1716/2404

IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

FILED
97 DEC 22 P.M. 3:
RICHARD R.
D.C.

BILLY JOE WALROND,
Plaintiff

vs.

RUBY NELL BRAKE WALROND,
Defendant.

No. 97D-2506

Instr:20000428004237O Page: 1 OF 4
REC'D FOR REC 04/28/2000 3:51:02PM
RECORD FEE: $18.00
M. TAX: $0.00 T. TAX: $0.00

FINAL DECREE

This cause came on to be heard on the 18th day of December, 1997, before the Honorable Marietta Shipley, Judge, upon the Original Complaint for Absolute Divorce heretofore filed by Mr. Walrond, service of process upon the Defendant by publication, Default being entered against the Defendant, testimony of the Complainant and his two corroborative witnesses in open court, statement of counsel and from the entire record in this cause. From all of which the court finds that the Defendant has been guilty of such inappropriate marital conduct as renders further cohabitation unsafe and improper. It is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore subsisting between the parties be, and the same are, hereby forever and perpetually dissolved and the Complainant, **BILLY JOE WALROND**, is granted an Absolute Divorce and restored to all the rights and privileges of an unmarried person.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that Mr. Walrond shall be awarded all of the household furniture and furnishings located at the marital residence at 101 Newport Drive, Old Hickory, Tennessee. Mr. Walrond shall also be awarded the 1995 Saturn automobile, and the 1996 Saturn SL2 Four Door automobile, bearing VIN #1G8ZK5275TZ251955.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that each party shall be awarded their respective retirement and social security benefits, free and clear of any claims from the other party. Each party will also retain their separate bank accounts, free and clear of any claims from the other party.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that Mr. Walrond shall be awarded a judgment against Mrs. Walrond in the sum of

$22,103.20, plus accrued interest, which sum represents the amount of the judgment entered against Mr. Walrond in the Chancery Court for Davidson County in favor of **FIFTH THIRD BANK**, which represents the balance owing on the 1996 Saturn automobile, plus attorney fees and interest. Should Mr. Walrond be successful in securing the vehicle and selling same, then he will give credit to Mrs. Walrond against this judgment for the amount received from the sale of the vehicle.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that the parties shall continue to own the marital residence located at 101 Newport Drive, Old Hickory, TN 37138 as tenants in common. However, the Court will allow Mr. Walrond to file a Motion with the Court, within two years of date of entry of this Decree, requesting a final disposition as to the ownership of the marital residence. If Mr. Walrond does not file a Motion with the Court within two years of the entry of this Decree, then the home thereafter will continue to be owned by the parties as tenants in common. The Court is taking this action in view of the fact that Mrs. Walrond has abandoned the marital home and Mr. Walrond has been unsuccessful in locating her since April, 1997, and Mr. Walrond has continued to pay the monthly mortgage payment.

It is further **ORDERED, ADJUDGED, AND DECREED**, by the Court that the cost of this cause are taxed to the Plaintiff, for all of which execution may issue if necessary.

Entered this 22 day of December, 1997.

Marietta M. Lyday
JUDGE

APPROVED FOR ENTRY:

ROBERT L. JACKSON & ASSOCIATES

Robert L. Jackson

BY: ROBERT L. JACKSON, #2486
ATTORNEY FOR PLAINTIFF
214 Second Avenue, North
Suite 10[illegible]
Nashville, Tennessee 37201
615/256-2602

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Final Decree has been furnished to Ruby Nell Brake Walrond, at her last known address, 101 Newport Drive, Old Hickory, TN 37138, on this 19th day of December, 1997.

ROBERT L. JACKSON

STATE OF TENNESSEE

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 SECOND Circuit Court for Davidson County, Tennessee, on the 22 day of DECEMBER , 1997 , in the Case Number 97D2506 between WALROND, BILLY JOE Plaintiff, and WALROND, RUBY NELL BRAKE Defendant, as same remains of record in Vol. 171C , Page 2404 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 11 day of APRIL in the year two thousand and in the 224th year of American Independence.

RICHARD R. ROOKER, Clerk,

By M England
Deputy Clerk