

13210

ASPEN 34899

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY
2 In the Matter of the Marriage of) NO. 83-2590-NJ-1
3 RHONDA LEE MCGINTY,)
4) DECREE OF DISSOLUTION
5) OF MARRIAGE
6)
7)
8)
9)
10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)

This cause came on to be heard on the 26th day of June, 1984, upon the petition of Rhonda Lee McGinty. Petitioner appeared in person and by her attorney Sandra Sawyer of GRANT, FERGUSON, CARTER, P.C., and respondent appeared in person and by his attorney Melinda Cauvin of ROBERTSON, HUYCKE AND CAUVIN. The Court, having heard the evidence, the testimony of witnesses, and being fully advised in the premises finds as follows:

1. Petitioner was a resident and inhabitant of the State of Oregon for a period of more than six months continuously prior to the filing of her petition for dissolution of marriage; no other suits or dissolution of marriage or petitions for support were pending in this or any other Court in this State at the time of the commencement of these proceedings. Petitioner and Respondent had been husband and wife since September 16, 1972, and two children have been born of this marriage:

Jeffrey Michael McGinty, born June 28, 1977
Christianne McGinty, born March 6, 1981

Irreconcilable differences exist between the parties hereto which

DECREE -1-

90 APR 5 PM 3 56

1 have caused the irremediable breakdown of their marriage. The
2 Court further finds that it has jurisdiction of the parties,
3 children and marriage, and the following facts exist:

4 HUSBAND

5 Name: Michael Douglas McGinty
6 Legal Address: 500 Brokenbow, Jacksonville, Oregon 97530
7 Date of Birth: July 10, 1947
8 Social Security No: Unknown

9 WIFE

10 Name: Rhonda Lee McGinty
11 Legal Address: 1555 Brownsboro Hwy., Eagle Point, OR 97524
12 Maiden Name: Deupree
13 Former Legal Names: None
14 Date of Birth: September 3, 1950
15 Social Security No: 541-66-7363

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

17 I.

18 The marriage of the parties is hereby dissolved and said
19 dissolution shall be finally effective on the 4 day of Sep,
20 1984.

21 II.

22 Petitioner is awarded the care, custody and control
23 of the minor children of the parties, namely: Jeffrey
24 Michael McGinty and Christianne McGinty, subject to reasonable
25 visitation rights by the respondent as follows:

26 (a) Alternate weekends from 6:00 p.m. Friday to 6:00 p.m.
Sunday.

(b) Alternate major holidays (being federal holidays) from
8:00 a.m. until 9:00 p.m.

(c) Christmas Eve with father on odd numbered years from
8:00 a.m. until 9:00 p.m.

DECREE -2-

1 (d) Christmas Day with father on even numbered years from
2 9:00 p.m. Christmas Eve until 8:00 p.m. Christmas Day.

3 (e) Four (4) additional days at Christmastime---odd
4 numbered years from 8:00 a.m. December 30 until 8:00 p.m.
5 January 1. Even numbered years from 8:00 p.m. December 25
6 until 8:00 p.m. December 28.

7 (f) Alternate Spring vacation.

8 (g) Father's day with father and Mother's day with
9 mother regardless of who has right to custody or visitation.

10 (h) Summer visitation-- two (2) weeks beginning 8:00 p.m.
11 the Friday after school is out until 8:00 p.m. Friday two weeks
12 later. They return home for four (4) weeks (being 4 Fridays) and
13 then from 8:00 p.m. on the 4th Friday until 8:00 p.m. two weeks
14 later on Friday. As each child attains the age of 11, the two
15 week period shall be extended to three weeks for a total summer
16 visitation of six weeks. During the time the children are in
17 the custody of their father for visitation, their mother shall
18 have visitation rights from 6:00 p.m. Friday until 6:00 p.m.
19 Sunday on the weeks they are gone. If they are gone three weeks,
20 the mother's visitation shall be only on the second weekend.

21 (i) Alternate years on each child's birthday from 3:00
22 a.m. until 6:00 p.m.

23 The above outlined visitations are not to be deemed
24 exclusive but shall be included in the term reasonable visita-
25 tion.

26 //

DECREE -3-

III.

Respondent shall pay to petitioner for the support of each child of the parties the sum of \$100.00 per month, for a total of \$200.00 per month, on the first day of each month, beginning with a payment on July 1, 1984, until such child shall attain the age of 18 years and thereafter so long as such child shall be a "child attending school" as defined in ORS 107.108. For so long as respondent is required to pay support for any child of the parties, respondent shall further maintain medical and dental insurance covering the children whenever it is possible to do so in his employment. Any additional medical expenses will be shared equally by the petitioner and respondent.

Pursuant to ORS 23.775 each party shall advise the other party and the Clerk of this Court of any change in his or her home address and his or her business address within ten (10) days of such change.

Pursuant to ORS 107.415(1), so long as respondent is required to contribute to the support of any minor child of the parties in the custody of petitioner, petitioner shall notify respondent when such child receives income from gainful employment or is married or enters the military service.

During the time that a child of the parties is between the ages of eighteen and twenty-one years, petitioner shall notify respondent each time that child's status as a "child attending school" changes.

DECREE -4-

IV.

Petitioner is awarded as her sole and separate property, free of any interest or claim by the respondent, and subject to any indebtedness thereon, the following:

(a) All personal property set forth in petitioners Exhibit '3' admitted herein as stipulated to be her property, except items 48, 49 & 50 which are property of petitioner's parents.

(b) The tax refunds due the parties from the Federal government for 1982 in the amount of \$331.00 and from the State government for 1983 in the amount of \$244.00.

(c) The real property situated at Lot #17, Block 7, Pleasant View TRS, Klamath County, Oregon (referred to herein as the Shasta Way property) subject to assessments and attorneys fees owing thereon.

V.

The respondent is hereby awarded as his sole and separate property, free of any interest or claim by petitioner, the following:

(a) All personal property set forth in petitioner's Exhibit '3' admitted herein as stipulated to be his property, except items 48, 49 & 50 which are property of petitioner's parents.

(b) Real property situated at 500 Brokenbow, Jacksonville Oregon 97530, described as the Southwest Quarter of the North west Quarter; the South half of the Northwest Quarter of the

DECREE -5-

1 Northwest Quarter of §1 Township 38 South, Range 3 West of
2 the Willamette Meridian in Jackson County, Oregon, subject to
3 any and all indebtedness outstanding thereon.

4 (c) The land sale contract currently in collection escrow
5 with Klamath First Federal Savings covering Lot 2, Block
6 8, Fairview Addition to Klamath Falls, County of Klamath,
7 State of Oregon.

8 (d) The income tax refund due the parties from the Federal
9 government for 1983 in the amount of \$299.00.

10 VII.

11 The respondent is ordered to pay the Oregon income tax
12 owed by the parties.

13 VII.

14 Each debt not listed herein shall be paid by the party
15 incurring it and that party shall hold the other harmless
16 therefrom.

17 VIII.

18 Each of the parties hereto shall bear his or her own
19 attorneys fees and costs incurred herein.

20 IX.

21 Each of the parties is hereby ordered and directed to
22 execute any and all documents necessary and appropriate for
23 the purpose of effectuating the transfers of assets ordered herein
24 or otherwise complying with the terms and conditions of this
25 decree. Said documents shall be executed within 30 days of the
26 date hereof. In the event of the failure of either party

DECREE -6-

1 to do so, this decree shall be deemed the equivalent
 2 thereto pursuant to ORCP 78.

3 DATED this 3 day of Aug, 1984.

4
 5 APPROVED:

[Signature]
 Judge of the Circuit Court

6 GRANT, FERGUSON, CARTER, P.C.

7 BY [Signature]
 8 Sandra Sawyer
 Attorneys for Petitioner

9 ROBERTSON, HUYCKE & CAUVIN

10 BY [Signature]
 11 Melinda Cauvin
 Attorneys for Respondent

12
 13
 14 Judgment Docketed 8-6-84

15 Time 9:30 AM pg 7357

16
 17
 18
 19 STATE OF OREGON, ss.
 20 County of Klamath

21 Filed for record at request of:

22 Aspen Title Co.
 on this 5th day of April A.D., 19 90
 23 at 3:56 o'clock PM. and duly recorded
 in Vol. M90 of Deeds Page 6291.
 24 Evelyn Biehn County Clerk
 By [Signature] Deputy.

25 Fee, \$58.00

26 DECREE -7-

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

ATTEST

Circuit Court - Trial Court Clerk
 State of Oregon - Jackson County

By [Signature]