

IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF MARION

DOMESTIC RELATIONS

No. 94453

In the Matter of the Marriage
of

VERNON H. GAUTHIER,

Petitioner,

and

JOSEPHINE HERRERA GAUTHIER,

Respondent.

DECREE OF DISSOLUTION

This matter came on for hearing on the 1st day of September, 1976, petitioner appearing in person and by William B. Wyllie, his attorney, and respondent appearing in person and by Edward L. Clark, Jr., of her attorneys, and the Court, after hearing the testimony adduced by the parties took the matter under advisement, and finding that irreconcilable differences exist between the parties making continuation of the marriage relationship impossible; and

It appearing to the Court and the Court finding that petitioner and respondent were intermarried on April 24, 1955, in Washoe, Nevada; that the petitioner's age is 40 years, that his Social Security number is 542-36-9872, and that his current residence address is 635--15th Street, SE., Salem, Oregon. That the respondent's age is 41 years, that her maiden name was Herrera, that her Social Security number is 543-34-0272, and that her current residence address is 1675 Corina Drive, SE., Salem, Oregon.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the marriage of the parties is hereby dissolved, and said dissolution is finally

1 effective on the 5 day of December, 1976, or if an appeal be
2 taken in this suit, until the date this suit is determined on appeal,
3 whichever date is later.

4 The right of one party to cohabit with the other shall cease on
5 the date of this decree.

6 In the event either party shall die within the sixty-day period
7 after the date of this decree, this decree shall entirely terminate
8 the marriage relationship immediately before such death unless an
9 appeal is pending.

10 At any time within the sixty-day period or while an appeal is
11 pending, this Court may set aside this decree upon the motion of both
12 parties.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custody of
14 the children of the parties, namely: Sheri-Lynn Gauthier, born
15 June 16, 1957; Anita M. Gauthier, born October 3, 1961; and Bonnie S.
16 Gauthier, born November 6, 1963, be, and the same hereby is, awarded
17 to the respondent, subject to the right of reasonable visitation in
18 the petitioner. The daughter of the parties, Denise K. Gauthier, has
19 married and is, therefore, declared emancipated.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the petitioner
21 pay to the Department of Human Resources, Support Management Unit,
22 P.O. Box 2506, Salem, Oregon 97308, the sum of \$150 per month per
23 child, for a total of \$450 per month, for the support of the children
24 of the parties during their minority or until their earlier emancipation.
25 Said payments shall continue until age 21 if the child continues to
attend school as defined in ORS 107.108(4). Said payments shall be
paid through the Department of Human Resources, Support Management
Unit, as above described, together with any service charge thereon,

1 and shall commence on the 5th day of October, 1976, with a like
2 payment on the 5th day of each month thereafter.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as a portion
4 of the property settlement between the parties, the respondent have
5 judgment against the petitioner in the amount of \$5,000, payable
6 forthwith, with legal interest from the date hereof.

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the respondent
8 be awarded the household goods and furnishings of the parties, the
9 1967 Ford Mustang and the 1970 Mercury Cougar automobiles.

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following
11 described real properties be, and the same hereby are, awarded to the
12 respondent, subject to the mortgages thereon, which respondent shall
13 assume and hold petitioner harmless therefrom. Petitioner shall
14 forthwith convey his interest in said properties by good and sufficient
15 Bargain and Sale Deeds and, upon the failure of petitioner to execute
16 and deliver such deeds, this Decree shall operate as a conveyance to
17 respondent of all petitioner's interest therein in the following
18 described properties:

19 TRACT 1

20 ✓ The East 48 feet of Lot 18, and the West 27 feet of Lot 17,
21 Block 8, RONALDO HEIGHTS, County of Marion and State of Oregon.

22 TRACT 2

23 ✓ Lot 10, Block 2, Winema First Addition, Klamath Falls, Klamath
24 County, Oregon.

25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that petitioner be
awarded all of the assets of the Mobil Oil distributorship in Salem,
Oregon, and the 1974 Cadillac automobile.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following
described real properties located at 4330 S. 6th Street, Klamath Falls,
Oregon, be, and the same hereby are, awarded to the petitioner,

1 subject to the mortgages thereon, which petitioner shall assume and
2 hold respondent harmless therefrom. Respondent shall forthwith
3 convey her interest in said properties by good and sufficient Bargain
4 and Sale Deeds and, upon the failure of respondent to execute and
5 deliver such deeds, this Decree shall operate as a conveyance to
6 petitioner of all respondent's interest therein in the following
described properties:

7 PARCEL 1

8 All of Lots 5, 6, 7, 8, 9 & 10, Block 3, in St. Francis Park, as
9 shown on the recorded Plat thereof; subject to any and all
easements of record in connection with the recorded plat, and
subject to any and all liens or claims by reason of said real
estate being in any irrigation district, or other political sub-
10 division,

11 PARCEL 2

12 Beginning at the NWC of Lot 10, Block 3 in St. Francis Park,
Klamath Co., Ore; thence SE'ly along the W'ly boundary line of
13 Lot 10 to the SWC of said Lot 10; thence W. a distance of 20.25
ft. more or less, to the E'ly boundary line of Lots 11 to 22 of
said Block 3, thence NW'ly along the said E'ly boundary line of
14 said Lots 11 to 22, to the NEC on Lot 11 of said Block 3; thence
E. a distance of 20.25 ft., more or less, to the point of beginning.

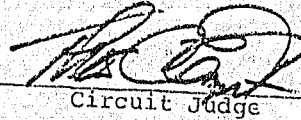
15 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the respondent
16 have judgment against the petitioner in the amount of \$750 on account
of her attorneys fees herein, payable forthwith.

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Department
18 of Human Resources, Support Management Unit, pay to respondent all
19 sums received by it on account of child support in this matter.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of
21 the Court pay to respondent all sums received by the Clerk on account
22 of the judgment against the petitioner in the amount of \$5,000.

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of
24 the Court pay to Clark, Marsh & Lindauer, attorneys for respondent,
25 all sums received by the Clerk on account of attorneys fees in this
matter.

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties
2 shall advise the Department of Human Resources, Support Management
3 Unit, within ten days of any change in their home or business addresses
4 DATED this 5 day of October, 1976.

5
6 

Circuit Judge

8 Petitioner's Home Address:
9 635--15th Street, SE.
Salem, Oregon

Respondent's Home Address:
1675 Corina Drive, SE.
Salem, Oregon 97302

10 Petitioner's Business Address:
11 Mobil Oil Distributor
635--15th Street, SE.
Salem, Oregon

Respondent's Business Address:
Safeway Store, Inc.
901--1st Street
Stayton, Oregon

12 Petitioner's Social Security No.:
13 542-36-9872

Respondent's Social Security No.:
543-34-0272

14 *Rev. Josephine Gauthier*
15 *1675 Corina Dr.*
16 *Salem, Ore 97302*

17 STATE OF OREGON; COUNTY OF KLAMATH; ss.

18 Filed for record at request of JOSEPHINE GAUTHIER

19 this 12th day of NOVEMBER A. D. 1976 at 12:17 o'clock PM., and

20 duly recorded in Vol. M 76 of DEEDS on Page 17962

21 FEE \$ 15.00

Wm D. MILNE, County Clerk

22 By *Hazel Drake*