IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

2005 DEC 13 AM 10:30

RICHARD R. ROOKER, CLERK

D.C.

KATHY WILLIAMS HICKS,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**DOCKET NO. 04D-1731**
	)	
ROGER CARL HICKS,	)	
	)	
Defendant.	)	

Davidson County DEEDDIV
Recvd: 12/29/05 16:26 6 pgs
Fees:32.00 Taxes:0.00
20051229-0156459

FINAL DECREE OF DIVORCE

This matter came to be heard on September 20, 2005 and on November 1, 2005. The Court heard the statements of counsel, testimony of the parties, testimony of witnesses and considered the entire record herein.

1. IT IS THEREFORE ORDERED that Kathy Williams Hicks ("Wife") is granted a divorce from Roger Carl Hicks ("Husband") on grounds of inappropriate marital conduct.

2. IT IS FURTHER ORDERED that Husband is awarded the personal property in his possession and that which the parties agreed to in Court, to wit:

Round oak table with chairs
36" television
Entertainment center
Couch
La-Z-Boy chair
Oak table with glass
Round top trunk and contents
Tea pot purchased in England
Tablecloth made by his aunt
One half of the linens
One freezer
Tool box and tools (hand tools, wrenches, ratchets, etc.)
Tools from garage (sanders, saws, etc.)
Two pictures (gifts from his mother)
One half of the pictures on the wall, including either the grist mill or the Seal of Tennessee
One half of all photos of family and friends

Green vase left to him by his mother
Antique rocking chair
One half of the quilts, excluding two named by Wife
Metal bed and mattresses
3/4 bed and mattresses, sheets and pillows that fit the bed
Painting and wallpapering equipment
Fiesta ware, set for ten
Fiesta flatware, set for ten
Corning glasses that match Fiesta ware
One half of the glassware with decoration
One water hose
One half of canning cookers
Turkey cooker
Fish cooker
Barbecue grill
Gun Safe with guns
Shop vac
Ladders
Car jack
Cassette tapes he sings with
One half of other cassette tapes
Video camera
Black iron skillet
Riding lawn mower
One half of yard tools
Professional sander
One half of table lamps
Personal clothing
Case knife collection
Pistol
Ford Bronco
Dodge truck
Personal jewelry
Breathing and lung machine
Reciprocating saw
Battery charger
Compressor
Table saw
Band saw

3. IT IS FURTHER ORDERED that Husband is awarded the real property in Sevier County, approximately 8.92 acres on Bogard Road, Cosby, Tennessee. Any interest Wife has in the Sevier County property is divested from Wife and reinvested solely

in Husband, subject to any indebtedness thereon. Husband shall hold Wife harmless on any debt on said property. The legal description of said property is as follows: MB said property has an appraised value of $30,000.00

The property purchased May 15, 1992 by Roger Hicks, et ux Kathy W. Hicks, as evidenced by Warranty Deed Book 477, Page 298, recorded in Sevier County Register of Deeds Office.

Said property being in the first civil district of Sevier County, Tennessee and being an 8.9257 acre parcel, more particularly described as follows:

Beginning on a point in the center line of Yellow Britches Road, said point being 813.3 feet westerly from the intersection of Yellow Britches Road and Wilhite Road; thence with the center line of Yellow Britches Road, south 51 degrees, 39 minutes, thirty seconds west 153.31 feet; thence leaving said road, north 23 degrees, 55 minutes, 52 seconds west 25 feet to an iron pin; thence continuing north 23 degrees, 55 minutes, 52 seconds west 216.26 feet to an iron pin; thence north 38 degrees, 54 minutes, 09 seconds west 362.13 feet to a six-inch hickory; thence north 57degrees, 30 minutes, 35 seconds west 203.63 feet to a five-inch pine; thence north 44 degrees, 36 minutes, 52 seconds west 329.20 feet to an iron pin; thence north 52 degrees, 46 minutes, 0 seconds east 380.00 feet to an iron pin; thence south 45 degrees, 02 minutes, 38 seconds east 861.25 feet to an iron pin; thence south 51 degrees, 39 minutes, 30 seconds west 125 feet to an iron pin; thence south 45 degrees, 02 minutes, 38 seconds east 200 feet to an iron pin; thence south 45 degrees 02 minutes, 38 seconds east 25 feet to the point of beginning.

4. IT IS FURTHER ORDERED that Wife is awarded the real property at 7113 Somerset Farms Road, Nashville, Tennessee, subject to the mortgage on the property. Appraised value of $176,000.

Husband is granted a lien of $61,680 on the property. Any interest Husband has in the property at 7113 Somerset Farms, Nashville, Tennessee is divested from him and reinvested solely in Wife, subject to the indebtedness thereon. Wife shall hold Husband harmless on the debt on the property. and the above lien

The legal description of the property is as follows:

Lot 68 on the First Revision of Somerset Farms, section Three, a planned Unit Development, of record in Plat Book 7900, page 741, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a complete and accurate description thereof.

Being the same property conveyed to Roger C. Hicks and wife, Kathy W. Hicks by deed from Margaret B. Gore, conveyed by Instrument No. 20021018-0128249 of record in the Register's Office for Davidson County, Tennessee.

5. IT IS FURTHER ORDERED that Wife shall refinance or otherwise pay Husband the $61,680 within ninety days of entry of the Final Decree. If Wife does not refinance or otherwise pay Husband the $61,680 within ninety days, the property shall be sold to satisfy the lien. In the event the property must be sold, one half of realtor's commission and one half of the expenses of the sale shall be deducted from the $61,680 to be paid to Husband. Husband will cooperate at closing if she refinances to sign documents to release his lien to secure

6. IT IS FURTHER ORDERED that Wife is awarded her pension free from any claim by Husband.

7. IT IS FURTHER ORDERED that Wife is awarded the cemetery lots at Woodlawn Cemetery, located in Woodlawn's Garden of Prophesy, lot 77-A spaces 3 and 4, free from any claim by Husband.

8. IT IS FURTHER ORDERED that Wife is restored to her maiden name, Kathy Elaine Williams.

9. IT IS FURTHER ORDERED that each party is permanently enjoined from harassing, assaulting, demeaning or threatening the other.

10. IT IS FURTHER ORDERED that Costs of this matter are taxed to Husband.

11. IT IS FURTHER ORDERED that Husband is to pay $3500.00 to Wife's counsel, Mary B. Langford, as attorney fees.

Entered this the 13th day of ~~November~~ Dec, 2005.

Muriel Robinson, Judge

Approved for entry:

Mary B. Langford, No. 20169
Bruce, Weathers, Corley & Lyle, PLLC
AmSouth Center, Suite 2075
315 Deaderick Street
Nashville, Tennessee 37238-2075
(615) 244-5432

Attorney for the Wife

CERTIFICATE OF SERVICE

I certify that I have mailed a true and exact copy of the foregoing to

Charles C. Morrow
5201 Williamsburg Road
Nashville, Tennessee 37027

This the 15th day of November, 2005.

Mary B. Langford

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 FOURTH Circuit Court for Davidson County, Tennessee, on the 13 day of DECEMBER , 2005 , in the Case Number 04D1731 between HICKS, KATHY WILLIAMS Plaintiff, and HICKS, ROGER CARL Defendant, as same remains of record in Vol. 6180 , Page 2142612 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 29 day of DECEMBER in the year two thousand five and in the 229th year of American Independence.

SEAL

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk