

78462

04-01-0402-03 PCND

Vol. 174 Page 9690

1 CIRCUIT COURT, STATE OF OREGON, DESCHUTES COUNTY

2 In the Matter of the Marriage of

3 MARVELLEN NEWELL,

4 Petitioner,

5 and

6 ALLAN NEWELL,

7 Respondent.

Case No. 91-DO-0580-38T

DECREE OF DISSOLUTION
MARRIAGE AND JUDGMENT
(On Stipulation)FILED
CIRCUIT/DISTRICT
COURT
JAN 22 AM 10:45
DESCHUTES COUNTY, OREGON

8 THIS MATTER came on for trial on Friday, February 5,
9 1993. Petitioner appeared in person and by and through her
10 attorney, David E. Paulson, and Respondent appeared in person
11 and by and through his attorney, Richard N. Belcher. The
12 parties advised the court that the matter had been settled,
13 advised the court of the terms of the settlement, and advised
14 the court that the jurisdictional matters would be submitted
15 by affidavit, that affidavit having been submitted;

16 The Court finds that the parties have stipulated to the
17 entrance of this decree. The court further finds that it has
18 jurisdiction of the parties and the marriage and that
19 irreconcilable differences exist between the parties making
20 continuation of the marriage relationship impossible.

21 The Court further finds that the following facts exist:

22 There are no children of the marriage and wife is not now
23 pregnant.

24 Date of Marriage: December 31, 1980
25 Place of Marriage: Portland, Oregon

26 Husband: ALLAN NEWELL
Address: 2803 Wiard

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Stipulation)

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Birthdate: Klamath Falls, OR 97601
 3/7/41
 Social Security No. 543-48-5199
 Wife:
 Address: MARYELDEN NEWBILL
 PO Box 193
 Hope, Idaho 83836
 Maiden Name: Inabnit
 Former Legal Names: Gibson
 Birthdate: 11/18/39
 Social Security No. 559-54-2025

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The marriage of the parties is dissolved effective on April 22, 1993.

2. Petitioner shall have judgment against Respondent in the sum of \$2,600 for unpaid spousal support pendent lite as of February 5, 1993, \$1,929.49 for spousal support for medical bills, for a total of \$3,529.49, together with \$450 per month as and for spousal support, commencing with a payment on the 13th day of February, 1993, and continuing on the same day each month thereafter until Petitioner reaches the age of 65 years. Respondent shall make payments to the Department of Human Resources, P. O. Box 14506, Salem, Oregon 97310. In addition to the continuing support of \$450 per month, Respondent shall make payments of at least \$100 per month against the support judgment of \$3,529.49 beginning on the 13th day of February, 1993, and on the same day each month thereafter until that portion of the judgment is paid in full.

3. It is recognized that Petitioner has an insurable interest in the life of Respondent during the period of time that Respondent is obligated to provide spousal support.

1 Until spousal support is terminated, Respondent shall make
2 Petitioner an irrevocable first beneficiary on the Kansas City
3 Life Insurance Policy No. 2222966, in the amount of \$50,000
4 payable to Petitioner and Respondent is ordered to pay the
5 premiums thereon.

6 In the event that Respondent defaults in the paying of
7 the premiums on the policy, and Petitioner is required to pay
8 the premiums on the policy, Petitioner shall be allowed to
9 obtain judgment for reimbursement of any money so expended.

10 Respondent shall furnish to Petitioner promptly at her
11 request documentation and proof of his compliance with the
12 provisions of this paragraph 3, and Petitioner is hereby
13 authorized to obtain direct confirmation of compliance or non-
14 compliance from the insurance carrier.

15 4. NOTICE OF INCOME WITHHOLDINGS. The support order is
16 enforceable by income withholding under ORS 25.310 of this
17 Act. Withholding may occur whenever there are arrearages at
18 least equal to the support payment for one month or whenever
19 the obligated parent requests such withholding or whenever the
20 obligee requests withholding for good cause. The district
21 attorney or, as appropriate, the Support Enforcement Division
22 of the Department of Justice, will assist in securing such
23 withholding.

24 5. Petitioner is awarded, free and clear of any
25 interest of Respondent, and will hold Respondent harmless and
26 indemnify Respondent from any liability thereon, the following

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described property:

All personal property in her possession
Western Conference of Teamsters Pension Plan
One-half of that judgment signed on or about August 25,
1980, and entered on or about the same date in
Washington County Circuit Court Case No. D15-769 in
favor of Respondent and against the real property
described as Lot 45, Apache Bluffs Number 3, City of
Tualatin, County of Washington, State of Oregon

6. Respondent is awarded, free and clear of any
interest of Petitioner, and will hold Petitioner harmless and
indemnify Petitioner from any liability thereon, the following
described property:

All personal property in his possession
1990 F-9370 International Tractor
One-half of that judgment signed on or about August 25,
1980, and entered on or about the same date in
Washington County Circuit Court Case No. D15-709 in
favor of Respondent and against the real property
described as Lot 45, Apache Bluffs Number 3, City of
Tualatin, County of Washington, State of Oregon

7. A Qualified Domestic Relations Order with respect to
the Western Conference of Teamsters Pension Plan shall be
entered hereafter and the court retains jurisdiction to enter
such order. Respondent shall draft the order for approval by
Petitioner.

8. Each party shall pay his or her own debts incurred
since their separation on October 1, 1991 and hold the other
party harmless therefrom. Respondent shall pay the debts of
the parties, including but not limited to the debt to
Citizen's Bank in the approximate amount of \$12,582.73,
incurred prior to their separation except for the debt to
Mastercard in the approximate amount of \$1,012.63 and shall

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1 indemnify and hold Petitioner harmless from the payment
2 thereof. Petitioner shall pay the debt to Mastercard in the
3 approximate amount of \$1,012.63 and indemnify and hold
4 Respondent harmless from the payment thereof.

5 9. Petitioner and Respondent shall execute any and all
6 documents necessary to effectuate the intent of this judgment
7 and decree, including but not limited to documents of
8 conveyance and beneficiary designations, within thirty (30)
9 days from the date of entry hereof, and in the event either
10 party shall fail to do so, this judgment and decree shall
11 operate to convey title to the party to whom such property is
12 awarded and to assign to such party the right to make such
13 beneficiary designations as provided for herein.

14 10. Petitioner shall have judgment against Respondent
15 for \$1,000 as reasonable attorney fees pursuant to ORS
16 107.105. Each party shall pay their own costs incurred
17 herein.

18 11. The name of Gibson is hereby restored to Petitioner.

19 MONEY JUDGMENT

- 20 1. Judgment Creditor: MARVELLEN NEWBILL
21 2. Judgment Creditor's Attorney: DAVID E. PAULSON
22 3. Judgment Debtor: ALLAN NEWBILL
23 4. Principal Amount of Judgment:
24 (a) \$3,529.49 for spousal support to the date of
25 judgment, together with
26 (b) \$450 per month for spousal support commencing
February 13, 1993, and continuing on the same day of
each month until Petitioner attains the age of 65
years (11/18/2004)
25 5. Attorney Fees: \$1,000
26 6. Costs: -0-
///

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Postjudgment simple interest at the statutory rate of nine (9) percent per annum on items 4(a) and 5 from the date judgment is entered and postjudgment simple interest at the statutory rate of nine (9) percent per annum on item 4(b) from the due date of each monthly payment until fully paid.

Certificate of Judgment Summary

I, David E. Paulson, Attorney for the Judgment Creditor, certify that the information contained in the summary accurately reflects the judgment in this case.

DATED this 24 day of February, 1993.

David E. Paulson
DAVID E. PAULSON OSB#83073
Attorney for Petitioner
March, 1993

DATED this 27 day of March, 1993.

Richard T. Belcher
RICHARD BELCHER OSB#84165
CIRCUIT COURT JUDGE

IT IS SO STIPULATED.

Marvellen Newbill
MARVELLEN NEWBILL
Petitioner
David E. Paulson
DAVID E. PAULSON OSB#83073
Attorney for Petitioner

Marvellen Newbill
MARVELLEN NEWBILL
Respondent
Richard T. Belcher
RICHARD BELCHER OSB#84165
Attorney for Respondent

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postjudgment simple interest at the statutory rate of nine (9) percent per annum on items (a) and (b) from the date judgment is entered and postjudgment simple interest at the statutory rate of nine (9) percent per annum on item (c) from the date of each monthly payment until fully paid.

CERTIFICATE OF JUDGMENT SUMMARY

I, David E. Paulson, Attorney for the Plaintiff, certify that the information contained in the summary accurately reflects the judgment in this case.

DATED this 22 day of May, 1994.
DAVID E. PAULSON
Attorney for Plaintiff

DATED this 22 day of May, 1994.
COURT CLERK

IT IS SO ORDERED:

REINHOLD
Attorney for Defendant
RICHARD BECKER
Attorney for Defendant

DAVID E. PAULSON
Attorney for Plaintiff



CERTIFIED TRUE COPY OF THE ORIGINAL
DATED THIS 22 DAY OF May 1994
CIRCUIT AND DISTRICT COURT
DESCHUTES COUNTY
STATE OF OREGON

STATE OF OREGON, COUNTY OF KLAMATH

Filed for record at request of Hopp & Paulson
of April 11, A.D. 1994 at 9:03 o'clock A.M., and duly recorded in Vol. 494
Page 9690
By Evelyn Blehn County Clerk
By Pauline Millender

FEE 460.00