

FILED
DESCHUTES COUNTY
JUL 1 9 35 AM '70

FEB 25 10 59 AM 1972

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF DESCHUTES

JAMES ALEXANDER KELLER, JR.,

Plaintiff,

vs.

JUDITH ALLENE KELLER,

Defendant.

DECREE

No. 15360

THIS MATTER having come on for trial before the above entitled Court on Thursday, June 18, 1970, at the hour of 10:30 a.m., the plaintiff appearing in person and by and through RONALD L. BRYANT, one of his attorneys, and defendant making no appearance and a motion for an order of default, affidavit of nonmilitary service, and a waiver by the District Attorney of Deschutes County, having been filed, and the order of default thereafter having been entered, plaintiff's testimony was heard and the Court having heard and considered the same, thereafter announced its opinion in open court that the plaintiff had sustained the allegations of his complaint by preponderance of the evidence and is entitled to a decree of divorce in accordance with the statutes and the Court being fully advised in the premises,

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The marriage contract heretofore existing between plaintiff and defendant shall be terminated and forever dissolved on August 18, 1970, or, if appeal is taken from this decree, then upon the termination of such appeal, whichever is later, without any further action by either party.

2. In case either party to this suit dies prior to the date specified in paragraph 1 hereinabove, to-wit: August 18, 1970, this decree shall be considered to have entirely terminated the marriage relationship between these parties immediately before such death, unless an appeal from this decree is then pending; if a death of either party occurs during such time as an appeal is pending, then the estate of the decedent shall be the nominal party, and the Supreme Court of the State of Oregon shall continue to have jurisdiction of such an appeal, and shall have the power to

DECREE
Ronald L. Bryant

Page 1

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2014

determine finally all matters presented on such appeal; before making final disposition, the Supreme Court of the State of Oregon may refer the proceeding back to this court for such additional findings of fact as may be required; the attorney of record on the appeal, for the deceased party, may be allowed a reasonable attorney fee, to be paid from decedent's estate, but costs on appeal may not be awarded to either party.

3. This decree shall revoke any will of either party unless its terms express a contrary intention.

4. The right of either party to this suit to cohabit with the other party shall cease on the date this decree is signed.

5. Any time prior to August 18, 1970, or while any appeal is pending from this decree, the court may set aside this decree upon the motion of both parties.

6. The plaintiff's present address, age and wage earner social security account number are, respectively as follows:

Address:	P. O. Box 364, Sisters, Oregon 97759
Age:	35
Soc. Sec. No.	486--34-9974.

7. The defendant's present address, age and wage earner social security account number are, respectively, as follows:

Address:	P. O. Box 55, New Cambria, Missouri
Age:	35
Soc. Sec. No.	497-34-8866.

8. The parties were married at Rothville, Missouri, on October 3, 1954.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant

be and she hereby is awarded the sole care, custody and control of the minor

children of the parties, to-wit: JANOIYN ANNE KELLER, born June 20, 1958;

JAYNA ALLENE KELLER, born August 20, 1959; JILL ANDRA KELLER, born October 1,

1960 and JAMES ALLEN KELLER, born January 20, 1965, subject to plaintiff's

right of reasonable visitation at reasonable times and places and upon reason-

able notice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that plaintiff be and

hereby is required to pay for the benefit of the parties to the Clerk of the Court

of Deschutes County, the sum of \$25 per month per child as and for child

DECREE
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Page 2

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1 support of the minor children herein commencing on the 25th day of June, 1970,
2 and continuing on the 25th day of each month thereafter and continuing until
3 each of the said minor children respectfully shall have become previously
4 self-supporting, married or reached the age of majority.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff
6 be and he hereby is awarded the property in Chiloquin, Oregon, more particularly
7 described as follows:

8 Lot 14, Block 11, West Chiloquin Addition to the City
9 of Chiloquin, Klamath County, Oregon; subject to the
mortgage thereon.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff
11 be and he hereby is awarded the 20 acres of real property located in Sisters,
12 Deschutes County, Oregon, more particularly described as follows:

13 The East half of the Northwest Quarter of the Northeast
14 Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 18, Township 15 South,
15 Range 10 East of the Willamette Meridian; subject to a
lien of the defendant, Judith Allene Keller, on said
property in the amount of \$5,000.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the property
17 and custody agreement entered into by and between the plaintiff and defendant
18 June 18, 1970, is hereby in all things approved and a copy of said agreement
19 marked "Plaintiff's Exhibit 1" is hereto attached and by this reference made a
20 part hereof as fully and completely as though fully set forth herein and the
21 parties hereto are ordered and directed to perform each and every obligation
22 therein contained.

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED the parties shall
24 execute any and all documents necessary to effectuate this divorce decree in
25 the attached property settlement and custody agreement and in the event any
26 party fails to execute any documents for transfer of property within ten days
27 from the date of this divorce decree, then this decree shall operate to transfer
28 such interest in accordance with the orders of this decree.

DECREE
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Page 3

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VOL. 57 PAGE 2221
2016

Dated this 30th day of June, 1970.

None pro tunc to 6/18/70

John W. Boyer
Circuit Judge

State of Oregon }
County of Deschutes } ss

I certify that the foregoing *deed*
has been compared with the
original, and that it is a correct transcript
therefrom, and of the whole of such
original, as the same appears of record at
the Clerk's office in Deschutes County,
Oregon.

Jul 24 1972
ROSEMARY PATTERSON, Clerk
By *Susan R. Hillman* Deputy

STATE OF OREGON, COUNTY OF KLAMATH, ss.

Filed for record ~~XXXXXX~~

this 25th day of FEBRUARY, A. D., 1972, at 10:58 o'clock A. M., and duly recorded in
Vol. M. 72 of DEEDS on Page 2013

Fee \$8.00

WM. D. MILNE, County Clerk

Wm D Milne