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IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE

THERMA BOUTTE ROOKS
Plaintiff/Wife

vs.

SIMON ROOKS, III
Defendant/ Husband

DOCKET NO. 08D-148
Notice of Entry Requested.

2013 APR 26 PM 4:34

FINAL DECREE OF DIVORCE

This matter came to be heard on the 9th day of June, 2010 before the Honorable Philip E. Smith, Judge of the Fourth Circuit Court of Davidson County, Tennessee, upon the Complaint for Absolute Divorce heretofore filed by the Wife, Therma Boutte Rooks and the Answer heretofore filed by the Husband, Simon Rooks, III. Present in Court were the Wife and her attorney of record, Stephanie J. Williams and the Husband and his attorney of Record, Simon Rooks, III. Based on statement of counsel in open court, testimony of the parties and the entire record in this cause, the Court finds the parties have reached the following agreement:

1. The parties have stipulated that the Wife has grounds for divorce from the Husband based on the Husband's Inappropriate Marital Conduct and that pursuant to Tennessee Code Annotated § 36-4-129(b), the Wife is entitled to a divorce against the Husband.

2. The Wife shall be awarded all right, title and interest in the parties' real property located at 525 Lemont Drive, Nashville, Davidson County, Tennessee free and clear of any claim of the Husband. Effective July 1, 2010, the Wife shall be responsible for any and all expenses associated with said residence.

3. The Husband shall vacate the residence located at 525 Lemont Drive, Nashville, Davidson County, Tennessee no later than August 9, 2010.

BILL GARRETT, Davidson County
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Fees:67.00 Taxes:0.00
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4. Both parties shall be **ENJOINED** and **RESTRAINED** from doing anything to cause any damage what-so-ever to the residence located at 525 Lemont Drive, Nashville, Davidson County, Tennessee.

5. The Husband shall be awarded all right, title and interest in the parties' real property located at 2844-2846 Vista Lane, Nashville, Davidson County, Tennessee free and clear of any claim of the Wife.

6. The Husband shall be awarded all right, title and interest in the real property and mobile home located at 869 Hillsboro Road, SW, Eatonton, Georgia free and clear of any claim of the Wife.

7. The Wife shall be awarded her 2005 Lexus 330 and 1991 Toyota Camry free and clear from any claim of the Husband. Said vehicles are titled in both parties' names. The Husband shall sign any and all necessary documents to transfer title of said vehicles to Wife's name solely. Wife shall be responsible for any and all indebtedness associated with said vehicles and shall hold Husband harmless for the same.

8. The Husband shall be awarded his 1997 Ford F-150 and 1993 Nissan Pathfinder free and clear from any claim of the Wife. Said vehicles are both titled in the name of the Husband, individually. The Husband shall be responsible for any and all indebtedness associated with said vehicles and shall hold Wife harmless for the same.

9. The parties have already divided up any and all personal belongings, and each shall keep that which is in his/her respective possession, free and clear of any claim from the other party, with the exception of the lawn mower and tools located at the marital residence. The Husband shall be awarded said lawn mower and tools free and clear of any claim of the Wife.

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10. The parties shall equally divide the funds in the parties' joint checking account with Regions Bank, ending in 9933 with an approximate balance of $65,061.42.

11. The Wife shall be awarded her individual checking and savings accounts with the Tennessee Credit Union, free and clear from any claim of the Husband.

12. The Husband shall be awarded his individual checking and savings accounts with Wachovia Bank and U.S. Community Credit Union, free and clear from any claim of the Wife.

13. The Husband shall be awarded the cash contents contained in the parties' Safe Deposit Box located at Regions Bank.

14. The parties' shall equally divide the joint Van Kampen investment account with the approximate balance of $3,040.66.

15. The parties' shall equally divide the joint MFS investment account with the approximate balance of $5,837.55.

16. The Wife shall be awarded all other 401(k)/Retirement and/or investment accounts held in her name individually, free and clear of any claim of the Husband. Specifically, the Wife shall be awarded her individual IRA account.

17. The Husband shall be awarded all other 401(k)/Retirement and/or investment accounts held in his name individually, free and clear of any claim of the Wife. Specifically, the Husband shall be awarded his Primerica investment account, individual IRA with Van Kampen, his Thrift Savings Plan through his employer, his CD with People's Bank and his retirement account with the Federal Employment Retirement System.

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18. The Wife shall be awarded the savings bonds of approximately $3,700.00, currently in the name of the Husband. The Husband shall execute any necessary documents to transfer said bonds to the Wife.

19. The Wife shall be awarded the entire cash contents in the safe in located in the parties' marital residence, of approximately $3,000.00.

20. The parties have a joint debt to Regions Bank for a Home Equity Line of Credit obtained for the parties' real property. The Husband shall be responsible for the timely payment of said debt each and every month, until paid in full, and shall hold the Wife harmless for the same. Further, neither party shall obtain any further funds from said account.

21. Other than the Home Equity Line of Credit with Regions Bank, the parties have no joint debt. As such, the Wife shall be responsible for any and all debt in her name and shall hold the Husband harmless for the same. Likewise, the Husband shall be responsible for any and all debt in his name and shall hold the Wife harmless for the same.

22. The Husband shall pay to the Wife alimony, in futuro, in the amount of $1,400.00 per month, beginning on July 1, 2010 and continuing on the 1st of every month each and every month thereafter until the Husband retires from his employment with the United Postal Service, at which time the obligation shall be reduced to the amount of $900.00 per month. Said obligation shall continue until the death or remarriage of the Wife.

23. The parties shall both maintain life insurance policies, naming the other party as beneficiary, in the amount of $50,000.00 until the death of either party and/or the remarriage of the named beneficiary.

24. Each party shall be responsible for their respective own attorney's fees.

25. The parties shall be equally responsible for court costs in this cause.

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It is, therefore, **ORDERED, ADJUDGED and DECREED** that the parties have stipulated that the Wife has grounds for divorce from the Husband based on the Husband's Inappropriate Marital Conduct and that pursuant to Tennessee Code Annotated § 36-4-129 (b), the Wife is hereby awarded a divorce from the Husband and the parties are hereby restored to the rights and privileges of unmarried persons.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Wife is hereby awarded all right, title and interest in the parties' real property located at 525 Lemont Drive, Nashville, Davidson County, Tennessee free and clear of any claim of the Husband. The Husband is hereby divested of any interest he may have in said property and the same is hereby reinvested in the Wife. Said real property is more particularity described as:

Land in Davidson County Tennessee:

Being Lot No. 307 on the Plan of Gra-Mar Acres, Section IX, as of record in Plat Book 2663, Page 113, Register's Office for said County.

Beginning at a point in the west margin of Lemont Drive and the corner of Lots Nos. 307 and 308, thence with the line between said lots westerly 250 feet to a point; thence northerly 159.7 feet to the southerly margin of Joyce Lane; thence with the margin of the same easterly 223.1 feet to the beginning of a curve; thence around said curve southeasterly 38.38 feet to the west margin of Lemont Drive; thence with the margin of the same southerly 142.3 feet to the point of beginning.

Being the same property conveyed to Simon Rooks III and Wife, Therma B. Rooks, by deed from Patsy S. Heflin, a single person, of record in Book 5935, Page 997, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that effective July 1, 2010, the Wife shall be responsible for any and all expenses associated with the real property located at 525 Lemont Drive, Nashville, Davidson County, Tennessee.

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IT IS FURTHER ORDERED ADJUDGED AND DECREED Husband shall vacate the residence located at 525 Lemont Drive, Nashville, Davidson County, Tennessee no later than August 9, 2010.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that both parties shall be **ENJOINED** and **RESTRAINED** from doing anything to cause any damage what-so-ever to the residence located at 525 Lemont Drive, Nashville, Davidson County, Tennessee.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband is hereby awarded all right, title and interest in the parties' real property located at 2844-2846 Vista Lane, Nashville, Davidson County, Tennessee free and clear of any claim of the Wife. The Husband shall be responsible for any and all expenses associated with said real property and shall hold the Wife harmless for the same. The Wife is hereby divested of any interest she may have in said property and the same is hereby reinvested in the Husband. Said real property is more particularly described as follows:

Land in Davidson County, Tennessee:

Being lot number 145 on the Plan of Section Four, Third Addition to Trinity Hills Village of record in book 5200, Page 248, Register's Office for Davidson County, Tennessee, and now known as 145-A and 145-B, Zone Lot Division of Lots 144 and 145, Section Four, Third Addition, Trinity Hills Village, of record in Book 6250, Page 243, Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete and accurate description.

Being the same property conveyed to Simon Rooks, III and Wife, Therma B. Rooks by deed from Tammie M. Flemming, Simon Rooks III and Wife, Therma B. Rooks of record in Instrument Number 20040325-0033824, Register's Office for Davidson County, Tennessee.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be awarded all right, title and interest in the real property and mobile home located at 869 Hillsboro Road, SW, Eatonton, Georgia free and clear of any claim of the Wife.

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IT IS FURTHER ORDERED ADJUDGED AND DECREED the the Wife shall be awarded her 2005 Lexus 330 and 1991 Toyota Camry free and clear from any claim of the Husband. Said vehicles are titled in both parties' names. The Husband shall sign any and all necessary documents to transfer title of said vehicles to Wife's name solely. Wife shall be responsible for any and all indebtedness associated with said vehicles and shall hold Husband harmless for the same.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be awarded his 1997 Ford F-150 and 1993 Nissan Pathfinder free and clear from any claim of the Wife. Said vehicles are titled in the name of the Husband, individually. The Husband shall be responsible for any and all indebtedness associated with said vehicles and shall hold Wife harmless for the same.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be awarded his personal belongings, the lawn mower and tools located at the parties residence located at 525 Lemont Drive, Nashville, Davidson County, Tennessee.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that for all other personal belongings, and each shall keep that which is in his/her respective possession, free and clear of any claim from the other party, with the exception of the lawn mower and tools located at the marital residence.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties shall equally divide the funds in the parties' joint checking account with Regions Bank, ending in 9933 with an approximate balance of $65,061.42.

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IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Wife shall be awarded her individual checking and savings accounts with the Tennessee Credit Union, free and clear from any claim of the Husband.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be awarded his individual checking and savings accounts with Wachovia Bank and U.S. Community Credit Union, free and clear from any claim of the Wife.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be awarded the cash contents contained in the parties' Safe Deposit Box located at Regions Bank.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties' shall equally divide the joint Van Kampen investment account with the approximate balance of $3,040.66.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties' shall equally divide the joint MFS investment account with the approximate balance of $5,837.55.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Wife shall be awarded all other 401(k)/Retirement and/or investment accounts held in her name individually, free and clear of any claim of the Husband. Specifically, the Wife shall be awarded her individual IRA account.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be awarded all other 401(k)/Retirement and/or investment accounts held in his name individually, free and clear of any claim of the Wife. Specifically, the Husband shall be awarded his Primerica investment account, individual IRA with Van Kampen, his Thrift Savings Plan

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through his employer, his CD with People's Bank and his retirement account with the Federal Employment Retirement System.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Wife shall be awarded the savings bonds of approximately $3,700.00, currently in the name of the Husband. The Husband shall execute any necessary documents to transfer said bonds to the Wife.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Wife shall be awarded the entire cash contents in the safe in located in the parties' marital residence, of approximately $3,000.00.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall be responsible for the timely payment of the parties' joint debt to Regions Bank for the parties' Home Equity Loan and shall hold the Wife harmless for the same. Further, neither party shall obtain any further funds from said account.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that for all other debt, the Wife shall be responsible for any and all debt in her name and shall hold the Husband harmless for the same and the Husband shall be responsible for any and all debt in his name and shall hold the Wife harmless for the same.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Husband shall pay to the Wife alimony in futuro in the amount of $1,400.00 per month, beginning on July 1, 2010 and continuing on the 1st of every month each and every month thereafter until the Husband retires from his employment with the United Postal Service, at which time the obligation shall be reduced to the amount of $900.00 per month. Said obligation shall continue until the death or remarriage of the Wife.

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IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties shall both maintain life insurance policies in the amount of $50,000.00, naming the other party as beneficiary, until the death of either party and/or the remarriage of the named beneficiary.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the allocation of debt contained herein does not affect the ability of a creditor to proceed against either party or the party's property for any debt/account held in the name of either or both parties, even though one party is not responsible under the terms of this Final Decree of Divorce for said debt and/or any other debt or account associated with one or both of the parties. In light of the foregoing and in the best interest of the parties, either party may choose to cancel, close or freeze any jointly held debt/account.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that each party shall be responsible for their respective attorney's fees.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties shall be equally responsible for the Court Costs in this cause.

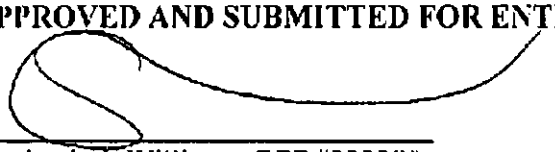
IT IS ACCORDINGLY SO ORDERED, ADJUDGED AND DECREED.

ENTERED this the 26th **day of** ~~**June, 2010.**~~ April
Nunc Pro Tunc to January 27, 2011.

PHILIP E. SMITH, JUDGE

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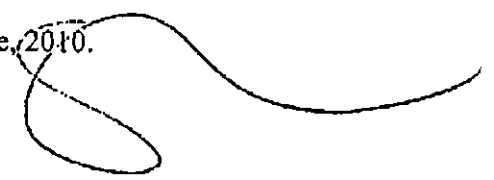
APPROVED AND SUBMITTED FOR ENTRY:



Stephanie J. Williams, BPR#023380
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swilliams@sjwfamilylaw.com-email

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing Final Decree has been forwarded by U.S. Mail, postage prepaid to the Husband's Attorney, Terry Clayton at 1402 5th Avenue North, Nashville, TN 37208 on this the 16th day of June, 2010.



Stephanie J. Williams

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CERTIFICATE OF SERVICE

DOCKET NO. 08D148

I hereby certify I have mailed a copy of the foregoing to the parties/counsel listed below, on this 1ST day of MAY, 2013.

RICHARD R. ROOKER, Circuit Court Clerk

BY: _____
Deputy Clerk

STEPHANIE J. WILLIAMS, ATTORNEY
SJW FAMILY LAW
500 MADISON ST., SUITE 106
NASHVILLE, TN 47208

TERRY CLAYTON, ATTORNEY
1402 5TH AVE. NORTH
NASHVILLE, TN 37208

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 26 day of APRIL , 2013 , in the Case Number 08D148 between ROOKS, THERMA BOUTTE Plaintiff, and ROOKS, SIMON NMN III 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 14 day of MAY in the year two thousand thirteen and in the 236th year of American Independence.

RICHARD R. ROOKER, Clerk,

By _____ Deputy Clerk

SEAL

