Copy

① MPN 147-08
Parcel #135

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

② MPN 148-
5-38

2011 OCT 28 PM 4:03

D.C.

PATRICIA LYNN WALTON,)
PLAINTIFF,)
)
VS.) No. 11D-2231
)
RICHARD STERLING WALTON,)
DEFENDANT.)

FINAL DECREE OF ABSOLUTE DIVORCE

This Cause came on to be heard on the 26th day of October, 2011 before the Honorable Philip E. Smith, Judge of the Fourth Circuit Court for Davidson County, Tennessee, upon the complaint for absolute divorce filed by PATRICIA LYNN WALTON on August 4th, 2011 and the Order of Default Judgment granted on October 7TH, 2011, the Defendant, RICHARD STERLING WALTON having failed to file a responsive pleading to the complaint personally served upon him on August 13th, 2011 within the time required by law. Based upon the statements and argument of counsel, the pleadings, the sworn testimony of the Plaintiff Wife, PATRICIA LYNN WALTON, the sworn testimony of her two corroborating witnesses in open court, the Court finds that the grounds of inappropriate conduct have been fully sustained and that a divorce should be granted.

BILL GARRETT, Davidson County
Trans:T20110077530 DEEDDIV
Recvd: 12/07/11 15:44 11 pgs
Fees:57.00 Taxes:0.00
20111207-0095714

Copy

Based upon the testimony adduced at the hearing, the Court finds that MS. WALTON'S request for a permanent injunction against the Husband from coming about her without her express permission or from threatening her, verbally or physically or in any way interfering with her daily life, pending further Orders of the Court is appropriate, the Court finding that by the proof, there exits the potential threat of harm. In addition, the Court finds that a restraining order is appropriate enjoining and restraining MR. WALTON from in any way continuing to work on the Faulkner Drive property or from damaging further any of the real property of the parties or in any way the personal property of the parties as herein below more fully set out.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. PATRICIA LYNN WALTON is hereby granted an absolute divorce from the Defendant, RICHARD STERLING WALTON, and the parties are restored to all rights and privileges of unmarried persons.
2. The personal property as scheduled on the Division of Property as Requested by Wife filed as an exhibit at the hearing is herein incorporated by reference as though copied herein and is made a part of this Order. Accordingly MS. WALTON is herein awarded the following personal property free and clear of the Defendant's interests with all right, title and interest of RICHARD

Copy

STERLING WALTON divested out of him and re-invested in the sole name of PATRICIA LYNN WALTON:

Sectional Couch, 1 year old
Ottoman, 1 year old
57" TV, 1 year old
1 Wooden TV Stand
1 King Size Bed with headboard, 10 years old
1 Queen Size Bed, 10 years old
Oak Kitchen Hutch
Piano, 20 years old
Lenox China, 12 place settings
Bakers Rack
New refrigerator
Inherited Furniture From Wife's parents and Grandmothers:
Oak Kitchen Table and 6 Chairs
Solid Cherry Antique Dinning Room Drop-Leaf Table and 8 Chairs with Hutch and Corner Hutch
1 Glass/Wood End Table
Cherry Bedroom Suite
Oak Bedroom Suite
Patio Iron Table and 4 Chairs
2 Antique Rocking Chairs
1 Marble Table and Antique Lamp
Bedroom Chair
Wooden Bench
3 Antique lamps
Inheritance Furnishings and Pictures: Antique Dishes, Painting; Paintings Wife Bought in Europe; Children's Graduation Pictures; Childhood Pictures; Bridal Portraits
The Court also awards the family dog, 'HANK" a half Lab/Golden Retriever to MS. WALTON

3. The Defendant, RICHARD STERLING WALTON is hereby awarded the following personal property free of any right, title or interest of the Wife, with any and all interest of the Wife, PATRICIA LYNN WALTON herein

Copy

divested out of her and reinvested in the sole name of RICHARD STERLING WALTON:

Living Room Couch, 18 yeas old
2 Oak End Tables
Pole Lamp, new
Leather Recliner, 3 years old
32" TV, 3 years old
TV Stand
Solid Wood Desk, 24 years old+/-
Bedroom Dresser, Headboard, End Table
Chester Drawers, Oak
Filing Cabinet
Book Cabinet
New Washer and Dryer
New Refrigerator
Large Commercial Fan
New Gas Grill
Ice Maker
Mikasa Dishes for 8 Place Settings
All Electric Tools, Hand Tools, Toolbox

4. MS. WALTON is hereby awarded the 2008 Honda Accord. All right, title, and interest of Husband, RICHARD STERLING WALTON in and to said vehicle is is hereby divested out of the Husband and reinvested in and to the sole name of the Wife, PATRICIA LYNN WALTON.

5. MR. WALTON is hereby awarded the 1994 4-Door Dually Diesel truck; the 1997 Chevrolet Extended Cab truck; and the 1999 Chrysler Town and Country van free and clear of any interest of the Wife with any and all right title and

Copy

interest of PATRICIA LYNN WALTON herein divested out of her and re-invested in the sole name of the Husband, RICHARD STERLING WALTON.

6. With regard to the cash assets, the Wife is hereby awarded her 4 IRA accounts With Great American; her IRA account with Regions Bank and her checking account and money market account in her name at Regions Bank as well as the joint bank accounts with the current balances at Regions Bank as set out in the schedule made an exhibit at the hearing free of any right, title, or interest of the Husband; The Husband is awarded the two joint bank accounts and the current balances therein with First Tennessee Bank, free of any right, title, or interest of the Husband as well as any other account(s) presently in his name and his IRA account(s) free of any right, title, or interest of the Wife.

7. The Wife, PATRICIA LYNN WALTON is hereby awarded her retirement and pension plan for service as a Metro teacher through the Tennessee Consolidated Retirement System (TCRS) as well as any applicable Davidson County Board of Education Retirement Plan including death and disability benefits free of any right title or interest of the Husband, RICHARD STERLING WALTON, which is herein divested out of him and reinvested in the sole name of PATRICIA LYNN WALTON.

8. The Husband, RICHARD STERLING WALTON is hereby awarded his

Copy

retirement and pension plan through the Metropolitan Nashville and Davidson County Tennessee Pension Plan free of any right, title, or interest of the Wife, PATRICIA LYNN WALTON, which is herein divested out of her and reinvested in the sole name of RICHARD STERLING WALTON.

9. With regard to the two residences and lots owned by the parties in Davidson County, Tennessee, being 3745 Faulkner Drive and 3805 Turley Drive, Nashville, Davidson County, TN 37211, the Court awards all right title and interest of the parties in the real property generally known by street address as 3745 Faulkner Drive, Nashville, Davidson County, Tennessee 37211 to the Wife, PATRICIA LYNN WALTON with any and all right, title or interest of the Husband, RICHARD STERLING WALTON herein divested out of him and reinvested in the sole name of PATRICIA LYNN WALTON. Said real property is more particularly described as follows:

A certain tract or parcel of land located in Davidson County, Tennessee, described as follows:

Being Lot No. 92 on the plan of Hillbrook, Section III, of record in Book 3300, Page 84, Register's Office for said County.

Said lot No. 92 fronts 70.0 feet on the westerly margin of Faulkner Drive and extends back 190.1 feet on the southerly line and 175.5 feet on the northerly line to a broken line in the rear, measuring 115.1 feet thereon.

Being the same property conveyed to Richard S. Walton and Wife, P. Lynn Walton by warranty deed of record in Book 6658, Page 418 Register's Office for Davidson County, Tennessee.
This is improved property known as 3745 Faulkner Drive, Nashville, Davidson County, TN 37211.

Copy

P. Lynn Walton is one and the same as Patricia Lynn n Walton.

The Court further awards all right, title, and interest of the parties in and to 3805 Turley Drive, Nashville, Davidson County, TN 37211 to the Husband, RICHARD STERLING WALTON, with any and all right, title and interest of the Wife, PATRICIA LYNN WALTON, herein divested out of her and reinvested in the sole name of RICHARD STERLING WALTON. Said property is more particularly described as follows:

A certain tract or parcel of land in Davidson County, Tennessee being more particularly described as follows:

Being Lot No. 22 on the Plan of Haywood Heights, Section 2, as of record In Book 2663, page 13.

Said lot No. 22 fronts 70 feet on the west side of Turley Drive and runs back 178.3 feet on the north line and 178.4 feet on the south line to a dead line in the rear, on which it measures 70 feet.

Being the same property conveyed by warranty deed from Herman A. Burke and wife, Carol R. Burke to Richard Sterling Walton as of record in Book 5181, Page 822 , said Register's Office.

This property is improved property generally known as 3805 Turley Drive, Nashville, TN 37211.

10. The Defendant, RICHARD STERLING WALTON is hereby Ordered to vacate the marital residence at 3745 Faulkner Drive, Nashville, Davidson County, TN 37211 with his awarded personal property within 30 days of the date of entry of this Order. If the Defendant, MR. WALTON fails to vacate the premises within said time limit, upon motion by counsel for MS. WALTON with an attached order, the Court will Order the Sheriff of

AND Affidavit of Ms. Walton of Non-Compliance

Copy

Davidson County, Tennessee, with full force of the County, to undertake all means necessary to physically remove the person of RICHARD STERLING WALTON from the subject property along with his awarded personal property.

11. The Defendant, RICHARD STERLING WALTON is hereby enjoined and restrained from taking any action to harm the value of either of the afore described real properties or improvements thereon, or to damage any of the personal property awarded to MS. WALTON as set out in this Order, pending further Orders of this Court.

12. The Defendant, RICHARD STERLING WALTON is hereby enjoined and restrained from in any way interfering with the daily life of PATRICIA LYNN WALTON or coming about her for the purposes of harming or harassing her or coming about her without her express permission, pending further Orders of the Court.

13. Based upon the sworn testimony of the Wife as to her knowledge that there are no debts of the parties, and the homes and vehicles are free and clear of any encumbrances, and based upon the testimony that the Husband is secretive, it is the Order of this Court that if there are any debts or encumbrances unknown to MS. WALTON, the Defendant, RICHARD

Copy

STERLING WALTON shall assume, indemnify and hold PATRICIA LYNN WALTON harmless from any liability, loss, or payment.

14. Each party has their own health insurance coverage so COBRA coverage is not at issue.

15. Upon request, the name of the Plaintiff, PATRICIA LYNN WALTON is hereby changed to LYNN LOVELESS WALTON for all purposes under the law.

16. The costs of this cause are hereby assessed against the Defendant, RICHARD STERLING WALTON, for which execution shall issue if necessary.

IT IS SO ORDERED this 28th day of October, 2011.

PHILIP E. SMITH, JUDGE

APPROVED FOR ENTRY:

Philip W. Duer, Attorney #4647
Attorney for Wife,
PATRICIA LYNN WALTON
530 Church Street, Suite 400
Nashville, TN 37219,
Phone: (615) 301-4800 fax; 301-4800

Copy

Certificate of Service

I hereby certify that on the 20th day of October, 2011 I forwarded by United States mail, postage pre-paid, a true and correct copy of the attached document (FINAL DECREE OF ABSOLUTE DIVORCE) to the following interested parties in said matter at their respective last known addresses:

RICHARD STERLING WALTON
3745 Faulkner Drive
Nashville, TN 37211

Cc: Patricia Lynn Walton, now
Lynn Loveless Walton

PHILIP W. DUER, ATTORNEY

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 28 day of OCTOBER , 2011 , in the Case Number 11D2231 between WALTON, PATRICIA LYNN Plaintiff, and WALTON, RICHARD STERLING 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 23 day of NOVEMBER in the year two thousand eleven and in the 235th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

