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

2 IN the Matter of the Marriage of: }

3 MARY HELEN SAWYER,

4 Petitioner,

No. 87-199 DI

5 and

6 DON MILLER SAWYER,

7 Respondent.

MODIFICATION TO DECREE OF
DISSOLUTION OF MARRIAGE

8 A Motion to Correct Clerical Error having been filed by
9 Petitioner, Mary Helen Sawyer, by and through her attorney, Karla
10 J. Knieps, and said matter having been heard at the time regularly
11 set for hearing on June 18, 1990, and Karla J. Knieps appearing on
12 behalf of Petitioner and no objection being heard thereto by
13 Respondent, and the Court being fully advised in the premises:

14 NOW, THEREFORE, IT IS HEREBY ORDERED that the Decree of
15 Dissolution dated January 7, 1988 be, and the same hereby is,
16 modified as follows:

17 The legal description of the real property, situate in the
18 County of Klamath, State of Oregon, described in the original
19 Decree of Dissolution, a true copy of which is attached hereto as
20 Exhibit "A", and incorporated herein as though fully set forth
21 hereat, is hereby modified to read as follows:

22 Lot 11 and the East one-half of vacated Yale Street and
23 that portion of vacated Oregon Avenue lying North of and
24 adjacent thereto in Block 39.

25 Lots 12, 13, 14, 15 and 18 and the West one-half of
26 vacated Yale Street and that portion of vacated Oregon
Avenue lying North of and adjacent thereto in Block 40.

MODIFICATION TO DECREE OF
DISSOLUTION OF MARRIAGE
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1 The Southeasterly 64 feet of Lot 17 and the
2 Southeasterly 48 feet of Lot 16 in Block 40.

3 All in Buena Vista Addition, according to the official
4 plat thereof on file in the office of the County Clerk
5 of Klamath County, Oregon.

6 The aforesaid legal description replaces that legal
7 description formerly contained in the Decree of Dissolution of
8 Marriage, Exhibit "A", at page 5, lines 14-17.

9 Dated this 18 day of June, 1990.

10 
11 Circuit Court Judge

12 This form submitted by:

13 Karla J. Knieps, OSB 86120
14 635 Main Street
15 Klamath Falls, OR 97601
16 Of Attys for Petitioner
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF KLAMATH

In the matter of the Marriage of:)

MARY HELEN SAWYER,)

Petitioner,)

No. 87-199 DI
DECREE OF DISSOLUTION
OF MARRIAGE

DON MILLER SAWYER,)

Respondent,)

THIS MATTER came before the court for hearing on October 30, 1987, with subsequent hearings on November 2, 1987, and November 12, 1987. Petitioner appeared in person and by her attorney, Karla J. Knieps; Respondent appeared in person and by his attorney, Del Parks. The Court heard the testimony of the parties, both parties rested, and the court made it's findings.

NOW THEREFORE, the court finds that irreconcilable differences have arisen between the parties causing an irreparable breakdown of the marriage; that Petitioner and Respondent have been residents of Oregon continuously for six months previous to the filing of the Petition; that no other domestic relations suit or support petition involving this marriage is pending in this or any other court; that the relevant data concerning the marriage is as contained in Exhibit A attached to this decree; that the ninety-day

1. DECREE OF DISSOLUTION OF MARRIAGE

1 waiting period has passed; that there is certain property
 2 owned by the parties, both real and personal, over which the
 3 Court hereby takes jurisdiction and makes its award; that
 4 Petitioner is currently employed as a waitress at the salary
 5 of approximately \$3.35 per hour plus tips and that the
 6 Respondent is employed as an apprentice plumber at the salary
 7 of \$8.00 per hour; now therefore,

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

9 1. The marriage of the parties is hereby dissolved, and
 10 said dissolution is finally effective on the 8th 6 day
 11 of February 1988.

12 2. CHILD CUSTODY: Petitioner is awarded the custody of
 13 the three minor children of the parties, namely Jennifer Jo
 14 Sawyer, Michael Erin Sawyer, and Rebecca Lynn Sawyer, subject
 15 to reasonable rights of visitation by Respondent.

16 3. VISITATION: Respondent to have visitation with the
 17 minor children every other weekend commencing with the first
 18 weekend of the month in which both Saturday and Sunday fall
 19 within the same month. The first week of Christmas vacation
 20 in 1987 with the Petitioner having the second week of
 21 Christmas vacation in 1987 and said weeks to alternate yearly
 22 thereafter. Spring vacation week to alternate yearly with
 23 Respondent having the children in 1988; spring vacation period
 24 commences on Saturday at 9:00 AM through Sunday at 5:00 PM.

25 Thanksgiving: Respondent shall have visitation on

26 2. DECREE OF DISSOLUTION OF MARRIAGE Thanksgiving day from

8:00 AM to 4:00 PM, with Petitioner having the remainder of the Thanksgiving day. Memorial Day weekend: Petitioner shall have visitation on Memorial Day in 1988. Respondent shall have Memorial Day in 1989 and alternating yearly thereafter, commencing at 6:00 PM on Friday through Monday at 5:00 PM. Fourth of July: Respondent shall have children on the Fourth of July in 1988 and Petitioner shall have them on the Fourth of July in 1989 from 8:00 AM to 10:00 PM if not a weekend or Monday, and if a weekend or Monday, from 6:00 PM Friday through Sunday or Monday at 6:00 PM; Labor Day: Petitioner shall have the children on Labor Day of 1988 from 6:00 PM Friday through Monday at 6:00 PM with Respondent to have them in 1989 and alternate yearly thereafter. The mother shall have her birthday and Mothers Day each year; the father shall have his birthday and Fathers Day each year. Children's Birthdays: To be alternated yearly with Respondent having visitation in 1988. Visitations shall take place at other times and places as are mutually agreeable to the parties.

4. CHILD SUPPORT: Respondent is ordered to pay to the Petitioner for the care, support, and maintenance of the children of the parties the sum of \$125 per month per child for a total of \$375 beginning on the first day of January, 1988, and continuing each and every month thereafter on the same day of each month until each child reaches the age of majority, marries, or is otherwise emancipated, or until

3. DECREE OF DISSOLUTION OF MARRIAGE

1 further Order of a Court of competent jurisdiction, whichever
2 first occurs. However, said support obligation shall continue
3 beyond the age of majority and until each child shall reach
4 the age of 21 years if the child is a "child attending school"
5 as defined in ORS 107.108(4). Support for each child is
6 separate and not joint. Said support payments are to paid by
7 Respondent to the Clerk of the Court, Klamath County Circuit
8 Court, Klamath County Court House. Each party is ordered to
9 notify the Clerk of the Court within 10 days of any change in
10 his or her address.

11 NOTICE OF INCOME WITHHOLDING

12 The support Order contained in this Decree is
13 enforceable by income withholding under ORS 25.310.
14 Withholding may occur whenever there are arrearages at least
15 equal to the support payment for one month, or whenever the
16 obligated parent requests such withholding. The District
17 Attorney, or as appropriate, the Support Enforcement Division
18 of the Department of Justice will assist you in securing such
19 withholdings.

20 5. SPOUSAL SUPPORT: The Court finds that the Wife
21 would be entitled to spousal support but does not feel that
22 there are sufficient assets to provide for it; therefore, in
23 lieu of spousal support, the Court is awarding the Petitioner
24 a greater percentage of the personal property assets.

25 4. DECREE OF DISSOLUTION OF MARRIAGE
26

6. ATTORNEY FEES AND COSTS: Petitioner is awarded \$1,500.00 as a Judgment against Respondent towards her attorney fees and costs. Furthermore, the Oregon state property tax refund which Respondent has received will be placed in trust with Respondent's attorney, Del Parks. Both parties are ordered to endorse said check and Mr. Parks is ordered to distribute one-half of that amount to Ms. Knieps to be applied towards Petitioner's attorney fees and costs.

7. DIVISION OF PROPERTY:

1. Real Property: Petitioner and Respondent shall be tenants in common as to the real property located at 2300 Yale Street and adjoining lots, more particularly described as follows:

Lots 12, 13, 14, 15, 18, and South 49 feet of Lot 16, Block 40, Buena Vista Addition and the vacated portion of Yale Street adjacent thereto according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

Wife shall have the sole right of possession and control of said premises and property without payment of rent to Husband, beginning January 1, 1988. Wife shall be responsible ~~in lieu of rent~~ ^{TDA} for the taxes, maintenance and insurance on said property. As such time as wife vacates said premises, and in any event no later than June of 1992 ^{TDA} 1999, said property shall be listed for sale with a licensed real estate broker. After the

5. DECREE OF DISSOLUTION OF MARRIAGE

1 expenses of the sale are deducted, the parties shall divide
2 any remaining equity equally between them.

3 2. Husband's personal property: Husband shall receive
4 as his sole and separate property the followings items of
5 personal property free and clear of any interest of Wife and
6 subject to any encumbrances thereon except as herein otherwise
7 specified:

8 Chest freezer

9 Blender

10 Juice press

11 Camping equipment

12 Ironing board

13 Mounted deer head

14 Microwave

15 35mm camera

16 Handyman jack

17 Come-along chain

18 Reloading equipment

19 Skill saw

20 Chain saw

21 VCR

22 Lamps

23 One-half the dishes, linens, blankets.

24 One-half the silverware, glasses, miscellaneous
kitchen ware

25 Clothes washer

26 6. DECREE OF DISSOLUTION OF MARRIAGE

1 Console stereo

2 Clock radio

3 Mitsubishi TV

4 Broken loveseat

5 Dining room table

6 Three chairs

7 Two stools

8 One dryer

9 One rocking chair

10 Three lawn chairs

11 Antique wood stove

12 The stove in storage or in the basement

13 The gifts from husband's grandmother: piano, two
14 twin beds, two night stands, one dresser, one chest
of drawers, crystal water glasses and wine glasses,
silver service

15 The 1978 Thunderbird and the 1974 International
16 pickup

17 The automotive tools

18 Fishing and sporting equipment

19 Guns

20 Clothing and personal effects

21 3. Wife's Personal Property: Wife shall receive as her
22 sole and separate property the following items of personal
23 property free and clear of any interest of husband and subject
24 to any encumbrances except as otherwise herein specified:

25 One chest freezer

26 7. DECREE OF DISSOLUTION OF MARRIAGE

EXHIBIT "A" TO AMENDMENT
TO DECREE OF DISSOLUTION

1 Church books, encyclopedias and book case

2 Wheat grinder

3 Radio/cassette

4 Lawnmower and garden tools

5 Couch

6 Washer and dryer (wife bought after separation)

7 VCR

8 Waterbed

9 One-half dishes, 'lines, blankets

10 Sewing machines, sewing chest and supplies

11 Stainless steel pots and pans

12 One-half the silverware, glasses, miscellaneous
kitchen ware

13 Couch

14 Mixer

15 Jewelry and jewelry boxes

16 Clothing and personal effects

17 Toaster

18 Refrigerator

19 Stove

20 Magnavox TV

21 TV stand

22 Coffee table

23 Trampoline

24 Hide-a-bed

25 End table

26 8. DECREE OF DISSOLUTION OF MARRIAGE

1 Meat block

2 Book shelf

3 Unfinished chest of drawers

4 One set of bunk beds

5 Dresser

6 Desk

7 One set twin beds

8 Chest of drawers

9 1979 Honda Civic

10 Two year food supply at 2300 Yale

11 Five year wood supply at 2300 Yale

12 Blaze King woodstove and Lopi fireplace insert

13 4. Meat Processing Equipment And Hand Tools: All the
14 meat processing equipment and hand tools shall be sold at an
15 auction to be conducted by Northwest Auctioneers under
16 standard terms and conditions with a minimum of two prior
17 advertisements of sale. Both parties may bid at the sale.

18 The proceeds of the sale shall be distributed as
19 follows: The debts to Dr. Hamilton and Ernie Bozgoz shall be
20 paid from said proceeds; the remainder of the proceeds shall
21 be distributed two-thirds to Mrs. Sawyer and one-third to Mr.
22 Sawyer.

23 Said meat processing equipment consists of all meat
24 processing equipment currently in the possession of Mr.
25 Sawyer, at his residence at 2300 Yale, or located at the

26 9. DECREE OF DISSOLUTION OF MARRIAGE

1 Eads Storage in the name of Sandra Grimesey; Mr. Sawyer is to
2 be responsible for seeing that the whereabouts of all of the
3 meat processing equipment is disclosed to the auctioneer and
4 returned to the auction site. Said meat processing equipment
5 includes the following: hand tools, knives and saws, two
6 coolers: one walk in and one larger cooler which is currently
7 in pieces; one meat saw; one meat grinder; one stainless steel
8 wrapping table; two meat cutting tables: one older hand made
9 table, one stainless steel extra large table; two meat
10 slicers: one hand slicer and one large slicer; dump freezer;
11 mixer-grinder; two meat cutting tables; meat case; and a meat
12 scale.

13 5. The Judgment Against Dean Rose: Any proceeds
14 realized from said judgment shall be used first to pay any
15 amount of attorney fees and costs owing to Don Crane; the
16 remainder of any judgment collected shall be distributed
17 two-thirds to Mrs. Sawyer and one-third to Mr. Sawyer.

18 6. Tax Credit From Prior Business: The tax credit on
19 the 1986 income tax return from the parties prior business
20 indicates a credit of \$30,842. Said tax credit shall be
21 divisible according to the rules of the Internal Revenue
22 Service.

23 7. Tax Exemptions: The tax exemption shall be
24 determined by the rules of the Internal Revenue Service.

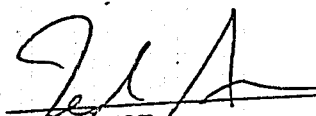
25 8. HEALTH INSURANCE: Each party is to maintain health

26 10. DECREE OF DISSOLUTION OF MARRIAGE

1 insurance policies on the children if available through their
 2 employment. All uninsured medical and dental expenses: Mr.
 3 Sawyer is to pay 60% of said expenses; Mrs. Sawyer is to pay
 4 40% of said expenses.

5 9. NECESSARY DOCUMENTS: Each party shall execute any
 6 instruments or documents necessary to accomplish the
 7 foregoing, and shall do all things necessary to that end
 8 within 30 days of the date of the Court's signature on this
 9 Decree. If either party shall fail to comply with the
 10 provisions of this paragraph, this Decree shall constitute an
 11 actual grant, assignment, and conveyance of said property and
 12 rights in such matter and such force and affect as shall be
 13 necessary to affect the terms of this Decree.

14 DATED this 7 day of January, 1988.
 15
 16

17 
 18 Ted Abram
 19 Circuit Court Judge

20 Approved:
 21
 22

23 _____
 24 Del Parks
 25 Attorney for Respondent

26 11. DECREE OF DISSOLUTION OF MARRIAGE

County of Klamath)
 I, LYN G. HARDY, Clerk of the Circuit Court of the County
 of Klamath and the State of Oregon do hereby certify that the foregoing
 copy has been by me compared with the original, and that it is a
 true and correct copy thereof, and that the whole of such original is the same as
 kept by me as of record in my office and in my care and custody.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
 the seal of said Court, this 19th day of June, A.D. 1990

LYN G. HARDY, Clerk of Court
 EXHIBIT A

PETITIONER

Petitioner's Name: Mary Helen Sawyer
 Maiden Name: Bill
 Address: 2649 Pear Street
 Klamath Falls, OR 97603
 Date of Birth: September 18, 1945
 Age: 42
 SSN: 542-50-5477
 Number of this Marriage: First

RESPONDENT

Respondent's Name: Don Miller Sawyer
 Address: 2300 Yale Street
 Klamath Falls, OR 97601
 Date of Birth: July 23, 1940
 Age: 47
 SSN:
 Number of this Marriage: Second

Children of the Marriage: Holly Sawyer
 Born March 4, 1968
 Jennifer Sawyer
 April 16, 1971
 Michael Sawyer
 February 5, 1975
 Rebecca Sawyer
 Born March 11, 1979
 Date and Place of Marriage: Chiloquin, Oregon, Klamath County
 March 31, 1963

12. DECREE OF DISSOLUTION OF MARRIAGE -- EXHIBIT A

EXHIBIT "A" TO AMENDMENT
 TO DECREE OF DISSOLUTION

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Giacomini & Knieps the 19th day
 of June A.D. 19 90 at 11:37 o'clock A.M., and duly recorded in Vol. M90
 of Deeds on Page 12002

Evelyn Biehn, County Clerk

By Paula M. Mendenhall

FEE \$93.00

Return: Giacomini & Knieps
 706 Main St.
 Klamath Falls, Or. 97601

Karla J. Knieps
 Attorney At Law
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