr. Roberts on account of or arising out of the marital relationship on account of alimony, homestead, dower, or otherwise, except such rights and claims specifically given in this property settlement agreement.

All property, real, personal or otherwise, which the parties own jointly, or which Mr. Roberts owns, and which is not specifically given to Mrs. Roberts in this agreement, shall hereafter be the sole and separate property of Mr. Roberts, and Mrs. Roberts shall hereafter have no interest therein.

This property settlement agreement entered into this 11 day of Feb., 1969.

his
William Albert X Roberts
mark
William Albert Roberts

Irene Cage Roberts
Judith D. Terry

Tommie Marie Ferguson Roberts
Tommie Marie Ferguson Roberts

Witness:

Jack Norman
Jack Norman, for Mrs. Roberts

William A. Parsons
Wm. A. Parsons, for Mr. Roberts

BOOK 8552 PAGE 336

Mail
Marie Roberts
126 Stewarts
Ferry Pk.
37214

84974

IDENTIFICATION REFERENCE

FEB 18 2 23 PM '92

DAVIDSON COUNTY, TN

2077 02/18 0101 01CASH 24.00

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* Probate *Circuit Court for Davidson County, Tennessee, on the* 20th *day of* March, *19* 69, *in Case Number* 54985 *between* Tommie Marie Ferguson Roberts *Plaintiff, and* ~~William Albert Roberts~~ *Defendant, as same remains of record in Book* 13B, *Page* 973 *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* 18th *day of* February *in the year one thousand nine hundred and* Ninety Two *and in the* 216th *year of American Independence.*

GEORGE L. ROOKER, *Clerk,*

By _____ *D.C.*

Form #GR-117