

K-41696

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

2 In the Matter of the Marriage of)

NO. 86-3160-NJ-2

3 BARBARA SUSAN PRYOR,)

JUDGMENT AND DECREE
OF DISSOLUTION OF
MARRIAGE

4 . Petitioner,)

5 and)

6 WALTER LOWELL PRYOR,)

7 Respondent.)

8 THIS MATTER coming on regularly for hearing, and the
9 Petitioner appearing before the Court on the Motion and Affidavit
10 of Petitioner for a Decree of Dissolution, and having filed an
11 appearance in the form of a Response, and having filed a Withdrawal
12 of Appearance and Consent to Default, and the Court having
13 considered the evidence presented and being fully advised in the
14 premises, the Court hereby makes its

15 FINDINGS OF FACT:

16 1. Petitioner was a resident of the State of Oregon at the
17 time this suit was commenced and continuously for a period of six
18 (6) months prior thereto.

19 2. The parties were married on November 26, 1977, in Klamath
20 County, Klamath Falls, Oregon.

21 3. There is one (1) child of the marriage, namely: Robert
22 Pryor, born February 26, 1973.

23 4. Petitioner is a fit and proper person to be awarded
24 custody of the minor child

25 5. Respondent was served on the 26th day of October, 1986,
26 and has made an appearance in this case. Respondent has withdrawn

1 - JUDGMENT AND DECREE OF DISSOLUTION

HARRISON, ORRICK & AUSTIN
ATTORNEYS AT LAW
930 WEST 8TH STREET
MEDFORD, OREGON 97501
(503) 772-5221

JUN 26 1987

ENTERED ON

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1 his appearance and consented that this matter proceed by default,
2 and Respondent is, therefore, in default.

3 6. There is certain property owned by the parties over which
4 the Court hereby takes jurisdiction and will make awards.

5 7. Petitioner is currently employed at Pacific Northwest Bell
6 Telephone Company. Her net monthly income is \$1,450.00.
7 Respondent is currently unemployed and has no monthly income at the
8 present time.

9 8. There are irreconcilable differences between the parties
10 to this marriage contract, and these differences have led to an
11 irremediable breakdown of this marriage.

12 9. Relevant facts required by ORS 107.085(3) are as follows:

13 HUSBAND: Walter Lowell Pryor
Address: 2752 Kane Street Klamath Falls, Oregon
14 Social Security Number: 544-42-9843
Date of Birth: 5/25/40

15 WIFE: Barbara Susan Pryor
16 Address: 2385 Table Rock Road #105
Medford, OR

17 Maiden Name: Moore
Former Last Names: Bartlett
18 Date of Birth: 4/29/52
Social Security No. 542-62-5128

19 Place of Marriage: Klamath Falls, Klamath County, OR
20 Date of Marriage: 11/26/77

21 10. There is no domestic relations suit involving this
22 marriage pending in any other county in this or any other state.

23 11. Respondent is not a person in the military service of the
24 United States, nor any of its allies, and is not subject to the
25 provisions of the Soldiers' and Sailors' Civil Relief Act.
26 Respondent is neither a minor nor an incapacitated person.

2 - JUDGMENT AND DECREE OF DISSOLUTION

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1 The Court having carefully reviewed the findings of fact as
2 set forth above, and being fully advised in the premises,

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

5 1. MARRIAGE IS DISSOLVED. The marriage of the parties is
6 hereby dissolved, effective on the 19 day of July, 1987.

7 2. REMARRIAGE. The parties are precluded from remarrying for
8 a period of thirty (30) days from the date of this Decree, or from
9 any appeal taken therefrom, whichever is later, except to each
10 other.

11 3. MARITAL SETTLEMENT AGREEMENT. The parties have entered
12 into a Marital Settlement Agreement, dated April 21, 1987, a copy
13 of which is attached hereto, marked Exhibit "1", and by this
14 reference incorporated herein as though fully set forth, which
15 agreement is approved, ratified, and confirmed by this Court, and
16 each of the parties is hereby ordered to comply with each and all
17 of the terms and provisions of said agreement.

18 4. CHILD CUSTODY AND VISITATION. Petitioner is awarded the
19 custody of the minor child of the parties, namely: Robert Pryor,
20 subject to reasonable rights of visitation by Respondent.

21 5. CHILD SUPPORT. Respondent is currently unemployed and in
22 view of his unemployed status, no child support will be ordered at
23 this time.

24 6. PETITIONER'S PROPERTY. Petitioner is awarded, free and
25 clear of any interest of Respondent, and will hold Respondent
26

1 harmless and indemnify Respondent from any liability thereon,, the
2 following described property:

3 All personal property which is in her current
4 possession and in addition petitioner receives
5 hutch, washing machine, 5 lb. sleeping bag,
6 weight set, 2 man raft, record chest,
7 her personal items, her clothing and Robby's
8 baby album, freezer and Franciscan dishes.

9 7. RESPONDENT'S PROPERTY. Respondent is awarded, free and
10 clear of any interest of Petitioner, and will hold Petitioner
11 harmless and indemnify Petitioner from any liability thereon, the
12 following described property:

13 The real property of the parties located at
14 5841 Denver, Klamath Falls, Oregon and more
15 particularly described on Exhibit "2" attached
16 hereto.

17 All personal property which is in his current
18 possession and the 30.30 rifle and three paintings
19 of the redwoods, ducks and water color of San
20 Francisco.

21 8. RETIREMENT ACCOUNTS: Each party is awarded any and all
22 interest which they may have in their respective retirement
23 accounts, pension and profit sharing plans and/or any other such
24 funds, with the other party to have no interest therein.

25 9. DEBTS AND LIABILITIES. Petitioner shall be solely
26 responsible for the following debts and obligations and shall hold
27 harmless and indemnify Respondent therefrom:

28 Emporium
29 BankAmericard
30 Citibank Visa
31 Town & Country Jewelers
32 Oregon Telco Credit Union

Respondent shall be solely responsible for the following debts and obligations and shall hold harmless and indemnify the Petitioner therefrom:

Sears
Citibank Visa
Transamerica
Dr. Hale
Dr. Kendall

In addition Respondent shall be responsible for any and all encumbrances on the real property located at 5841 Denver, Klamath Falls, Oregon, including but not limited to the first and second mortgages. He shall hold Petitioner harmless and indemnify her from repayment thereof.

10. NECESSARY DOCUMENTS AND CONVEYANCES. Each party shall execute any and all documents necessary to effectuate the intent of this judgment and decree, including documents of conveyance, within thirty (30) days from the date of entry hereof, and in the event either party should fail to do so, this judgment and decree shall operate to convey title to the party to whom such property is awarded.

11. DELIVERY OF PERSONAL PROPERTY. Each party shall deliver to the other party, within thirty (30) days from the date of entry of this decree, any personal property in the possession of such party that is awarded to the other party under the terms of this judgment and decree.

12. WITHDRAWAL OF ATTORNEY. Based upon Petitioner's request,

Patricia Crain is hereby allowed to withdraw as attorney for
Petitioner.

DATED this 19 day of June, 1987.

L. L. SAWYER

CIRCUIT COURT JUDGE

NOTICE OF INCOME WITHHOLDING

The Support Order contained in this Decree is enforce-
able by income withholding under ORS 25.310. With-
holding may occur whenever there are arrearages at
least equal to the support payment for one month, or
whenever the obligated parent requests such with-
holding. The District Attorney or, as appropriate,
the Support Enforcement Division of the Department
of Justice will assist you in securing such
withholding.

RECEIVED
AND
FILED

JUN 22 11 02 PM '87

TRIAL COURT ADMINISTRATOR
BOOKED IN

STATE OF OREGON, ss.
County of Klamath

Filed for record at request of:

Klamath County Title Co.

on this 11th day of Sept., A.D., 19 89
at 3:27 o'clock P.M. and duly recorded
in Vol. M89 of Deeds Page 17044

Evelyn Biehn County Clerk

By Pauline Mullendore
Deputy.

Fee, \$33.00

This instrument is a correct copy of
the original on file in this office.

ATTEST: JUN 22 1989

Circuit Court Trial Court Administrator,
STATE OF OREGON - JACKSON COUNTY

Patricia Crain

6 - JUDGMENT AND DECREE OF DISSOLUTION

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