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FILED

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

2005 MAY 25 PM 3:15

RICHARD R. ROOKER, CLERK

D.C.

WARREN SHERMAN WILSON, **Plaintiff,**	)	
v.	)	**No. 03D-2215**
PATRICIA FAYE HOGGE WILSON, **Defendant.**	)	

FINAL DECREE OF DIVORCE

This Cause came on to be heard on the 22nd day of March, 2005 before the Honorable Muriel Robinson, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the Amended Complaint for Divorce by Warren Sherman Wilson and the Amended Answer and Counter-Complaint filed by Patricia Faye Hogge Wilson. Based upon the statements and argument of Counsel, the exhibits, the sworn testimony of the parties and their witnesses in open court, and the entire record, the Court finds as follows:

1. The Court declares the parties divorced pursuant to 36-4-129 of the Tennessee Code Annotated.
2. The Court declares that if it were to find either party more at fault, the Court would find that a lesser degree of fault would be assessed against Mr. Wilson.
3. The Court further finds Ms. Wilson left the marriage and the parties were apart and separated for twelve years and there was very little proof of the wife's contribution to the marriage the first twenty years other than the wife's testimony which the Court finds somewhat rambling and incoherent at times.

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4. The Court does find that Ms. Wilson did assist in raising the children until she left Germany while the husband was stationed there, taking three children back to the United States, and leaving one behind with Mr. Wilson.

5. The Court finds that Ms. Wilson left the children with a relative in the U.S. and went to Colorado at which time the husband discovered where the children were, got them, and took them back to Germany.

6. The Court finds that Ms. Wilson lived with another man during the twelve years of separation, and the husband at some point, lived with another woman.

7. The Court finds that there is actually no property but the military pension. The Court cannot find that the wife is entitled to a fifty percent (50%) property division of the military pension due to the fact that the wife did not support her children on a regular basis during the time that the children lived with their father.

8. The Court in good conscience cannot find that Ms. Wilson is entitled to any portion of Mr. Wilson's pension/retirement benefits from the United States Army; however, it is the Order of this Court that Ms. Wilson shall continue to remain as the surviving beneficiary of Mr. Wilson's pension and Mr. Wilson shall be required to maintain and pay for the Survivor Benefit Premium cost (SBP) of the such pension in the event that Ms. Wilson outlives Mr. Wilson.

9. In addition, the Court finds that Ms. Wilson shall continue to be entitled to healthcare benefits granted to her as a divorced spouse of a military retiree based upon the regulations of the United States military and United States Government.

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10. The Court makes this decision having balanced the equities, because if the Court would go back and equate the child support that Ms. Wilson would owe Mr. Wilson, it would be a large sum.

11. Mr. Wilson is hereby awarded his real property comprising a house and lot located at 3207 Cynthia Lane, Nashville, Davidson County, Tennessee, 37207 as his sole and separate property. Mr. Wilson shall be responsible for any indebtedness on the property and shall hold Ms. Wilson harmless from any liability thereon. The said real property is more particularly described as follows:

> Land in Davidson County, Tennessee, being lots 299 and 300 on The Plan of Parkwood Estates, Section II, of record in Book 3300, Page 5, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete and accurate description thereof.
>
> Said lots adjoin and front together 150 feet on the westerly side of Cynthia Lane, and extends back 138.34 feet on the northerly line of Lot 299, and 144.7 feet on the southerly line of Lot 300, to a dead line in the rear, which is a broken line on which it measures 150.2 feet.
>
> Being the same property conveyed to Warren S. Wilson, married, from Teclemarian Wubneh and wife, Alganesh Wubneh, by deed as of record under instrument number 20020509-0057647, Register's Office for Davidson County, Tennessee.
>
> This is improved property known as 3207 Cynthia Lane, Nashville, Tennessee, 37207.

12. Mr. Wilson shall be awarded all right, title and interest in and to his 1991 Ford Mustang automobile and his motorcycle as well as his furniture and furnishings and other personal property as set out in his Income and Expense

Statement filed as an exhibit. Ms. Wilson shall be awarded her property presently in her possession free of any right, title, or claim of Mr. Wilson.

13. The court costs are divided equally between the parties for which execution shall issue if necessary.

14. Each party shall be responsible to pay their own attorney's fees.

15. The above recital being the findings of this Court, the same are hereby made the Order of this Court:

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Court declares the parties divorced pursuant to T.C.A. 36-4-129 of Tennessee Code Annotated;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Plaintiff/Husband, Warren Sherman Wilson, shall be vested his full military pension benefits, however the Defendant/Wife, Patricia Faye Hogge Wilson, shall continue to remain as the surviving beneficiary of Mr. Wilson's pension and Mr. Wilson shall be required to maintain and pay for the survivor benefit premium cost (SBP) of such pension in the event Ms. Wilson out lives Mr. Wilson;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Ms. Wilson shall be continued to be entitled to healthcare benefits granted to her as a divorced spouse of a military retiree based upon the regulations of the United States Military and the United States Government;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Plaintiff/Husband Warren Sherman Wilson is hereby awarded his real property comprising a house and lot located at 3207 Cynthia Lane, Nashville, Davidson

County, Tennessee 37207 as his sole and separate property. Mr. Wilson shall be responsible for any indebtedness on the property and shall hold Ms. Wilson harmless from any liability thereon. Said real property is more particular described as follows:

> Land in Davidson County, Tennessee, being lots 299 and 300 on The Plan of Parkwood Estates, Section II, of record in Book 3300, Page 5, Register's Office for Davidson County, Tennessee, to which plan reference is made for a more complete and accurate description thereof.
>
> Said lots adjoin and front together 150 feet on the westerly side of Cynthia Lane, and extends back 138.34 feet on the northerly line of Lot 299, and 144.7 feet on the southerly line of Lot 300, to a dead line in the rear, which is a broken line on which it measures 150.2 feet.
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>
> This is improved property known as 3207 Cynthia Lane, Nashville, Tennessee, 37207.

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Mr. Wilson shall be awarded all right, title, and interest in and into his 1991 Ford Mustang automobile, his motorcycle, as well as his furniture and furnishings and other personal property as set out in his Income & Expense Statement filed as an Exhibit at the hearing;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that Ms. Wilson shall be awarded her property presently in her possession free of any right, title, or claim of Mr. Wilson;

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IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that the Court costs are divided equally between the parties for which execution shall issue if necessary;

IT IS FURTHER, ORDERED, ADJUDGED, AND DECREED that each party shall pay their own attorney's fees.

ENTER this 25th day of May, 2005.

JUDGE MURIEL ROBINSON

APPROVED FOR ENTRY:

PHILIP W. DUER, # 4647
Attorney for Warren Sherman Wilson
Cornerstone Square
530 Church Street, Suite 500
Nashville, TN 37219
Phone: (615) 301-4800
Facsimile: (615) 301-4802

CERTIFICATE OF SERVICE

I hereby certify that I forwarded a true and correct copy of the foregoing Final Decree, postage pre-paid, by U.S. Mail to the following interested parties:

LeAnn Smith
Attorney for Patricia Faye Hogge Wilson
Bill Easterly and Associates
501 Great Circle Road, Suite 250
Nashville, TN 37228

On this 17th day of May, 2005.

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PHILIP W. DUER, ATTORNEY

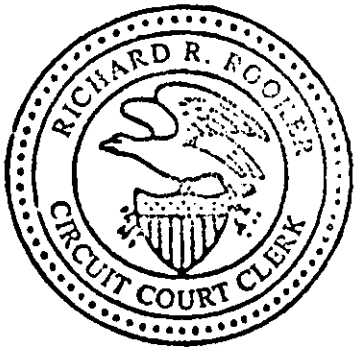
cc: Jay Drescher, Esq.
Warren S. Wilson

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 25 day of MAY , 2005 , in the Case Number 03D2215 between WILSON, WARREN SHERMAN Plaintiff, and HOGGE, PATRICIA FAYE Defendant, as same remains of record in 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 27 day of JULY in the year two thousand ten and in the 234th year of American Independence.

SEAL



RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk