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RICHARD R. ROOKER, CLERK

D.C.

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

ROBERT FORREST ROBERTS **Plaintiff/Husband**	)	
v.	)	**NO.** 11D259
SHARON LOUISE MCCOOL ROBERTS **Defendant/Wife**	)	

FINAL DECREE OF DIVORCE

This cause came on to be heard on the 13th day of July, 2011, before the Honorable Philip Smith, Judge of the Fourth Circuit Court for Davidson County, Tennessee, pursuant to the Complaint for Absolute Divorce filed by the Husband, Robert Forrest Roberts. Based upon on the statement of Counsel, the testimony of witnesses and presentation of exhibits in open Court and the entire record in this cause, the Court finds as follows:

This Complaint in this cause was filed on the 31st day of January, 2011 and service was perfected upon the Defendant/Wife on the 26th day of February, 2011. The Defendant/Wife failed to file a responsive pleading or participate in this matter in any way and a Default Judgment was granted in favor of the Husband on the 20TH day of May, 2011.

The Court specifically finds that the Defendant/Wife became addicted to pain medication and, in order to attempt to satisfy that addiction, converted between eleven thousand and twenty thousand dollars of marital property to her sole use by selling or pawning said property, lost an automobile to a title loan company, fraudulently opened credit card accounts in Plaintiff/Husband's name, charged on those accounts in an amount unknown to Plaintiff/ Husband and generated credit card debt in certain other joint credit card accounts in an amount exceeding eight thousand dollars; all without the knowledge or agreement of the Plaintiff/Husband. The Court therefore finds that the Defendant wife is guilty of Inappropriate Marital Conduct pursuant to T.C.A. 36-4-101(11). The Court makes no finding on the enforceability of the Antenuptual Agreement entered into evidence by the Plaintiff/Husband. However, the Court finds the same instructive as to property with which the Plaintiff/Husband entered the marriage. It is, therefore,

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ORDERED, ADJUDGED AND DECREED that Plaintiff /Husband is granted an absolute divorce on the grounds of Inappropriate Marital Conduct and restored to the rights and privileges of an unmarried person. It is, further,

ORDERED, ADJUDGED AND DECREED that wife shall be responsible for and hold husband harmless from any credit card debt which she fraudulently obtained in the name of Plaintiff/Husband.

ORDERED, ADJUDGED AND DECREED that Defendant/Wife has made no claim upon the Business of Husband known as Mufflers, Brakes and More and she is therefore divested of any interest therein. It is, further,

ORDERED, ADJUDGED AND DECREED that Plaintiff/Husband is awarded all right title and interest in the real property known as 900 Nesbitt Lane, Madison,Tennessee 37115 and more specifically described as follows:

BEING LOT NO. 47 ON THE PLAN OF BONNIE-BRAE SECTION II, AS OF RECORD IN BOOK 2330, PAGE 123, REGISTER'S OFFICE FOR SAID COUNTY, DESCRIBED AS FOLLOWS:
BEGINNING ON THE NORTHERLY MARGIN OF NESBITT DRIVE AT THE SOUTH EAST CORNER OF LOT#48; THENCE WITH THE NORTHERLY MARGIN OF SAID DRIVE, EASTWARDLY 175 FEET TO A MONUMENT AT THE BEGINNING OF A CURVE HAVING A RADIUS OF 25 FEET; THENCE AROUND SAID CURVE IN A NORTHEASTERLY DIRECTION 39.27 FEET TO A MONUMENT AT THE WESTERLY MARGIN OF FALCON DRIVE; THENCE WITH SAME, NORTHWARLY 165.62 FEET TO A MONUMENT; THENCE NORTH 83 DEG. 53' WEST 208.5 FEET TO THE NORTHEAST CORNER OF SAID LOT NO. 48; THENCE WITH THE LINE BETWEEN SAID LOTS NO'S 47 AND 48; SOUTHWARDLY 205 FEET TO THE BEGINNING.
BEING THE SAME PROPERTY CONVEYED TO BOBBY G. DOUGLAS AND WIFE, CYNTHIA A. DOUGLAS BY DEED FROM MARY L. ALLEN, WIDOW, BY DEED OF RECORD IN BOOK 8557, PAGE 592, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE.
BEING FURTHER THE SAME PROPERTY CONVEYED TO ROBERT F. ROBERTS BY DEED FROM BOBBY G. DOUGLAS AND CYNTHIA A. DOUGLAS TO ROBERT F. ROBERTS BY WARRANTY DEED OF RECORD IN BOOK 9553 PAGE 935, REGISTERS OFFICE FOR DAVIDSON COUNTY, TENNESSEE.

All right, title and interest in said real property is divested from Defendant/Wife and vested solely in Plaintiff/Husband. Plaintiff/Husband shall hold Defendant harmless from any indebtedness thereon. It is, further,

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ORDERED, ADJUDGED AND DECREED that Plaintiff/Husband is awarded all right, title and interest in the real property known as 4175 Edwards Avenue, Nashville, Tennessee and more specifically described as follows:

A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO WIT
BEING THE NORTHERLY 90 FEET OF LOT NO. 136 AND THE SOUTHERLY 10 FEET OF LOT NO. 135 ON THE PLAN OF MAPLEWOOD HEIGHTS SUBDIVISION FOR J.E. SAUNDERS, OF RECORD IN BOOK 547, PAGES 77 AND 78, REGISTER'S OFFICE FOR SAID COUNTY.
BEING THE SAME PROPERTY CONVEYED TO ROBERT F. ROBERTS BY DEED FROM DAVID J. CHRISTIAN AND WIFE, LINDA N. CHRISTIAN RECORDED 07/26/1988 IN DEED BOOK 7609 PAGE 510, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.
BEING FURTHER THE SAME PROPERTY CONVEYED TO ROBERT F. ROBERTS AND SHARON L. ROBERTS BY QUITCLAIM DEED FROM ROBERT F. ROBERTS OF RECORD UNDER DOCUMENT NUMBER 20040726-0088955 IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.

All right, title and interest in said real property is divested from Defendant/Wife and vested solely in Plaintiff/Husband. Plaintiff/Husband shall hold Defendant harmless from any indebtedness thereon. It is, further,

ORDERED, ADJUDGED AND DECREED that Defendant/Wife is awarded the 1993 Chevrolet Lumina automobile and the same is divested from Plaintiff/Husband. Husband/Plaintiff is awarded all right, title and interest in the 1998 Chevrolet Pick-Up truck and any other automobiles held by his business and the same is divested from Wife and vested solely in Plaintiff/Husband. It is, further,

ORDERED, ADJUDGED AND DECREED that the parties are jointly responsible for the medical bills of the wife which were incurred prior to the date of the entry of this Final Decree. It is, further,

ORDERED, ADJUDGED AND DECREED that the wife has no marital interest in certain real property or the proceeds thereof held by the family of the Plaintiff/Husband in the State of Florida.

Pursuant to statute, the following notice is provided to the Parties:

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This final decree of divorce does not necessarily affect the ability of a creditor to proceed against a party or a party's property, even though the party is not responsible under the terms of the decree for an account, any debt associated with an account or any debt. It should be understood by each party that it may be in his or her best interest to cancel, close or freeze any jointly held accounts.

Costs of this cause are adjudged against the Defendant/Wife.

For all of which let execution issue if necessary.

ENTER THIS 15th DAY OF July, 2011.

JUDGE

APPROVED FOR ENTRY:

EDWARD L. HILAND BPR#5778
20 Academy Place
Nashville, Tennessee 37210
(615) 251-6968

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the forgoing document has been hand delivered, faxed or sent via U.S. Mail, postage pre-paid to:

SHARON LOUISE MCCOOL ROBERTS
900 Nesbitt Lane
Madison, Tennessee 37115

Edward L. Hiland
Date July 14, 2011

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 15 day of JULY , 2011 , in the Case Number 11D259 between ROBERTS, ROBERT FORREST Plaintiff, and ROBERTS, SHARON LOUISE MCCOOL 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 01 day of SEPTEMBER in the year two thousand eleven and in the 235th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____
Deputy Clerk

SEAL

