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20190621-0060186

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 07 day of JUNE, 2019, in Docket Number 17D1151 between WILSON, TAWANA SHONTA, Plaintiff, and WILSON, TIMOTHY LEE, 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 21 day of JUNE in the year two thousand nineteen and in the 242nd year of American Independence.

RICHARD R. ROOKER, Clerk,

[SEAL] RICHARD R. ROOKER CIRCUIT COURT CLERK

By: _____

Deputy Clerk

Copy

FILED

IN THE FOURTH CIRCUIT COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE 2019 JUN -7 PM 3:31

RICHARD R. ROOKER, CLERK

D.C.

TAWANA S. WILSON,
Plaintiff,

vs.

TIMOTHY L. WILSON,
Defendant.

Docket No. 17D-1151
NOTICE OF ENTRY REQUESTED

FINAL DECREE OF DIVORCE

THIS CAUSE came before the Court on the 28th day of May 2019 upon the Amended Complaint for Divorce filed by the Plaintiff, Tawana Shonta Wilson (hereinafter "Ms. Wilson / Wife"), on the 11th day of October 2017. Based upon the sworn testimony of Ms. Wilson, the sworn testimony of the witnesses, statement of counsel, and the entire record contained herein, the Court finds as follows:

I. FINDINGS OF PROCEDURAL HISTORY

The Complaint for Divorce was filed on June 27, 2017.

The Defendant, Timothy Lee Wilson (hereinafter "Mr. Wilson / Husband"), was personally served the Complaint for Divorce on the 28th day of July 2017. Ms. Wilson subsequently filed a Motion to Amend the Complaint for Divorce. The Court granted the Motion. Ms. Wilson filed an Amended Complaint for Divorce on the 11th day of October 2017. Mr. Wilson was personally served the Amended Complaint on the 6th day of April 2018. Ms. Wilson filed a Motion for Default on the 15th day of March 2019. Based upon Mr. Wilson's failure to file an Answer to the Amended Complaint for Divorce, the Court granted an Order for Default Judgment on the 29th day of March 2019.

II. FACTUAL FINDINGS DURING TRIAL

Mr. Wilson had numerous extramarital relationships during his marriage. He openly and notoriously engaged in such extramarital relations throughout the parties'

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marriage. One relationship in particular led Mr. Wilson to father a child with his daughter's pre-school teacher. Mr. Wilson admitted to Ms. Wilson about engaging in these extramarital relationships. On at least one occasion during the marriage, Mr. Wilson struck Ms. Wilson in her face with a closed fist. This act of violence by Mr. Wilson against Ms. Wilson is evidence of severe abuse. Additionally, during the parties' marriage, the Metropolitan Davidson County Police Department executed a drug search warrant upon the marital residence. The foregoing conduct by Mr. Wilson toward Ms. Wilson substantially overcomes the necessary burden to find Mr. Wilson guilty of Inappropriate Marital Conduct.

During the marriage, Mr. Wilson purchased several pieces of real property for rental purposes. He used lines of credit against a previous marital residence and current marital residence to secure funds to purchase the rental properties. Mr. Wilson deposited the rental proceeds into the parties' joint bank account. Funds from the joint account were used to pay expenses for the properties. The Court finds the properties are marital assets and are therefore subject to equitable division by this Court. Mr. Wilson conveyed several pieces of rental property to third parties shortly before Ms. Wilson filed her Complaint for Divorce. Mr. Wilson conveyed three (3) pieces of rental property to third parties after Ms. Wilson filed her Complaint for Divorce. Such conveyances being in violation of the statutory injunction placed upon divorcing parties pursuant to Tenn. Code Ann. § 36-4-106(d).

The Court ruled that the Wife shall be awarded properties numbers 1-6 as shown in **Exhibit 3** to her testimony. Such properties shall be awarded to Wife free and clear from any right, title, and interest of the Husband. The Wife shall be responsible for any mortgages, taxes, insurance, and cost of repairs for each piece of property. The Wife shall collect all rent associated with said properties.

Additionally, the Court ruled that the Wife shall be awarded the five (5) vehicles listed in **Exhibit 3** to her testimony, free and clear from all right, title and interest of the

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Husband. The Husband shall be awarded the remainder of the real property listed on **Exhibit 2** to the Wife's testimony. The Court finds based upon the factors set forth in Tenn. Code Ann. § 36-4-121 that this is a fair and equitable division of the marital estate.

The Court further awarded each party any bank accounts listed solely in their name. Each party is responsible for any and all debts listed solely in their name with the exception of the real property awarded to the Wife which she is responsible for.

This is a marriage of eighteen (18) years. Considering the Wife's age, and educational background, rehabilitation is not appropriate. Additionally, Ms. Wilson needs more than transitional support. The evidence shows that Mr. Wilson's standard of living will be substantially higher than Ms. Wilson after the parties' divorce. Ms. Wilson has shown a need for ongoing support and Mr. Wilson has the ability to pay. Based upon the factors of Tenn. Code Ann. § 36-5-121, Mr. Wilson shall pay Ms. Wilson alimony *in futuro*, in the amount of $1,000.00 beginning on the 10th day of June 2019 and continuing the 10th day of every month thereafter. This support shall terminate upon Mr. Wilson's death, or Ms. Wilson's death or remarriage.

Based upon the testimony, it is appropriate and necessary for the Davidson County Sheriff's Department to accompany Ms. Wilson to insure she is not harmed as she makes efforts to take possession of the vehicles she has been awarded.

It is accordingly **ORDERED, ADJUDGED AND DECREED** that the Wife, Tawana S. Wilson, is hereby awarded a divorce from Timothy L. Wilson on the ground of inappropriate marital conduct pursuant to Tenn. Code Ann. § 36-4-101(11) and restored to all the rights privileges of an unmarried person and that the bounds of matrimony heretofore existing between the parties are hereby perpetually dissolved;

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife is hereby awarded all right, title, and interest in the Marital Residences located at 1290

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Goodmorning Drive, Davidson County, Tennessee, free and clear of any claims of the Husband. Said property is more specifically described as follows:

1290 Goodmorning Drive, Nashville, Tennessee 37207

> Land in Davidson County, Tennessee, being lot No. 45, on the Final Plat, Section Two, Vantage Pointe (formerly North Forty) "a Cluster Lot Subdivision," as shown by plat appearing of record in Instrument No. 20060406-0040015, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lots.
>
> Being part of the same property conveyed to Southern Home Builders, LLC, A Tennessee Limited Liability Company, by deed of record in Instrument Number 20070222-0021939, Register's Office for Davidson County, Tennessee.
>
> This conveyance is subject to any and all existing restrictions and easements of record.
>
> This is an unimproved property known as Goodmoring Drive, Nashville, TN 37207

Husband shall be divested of any and all interest in and to said property and the same shall be reinvested in the Wife. The Wife shall be responsible for payment of all mortgages, lines of credit, insurance, taxes, utilities and other indebtedness and liabilities in connection with said property.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife is hereby awarded all right, title, and interest in certain property located at 719 Joseph Avenue, Davidson County, Tennessee, free and clear of any claims of the Husband. Said property is more specifically described as follows:

719 Joseph Avenue, Nashville, Tennessee 37207

> Being Lot No. 10 on the Plan of Townwood Homes, Section 1, of record in Book 3106, Page 147, Register's Office for said County, to which plan reference is here made for a more complete and accurate description.
>
> Being the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act as amended (12 U.S.C. 1701 et. seq.) and the Department of Housing and Urban Development Act (79 Stat. 667), by

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deed dated October 21, 1998, and recorded in Book 11496, Page 490, Register's Office for Davidson County, Tennessee.

Husband shall be divested of any and all interest in and to said property and the same shall be reinvested in the Wife. The Wife shall be responsible for payment of all mortgages, lines of credit, insurance, taxes, utilities and other indebtedness and liabilities in connection with said property.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife is hereby awarded all right, title, and interest in certain property located at 1301 Neelys Bend Road, Davidson County, Tennessee, free and clear of any claims of the Husband. Said property is more specifically described as follows:

1301 Neelys Bend Road, Madison, Tennessee 37115

Land in Davidson County, Tennessee, being Unit No. C-22, on the Plan of Neely's Bend Condominium, as established by the Master Deed of record in Book 5483, Page 86, as amended in Book 8277, Page 314, and as shown on the plan of record in Book 5200, Page 200, Register's Office for said County, to which plan reference is hereby made for a more complete description.

Being the same property conveyed to Elizabeth C. Mann by deed from Gerald B. Ralph, dated April 14, 2004, recorded April 23, 2004, of record in Instrument No. 20040423-0046135, Register's Office for Davidson County, Tennessee.

This conveyance is subject to all easements, restrictive covenants and conditions, and other matters of record, including all items set out on any applicable plat of record.

This property is improved property known as 1301 Neelys Bend Road, Madison, TN 37115

Husband shall be divested of any and all interest in and to said property and the same shall be reinvested in the Wife. The Wife shall be responsible for payment of all mortgages, lines of credit, insurance, taxes, utilities and other indebtedness and liabilities in connection with said property.

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It is further **ORDERED, ADJUDGED AND DECREED** that the Wife is hereby awarded all right, title, and interest in certain property located at 3417 Tisdall Drive, Davidson County, Tennessee, free and clear of any claims of the Husband. Said property is more specifically described as follows:

3417 Tisdall Drive, Whites Creek Tennessee 37189

> Being Lot: #5-A, Of the Zone Lot Division of Lots: #5 and #6, of Deer Meadows, phase one, of record in book: 6250, page: #316, amending plat book: #5800, page: #270, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete description.
>
> Being the same property acquired by the party of the first part pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et. seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531), by deed dated February 16, 2010, and recorded at Instrument No. 20100524-0040053 in the Register's Office of Davidson County, Tennessee.

Husband shall be divested of any and all interest in and to said property and the same shall be reinvested in the Wife. The Wife shall be responsible for payment of all mortgages, lines of credit, insurance, taxes, utilities and other indebtedness and liabilities in connection with said property.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife is hereby awarded all right, title, and interest in certain property located at 555 North Dupont Avenue, Unit B-32, Davidson County, Tennessee, free and clear of any claims of the Husband. Said property is more specifically described as follows:

555 North Dupont Avenue, B-32, Madison, Tennessee 37115

> Situated in Davidson County, Tennessee, being Unit No. B-202 on the Plan of Madison Park Condominiums according to the Master Deed of record in Book 5462, page 614, as corrected in Book 5608, page 551, and corrected by Book 8014, page 416, Register's Office for Davidson County, Tennessee, and more particularly described in Plat Book 5200, pages 179 thru 182, in the Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

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Being a portion of the same property conveyed to Doyne Gosnell and Wife, Donna Gosnell by Deed of record in Book 8935, page 965, Register's Office for Davidson County, Tennessee; the said Doyne Gosnell having since died on September 7, 1996, the property vests in Donna Gosnell as surviving tenant by the entirety.

This is the same legal description as on the previous deed of record.

This conveyance is subject to any and all existing restrictions, setbacks, zoning regulations, covenants, conditions, and easements of record as may affect the aforedescribed tract of land.

This is improved property known as 555 North Dupont Avenue, B-32, Madison, Tennessee 37115.

Husband shall be divested of any and all interest in and to said property and the same shall be reinvested in the Wife. The Wife shall be responsible for payment of all mortgages, lines of credit, insurance, taxes, utilities and other indebtedness and liabilities in connection with said property.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife is hereby awarded all right, title, and interest in certain property located at 555 North Dupont Avenue, Unit B-39, Davidson County, Tennessee, free and clear of any claims of the Husband. Said property is more specifically described as follows:

555 North Dupont Avenue, Unit B-39, Madison, Tennessee 37115

Land in Davidson County, Tennessee being Unit B-205 (B-39), in a Horizontal Property Regime, which is located on the plat of Madison Park, of record in Book 5200, page 179-182, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete description of said unit.

Being the same property conveyed to Jack Pitt and wife, Betty Pitt by deed from Kaye R. Wright, an unmarried person, dated November 26, 2001 and recorded on December 14, 2001 in Instrument No. 20011214-0138430, Register's Office, Davidson County, Tennessee. The said Betty Pitt is now deceased leaving Jack Pitt as the surviving tenant by the entirety. Jack Pitt and Jack T. Pitt being on and the same person.

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Benjamin Pitt executed this instrument on behalf of Jack Pitt pursuant to a Power of Attorney of record in Insrtuement No. 201405120040482 Register's Office, Davidson County, Tennessee.

Subject to the plan of record in Plat Book 5200, page 179-182, said Register's Office.

The premises herein insured is a condominium apartment established pursuant to the provisions of the Tennessee "Horizontal Property Act" as set out in Section 64-2701 et. seq. of the Tennessee Code Annotated and is subject to the provisions and requirements thereof; to the By-Laws for the administration thereof; to easements, rights and interest in favor of other unit owners and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through, or upon the land embracing the regime and covenants, restrictions, options, burdens, assessments and other undertakings contained in the Master Deed establishing a Horizontal Property Regime of Madison Park of record in Book 5462, page 614, as amended in Book 8014, page 416, said Register's Office.

Amendment to By-Laws of Madison Park of record in Book 10895, page 319, said Register's Office.

This is improved property known as 555 N Dupont Avenue Condominium, #B-39, Madison, Tennessee 37115.

Husband shall be divested of any and all interest in and to said property and the same shall be reinvested in the Wife. The Wife shall be responsible for payment of all mortgages, lines of credit, insurance, taxes, utilities and other indebtedness and liabilities in connection with said property.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife shall collect all rents due from the rental properties and retain said rents free and clear from any right, title, and interest of the Husband.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife shall be awarded the following vehicles free and clear from any right, title, and interest of the Husband:

1. 2008 Dodge Charger
   VIN: 2B3KA43G18H292417

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2. 2014: Toyota Camry
VIN: [redacted]

3. 2017: Nissan Maxima
VIN: [redacted]

4. 2004: Range Rover
VIN: [redacted]

5. 2010: Nissan Maxima
VIN: [redacted]

Wife shall be solely responsible for payment of any and all outstanding liabilities in connection with said vehicles. Wife shall be responsible for payment of insurance of all vehicles. Husband shall give the Wife all keys he has to said vehicles.

It is further **ORDERED, ADJUDGED AND DECREED** that the Wife shall be awarded all furniture and furnishings located in the properties she has been awarded herein free and clear from any right, title and interest of the husband.

It is further **ORDERED, ADJDUDGED AND DECREED** that the Wife shall arrange with the Nashville, Davidson County Sheriff's Department to accompany her when she obtains the property she has been awarded herein in order to insure no harm comes to her or any other third persons who may accompany her in retrieving her property.

It is further **ORDERED, ADJUDGED AND DECREED** that each party is awarded any checking and savings accounts listed solely in their name free and clear from any claims of the other party.

It is further **ORDERED, ADJUDGED AND DECREED** that each party is solely responsible for any indebtedness listed solely in their name except the indebtedness on those pieces of real property that the Wife has been awarded and for which she is responsible.

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It is further **ORDERED, ADJUDGED AND DECREED** that each party is awarded any retirement/pension accounts if any, free and clear from any claims of the other party.

It is further **ORDERED, ADJUDGED AND DECREED** that the Husband shall pay to the Wife alimony *in futuro* in the amount of $1,000.00 per month beginning, the 10th day of June 2019 and shall continue on the 10th day of each month thereafter. This support shall terminate upon Wife's death or remarriage, or the remarriage of the Husband.

It is further **ORDERED, ADJUDGED AND DECREED** that this Order does not 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, and debt associated with an account or any debt. It may be in a party's best interest to cancel, close, or freeze any jointly held accounts.

It is further **ORDERED, ADJUDGED AND DECREED** that the Husband shall pay all court costs associated for which execution may issue.

IT IS SO ORDERED.

ENTERED THIS THE 7th **DAY OF** June **2019.**

THE HONORABLE PHILIP E. SMITH

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SUBMITTED FOR ENTRY:

JANELLE A. SIMMONS, BPR: 022290
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222 Second Avenue North
Nashville, Tennessee 37201
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing has been served via the following method(s) upon the individual(s) stated below, this the ____day of June 4 2019.

Timothy L. Wilson, *pro se*
17 Decatur Street
Nashville, TN 37210
(last known address)

- ☐ Electronic Mail
- ☒ U.S. Mail; Postage Pre-Paid
- ☐ Facsimile
- ☐ Hand-Delivery

Timothy L. Wilson, *pro se*
1290 Goodmorning Drive
Nashville, Tennessee 37207

- ☐ Electronic Mail
- ☒ U.S. Mail; Postage Pre-Paid
- ☐ Facsimile
- ☐ Hand-Delivery

JANELLE A. SIMMONS, BPR: 022290

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CERTIFICATE OF SERVICE

DOCKET NO. 17D1151

I hereby certify I have mailed a copy of the foregoing to the parties/counsel listed below, on this 13TH day of JUNE, 2019.

RICHARD R. ROOKER, Circuit Court Clerk

BY: _____
Deputy Clerk

JANELLE A. SIMMONS, ATTORNEY
SUITE 230 WASHINGTON SQ.
222 SECOND AVE. NORTH
NASHVILLE, TN 37201

TIMOTHY L. WILSON
17 DECATUR ST.
NASHVILLE, TN 37210