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Vol. 188 Page 4847After recording, return to:CRANE & BAILEY
Attorneys at Law
298 Main Street
Klamath Falls, OR 97601IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR KLAMATH COUNTY

In the Matter of the Marriage of:)

GERALD C. MUSSELMAN,)

Petitioner,)

and)

MARCIA LYNN MUSSELMAN,)

Respondent.)

No. 87-387-DI

STIPULATED DECREE OF
DISSOLUTION OF MARRIAGE

THIS MATTER coming before the Court on the 21st day of January, 1988 for a settlement conference; Petitioner appearing in person and by and through his attorney, Timothy A. Bailey; Respondent appearing in person and by and through her attorney, Richard L. Garbutt; the parties having reached a settlement of the case and wishing to enter into a stipulated decree of dissolution of marriage; the Court finding there are irreconcilable differences making a continuation of the marriage impossible, and the Court has jurisdiction of the parties and of the child of the parties herein and that the Respondent is not now pregnant; and the Court now being fully advised in the premises, now, therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the marriage contract heretofore existing between Petitioner and Respondent shall be terminated and forever dissolved on the 2nd day of April, 1988.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties shall have joint custody of the minor child of the

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Date: 3-4-88
(Clerk Certified)

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EX 15

1 parties, namely: Karston Musselman, a boy, aged 16, born June
2 28, 1971, with physical custody of said minor child to be
3 with Respondent. The parent without physical custody will
4 have reasonable visitation as long as it will not interfere
5 with his health, education and welfare; and

6 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent
7 shall have judgment against Petitioner during the minority of
8 the child in the sum of \$250.00 per month, child support,
9 payable through the Clerk of this Court; and

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner
11 will be allowed to declare the minor child of the parties
12 as an exemption on his tax returns; and

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each
14 party, upon the child indicating his desire to attend college,
15 will contribute the sum of \$168.00 per month toward the child's
16 education, in lieu of the child support awarded above; and

17 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent
18 is awarded judgment against Petitioner in the sum of \$600.00
19 per month as and for spousal support, payable through the Clerk
20 of this Court; to begin on February 1, 1988 and to terminate
21 four (4) years from said date or upon death; and

22 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the
23 property of the parties shall be divided as follows:

24 TO PETITIONER:

25 a) Petitioner is awarded as his sole and separate property,
26 subject to the encumbrances and back taxes owing thereon, free

1 of any interest of Respondent and holding Respondent harmless
2 therefrom, the property described on "Exhibit B" attached hereto
3 and incorporated by reference herein; and

4 b) Petitioner is awarded the 1986 Taurus automobile,
5 V.I.N. 1FABP 29U5GG275148, presently in his possession as his
6 sole and separate property, free of any interest of Respondent,
7 subject to any encumbrances owing thereon, holding Respondent
8 harmless therefrom;

9 c) Petitioner is awarded one-half of the savings accounts
10 with TWA and Highland Community Federal Credit Union, as of
11 April 1, 1987; and

12 d) Petitioner is awarded the contract payable from VanMeter
13 to the parties in the approximate value of \$975.00, free of
14 any interest of Respondent; and

15 e) Petitioner is awarded the notes and trust deed from
16 John Whisenhunt and any amount due from the Eldorado Hills
17 Apartments to the parties, including those past due accounts
18 from Jerry Lucas and Curtiss Garrett, free of any interest
19 of Respondent; and

20 f) Petitioner is awarded as his sole and separate property,
21 free of any interest of Respondent, his pension with his employer,
22 TWA.

23 TO RESPONDENT:

24 a) Respondent is awarded as her sole and separate property,
25 free of any interest of Petitioner, the residence of the parties
26 civilly described as 1111 Wild Plum Drive, Klamath Falls, Oregon

1 97601, and legally described as follows, to-wit:

2 LYNNEWOOD FIRST, Lot 21, Block 7, in the City
3 of Klamath Falls, Klamath County, Oregon,"

4 subject to the encumbrance and back taxes owing thereon, holding
5 Petitioner harmless therefrom; and

6 b) Respondent is awarded as her sole and separate property
7 the automobile presently in her possession, free of any interest
8 of Petitioner, subject to any encumbrance owing thereon; holding
9 Petitioner harmless therefrom; and

10 c) One-half of the parties joint savings accounts with
11 TWA and Highland Community Federal Credit Union, as of April
12 1, 1987; and

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondent
14 is to pay the school loan to U.S. Bank in the approximate
15 sum of \$2,100; and

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each
17 of the parties herein shall notify the Clerk of the Court,
18 in writing, of any change in the home or business address
19 of that person within ten (10) days after such change in accor-
20 dance with Oregon statute.

21 Pursuant to law, the following notice is given: NOTICE
22 OF INCOME WITHHOLDING -- The support order is enforceable by
23 income withholding under ORS 25.310. Withholding may occur
24 whenever there are arrearages at least equal to the support
25 payment for one month, or whenever the obligated parent requests
26 such withholding. The district attorney, or as appropriate,

the Support Enforcement Division of the Department of Justice,
will assist in securing such withhhholding; and

Pursuant to law, the relevant data sheet attached hereto
as "Exhibit A" is incorporated by reference and made a part
of this Decree.

DATED this 2nd day of March, 1988.

H Donald A.W. Piper
CIRCUIT JUDGE

IT IS SO STIPULATED:

GERALD C. MUSSELMAN
Petitioner

Date: Jan. 22, 1988

Marcia Lynn Musselman
MARCIA LYNN MUSSELMAN
Respondent

Date: 2/16/88

TIMOTHY A. BAILEY, OSB #71013
Of Attorneys for Petitioner

Date: Jan. 22, 1988

Richard L. Garbutt
RICHARD L. GARBUTT, OSB #74109
Attorney for Respondent

Date: Feb 10 1988

"EXHIBIT A"**WIFE:**

Marcia Lynn Musselman
Maiden Name: Fetzner
1111 Wild Plum Drive
Klamath Falls OR 97601

DOB: 1/26/47
Age: 40
SS#:

HUSBAND:

Gerald C. Musselman, Jr.
1111 Wild Plum Drive
Klamath Falls OR 97601

DOB: 7/8/41
Age: 45
SS#: 544-46-7020

CHILDREN:

Karston Musselman
Born: 6/28/71

DATE & PLACE OF MARRIAGE:

December 28, 1967
Ramstein, Germany

2169 ELDORADO

A parcel of land situated in the NW 1/4 SE 1/4 of Section 20, Twp. 38 S.R. 9 E.W.K., and being a portion of vacated Block 8, Eldorado Heights Addition to the City of Klamath Falls, Oregon, and more particularly described as follows:
 Beginning at a 3/4 inch iron pipe marking the intersection of the Easterly line of Daggett street and the Northerly line of Eldorado Blvd.; thence S.89 degrees 16 minutes E. along the Northerly line of Eldorado Blvd. a distance of 233.75 feet to a 3/4 inch iron pipe marking the beginning of a 19 degree, 23 minute, 05 seconds curve to the right and having a radius of 756.26 feet, thence along the arc of said curve a distance of 255.84 feet to the Southeasterly corner of parcel conveyed to the City of Klamath Falls by Deed recorded March 27, 1969, in Vol. M69, Page 2228, and the True Point of Beginning of this description; thence continuing along the Northerly line of Eldorado Blvd. and along the arc of a 10 degree 45 minutes 30 seconds curve to the right having a radius of 756.26 feet, a distance of 142.0 feet to a point; thence leaving said Northerly line n. 30 degrees 21 minutes 05 seconds E. a distance of 110.0 feet to a point on a curve which is parallel to, concentric and 110.0 feet distant radially from the Northerly right of way line of Eldorado Blvd.; thence Northwesterly along last mentioned curve an arc distance of 200.97 feet to the North-easterly corner of said parcel conveyed to City of Klamath Falls; thence S. 0 degrees 47 minutes W. along the Easterly line of said parcel a distance of 115.69 feet to the True Point of Beginning.

2139 ELDORADO

A parcel of land situated in the NW 1/4 SE 1/4 of Section 20, Twp. 38 S.R. 9 E.W.K., and being a portion of vacated Block 8, Eldorado Heights Addition to the City of Klamath Falls, Oregon, and more particularly describe as follows:
 Lots 17, 18, 19 block 8 Eldorado Heights and the Northwesterly 30 feet of vacated Clairmont Street.

- AND -

A parcel of land situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 38 S., R. 9 E.W.M., being a portion of vacated Blocks 8 and 9, ELDORADO HEIGHTS ADDITION to the City of Klamath Falls, more particularly described as follows: Beginning at a 3/4 inch iron pipe marking the intersection of the easterly line of Daggett Street and the northerly line of Eldorado Boulevard; thence S. 89°16' E. along the northerly line of Eldorado Boulevard 233.75 feet to a 3/4 inch iron pipe marking the beginning of a 40°41'15" curve to the right and having a radius of 756.26 feet; thence along the arc of said curve southeasterly, and along the northerly line of Eldorado Boulevard, 5337.0 feet to an iron pipe marking the most southerly corner of Lot 19, Block 8, Eldorado Heights, now vacated; thence leaving the northerly line of Eldorado Boulevard N. 41°26'44" E. 110.0 feet to a point on a curve which is parallel to, concentric and 110 feet distant radially from the northerly right of way line of Eldorado Boulevard; thence northwesterly along the last-mentioned curve an arc distance of 451.05 feet, more or less, to an iron pin on the westerly line of said Block 8, now vacated; thence N. 73°53'30" W. 60.85 feet to an iron pin marking the northeasterly corner of Lot 14, Block 9, now vacated; thence N. 89°47'30" W. 341.05 feet to an iron pin on the easterly line of Daggett Street; thence S. 0°50'15" W. 110.0 feet to the point of beginning. EXCEPTING THEREFROM parcel conveyed to the City of Klamath Falls by deed recorded March 27, 1969, in Vol. M-69, Page 2228, records of Klamath County, Oregon. ALSO EXCEPTING parcel of land situated in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 20, Township 38 S., R. 9 E.W.M., and being a portion of vacated Block 8, Eldorado Heights Addition to the City of Klamath Falls, Oregon, and more particularly described as follows: Beginning at a 3/4 inch iron pipe marking the intersection of the easterly line of Daggett Street and the northerly line of Eldorado Boulevard; thence S. 89°16' E. along the northerly line of Eldorado Boulevard 233.75 feet to a 3/4 inch iron pipe marking the beginning of a 19°23'05" curve to the right and having a radius of 756.26 feet; thence along the arc of said curve 255.84 feet to the southeasterly corner of parcel conveyed to the City of Klamath Falls by deed recorded March 27, 1969, in Volume M-69, Page 2228, and the true point of beginning of this description; thence continuing along the northerly line of Eldorado Boulevard and along the arc of a 10°45'30" curve to the right having a radius of 756.26 feet, 142.0 feet to a point; thence leaving said northerly line N. 30°21'05" E. 110.0 feet to a point on a curve which is parallel to, concentric and 110.0 feet distant radially from the northerly right of way line of Eldorado Boulevard; thence northwesterly along the last-mentioned curve an arc distance of 200.97 feet to the northeasterly corner of said parcel conveyed to the City of Klamath Falls; thence S. 0°47'15" W. along the easterly line of said parcel 115.69 feet to the true point of beginning.

RESERVING, HOWEVER, to grantor, his heirs and assigns, an easement for a geothermal or hot water pipe or line upon a strip of land 10 feet in width running along and parallel with the northeasterly boundary line of the above-described property.

- AND -

KNOW ALL MEN BY THESE PRESENTS, that the City of Klamath Falls, a municipal corporation, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Harry R. Wagner, an individual, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, situated in the City of Klamath Falls, County of Klamath, State of Oregon, described as follows, to-wit:

Parcel No. 1: That portion of the W¹/₂ of the SE¹/₄ of Section 20, T. 38 S., R. 9 E., W.M., formerly described as Lots 2, 3, 6, 7, 10, 11, 14, 15, 18, 19, 22, 23, 24, 26, Block 7, ELDORADO HEIGHTS, vacated by Ordinance No. 4865 City of Klamath Falls, Oregon, together with the Southeasterly 30 feet of vacated Claimant Street adjoining said lot 2, being approximately 88,769 square feet.

Parcel No. 2: That portion of the NW¹/₄ of the SE¹/₄ of Section 20, T. 38 S., R. 9 E., W.M., formerly described as Lots 8, 9, 10, 11, 12, 13, 14, Block 9 and Lot 11, Block 8, ELDORADO HEIGHTS, vacated by Ordinance No. 4865 City of Klamath Falls, Oregon, together with the Westerly 30 feet of vacated Locust Street adjoining said lot 14, Block 9, and the Easterly 30 feet of vacated Locust Street adjoining said lot 11, Block 8.

EXCEPTING THEREFROM that portion deeded to City of Klamath Falls, in Deed Volume 4-69 at page 2228.

SAID PARCEL being approximately 47,332 square feet.

STATE OF OREGON)

County of Klamath)

I, LYN G. HARDY

Clerk of the Circuit Court of the County

of Klamath and the State of Oregon, hereby certify that the foregoing copy has been by me compared with the original, and that it is a transcript therefrom, and is a true and correct copy of the original as the same appears on file or of record in my office, and I have the same in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 22nd day of April, A.D. 19 88

LYN G. HARDY, Clerk of Court

By _____

Page 3 - "EXHIBIT B"

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Crane & Bailey, Attorneys the 4th day of April A.D. 19 88 at 4:19 o'clock P M., and duly recorded in Vol. M88 of Deeds on Page 4847

FEE \$45.00

Evelyn Biehn, County Clerk

By Patricia Smith