IN THE SECOND CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE AT NASHVILLE

FILED
2003 JUL -7 AM 9:09
RICHARD R. ROOKER, CLERK
D.C.

SHARON M. MARTIN
Plaintiff/Wife

v.

WILLIAM H. MARTIN, JR.
Defendant/Husband

DOCKET NO. 03D-367

Notice of Entry Requested

FINAL DECREE OF DIVORCE

This matter came on to be heard on the19th day of June, 2003, before the Honorable Marietta Shipley, Judge of the Second Circuit Court for Davidson County, Tennessee, upon the Wife's complaint for divorce and/or legal separation, and the Husband being duly noticed and failing to appear, the Court finds this matter is well taken. A default judgment having previously been entered in this matter on the 21st day of April, 2003 against the Husband. Upon testimony of the Plaintiff and witness, the Court finds that the Wife should be awarded a divorce on the grounds of inappropriate marital conduct and adultery on the part of the Husband.

It is therefore **ORDERED, ADJUDGED and DECREED** that the Wife shall be awarded a divorce based upon the Husband's inappropriate marital conduct and the Husband's adulterous conduct throughout the marriage.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife is in need of support from the Husband and that the Husband has the ability to provide support to the Wife.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife shall be awarded alimony in futuro in the amount of $3,545.00 per month. Said amount shall be payable until death or remarriage of Wife. Husband shall pay said alimony beginning July 1, 2003, said alimony shall be payable cash in hand $2,000.00 on the 1st day of each and every month and $1,545.00 on the 15th day cash in hand each and every month.

Davidson County DEEDDIV
Recvd: 10/24/03 11:04 7pgs
Fees:37.00 Taxes:0.00
20031024-0157285

It is further **ORDERED, ADJUDGED and DECREED** that the Husband has executed a promissory note as a personal loan from the Wife to the Husband. Said amount is a judgment of $11,000.00 payable at the rate of $1,000.00 per month. Said promissory note shall be due and payable on the 1st day of each and every month.

It is further **ORDERED, ADJUDGED and DECREED** that the parties' business "Helping Hands Service" shall be awarded to the Husband free and clear of any interest or claim of the Wife. The Husband shall be ordered to continue to employ the Wife in her job at Temple Church. The Husband shall continue to pay the Wife at the rate of $400.00 every two (2) weeks as her current rate of pay for this employment. Said employment does not include the supplies or floors nor does it include pulling the trash.

It is further **ORDERED, ADJUDGED and DECREED** that the Husband shall be allowed to continue the operation of his business in the marital residence of the parties rent-free so long as the Wife owns said residence. The Husband's hours of operation for the business shall be reasonable hours and are set by the Wife. Those hours are 10:00 A.M. to 6:00 P.M. Monday through Friday and 10:00 A.M. to 2:00 P.M. on Saturday. The business shall be closed on Sunday. Husband shall make an attempt to negotiate different hours with the Wife.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife is awarded the marital residence free and clear of any interest or claim of the Husband located at 1719-A Hanover Road, Nashville, Tennessee 37216, and more particularly described below:

> LAND in Davidson County, Tennessee, being Lot No. 73 and the west one-half of Lot No. 74 on the Plan of Waters Place, as of record in Plat Book 332, page 136, Register's Office for said County.
>
> SAID Lots front together 75 feet on the north side of Hanover Avenue and runs back 142.2 feet on the easterly line and 148.9 feet on the westerly line to a line in the rear on which it measures 75.3 feet thereon.

Any interest of the Husband is hereby divested from the Husband and revested in the Wife so that the Wife shall own this property free and clear of any interest or claim of the Husband. The Wife shall indemnify and hold the Husband harmless for any liability for the mortgage on said residence.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife shall be awarded the automobiles to include the Chrysler PT Cruiser; the Mercury Mountaineer; and the Mazda 929 free and clear of any interest or claim of the Husband. The Wife shall indemnify and hold the Husband harmless for any debt on said automobiles.

It is further **ORDERED, ADJUDGED and DECREED** that the Husband is awarded the following automobiles free and clear of any interest or claim of the Wife: Ford Harley; Mercedes; and Dodge Truck. Husband shall indemnify and hold the Wife harmless from debt on any of those three (3) aforementioned automobiles.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife is awarded the two (2) joint life insurance policies of the parties free and clear of any interest or claim of the Husband. The joint life insurance policies insuring the Husband and Wife's lives shall become the sole property of the Wife. The Husband is ordered to cooperate in maintaining said policy. Said policy shall insure the payment of alimony. Wife shall make the premium payments.

It is further **ORDERED, ADJUDGED and DECREED** that each party is awarded all checking accounts in their respective names free and clear of any interest or claim of the other.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife is awarded two (2) Titan's personal seat licenses and season tickets as her personal property free and clear of any interest or claim of the Husband.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife is awarded all the personal property in the home subject to any personal items she feels the Husband deserves.

It is further **ORDERED, ADJUDGED and DECREED** that the Husband is ordered out of the marital residence within ten (10) days of the entry of the Final Decree of Divorce. If the Husband does not remove himself from the house within ten (10) days, the Wife shall bring further action to have the Husband forcibly removed.

It is further **ORDERED, ADJUDGED and DECREED** that the Wife shall be responsible for her own attorney's fees.

It is further **ORDERED, ADJUDGED and DECREED** that the court costs in this matter shall be taxed to the Husband, for which execution shall issue.

The current addresses of the parties are:

SHARON M. MARTIN
1719-A Hanover Road
Nashville, TN 37216

WILLIAM H. MARTIN, JR.
1719-A Hanover Road
Nashville, TN 37216

IT IS SO ORDERED.

ENTERED this the 7 day of July, 2003.

MARIETTA SHIPLEY, JUDGE

APPROVED FOR ENTRY:

CYNTHIA J. BOHN, BPR #16592
Attorney for Plaintiff/Wife
501 Union Street, Suite 402
Nashville, TN 37219
(615) 252-8866

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document has been sent to the following by (X) U. S. Mail, postage prepaid; ( ) hand delivery; ( ) facsimile transmission to _____, hard copy to follow via regular U. S. Mail:

William H. Martin, Jr.
1719- Hanover Road
Nashville, TN 37216

This the 26 day of June 2003.

CYNTHIA J. BOHN

D:\OFFICE\CLIENTS\MARTIN, SHARON\Final Decree.wpd

CERTIFICATE OF SERVICE

DOCKET NO. 03D-367

Pursuant to Rule 58(3) of the Tennessee Rules of Civil Procedure, I hereby certify that I have mailed a copy of the foregoing Judgment to the parties/counsel listed below, on this 9th day of July, 2003.

RICHARD R. ROOKER, Circuit Court Clerk

By: _____
Deputy Clerk

Cynthia J. Bohn, Attorney
501 Union Street, Suite 402
Nashville, Tennessee 37219

Mr. William H. Martin, Jr.
1719 Hanover Road
Nashville, Tennessee 37216

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 07 day of JULY , 2003 , in the Case Number 03D367 between MARTIN, SHARON M. Plaintiff, and MARTIN, WILLIAM H. JR. Defendant, as same remains of record in Vol. 5376 , Page 1175182 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 24 day of OCTOBER in the year two thousand three and in the 227th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

