

03 DEC 23 PM 3:04

03 DEC 23 PM 10:59

WTZ-63678

Vol M03 Page 93507

Vol M03 Page 92757



After recording return to:
Ron C Rice
P O BOX 850
Bend, OR 97709

Until a change is requested all
tax statements shall be sent to
The following address:

Ron C Rice
P O BOX 850
Bend, OR 97709

Escrow No. BT062054LS

THIS SPACE RESERVED FOR RECORDER'S USE

State of Oregon, County of Klamath
Recorded 12/23/03 3:04 P m
Vol M03 Pg 92757
Linda Smith, County Clerk
Fee \$ 21.00 # of Pgs 1

State of Oregon, County of Klamath
Recorded 12/29/03 10:59 A m
Vol M03 Pg 93507-93524
Linda Smith, County Clerk
Fee \$ 106.00 # of Pgs 18
RR

STATUTORY WARRANTY DEED

Annette G. Wilbanks, who acquired title as Annette Gail Johnston, AKA Annette G. Tristan, Grantor(s) hereby convey and warrant to Ron C Rice and Donita F. Rice, as tenants by the entirety, Grantee(s) the following described real property in the County of Klamath and State of Oregon, free of encumbrances except as specifically set forth herein:

Lot 9, Block 12, FIRST ADDITION TO RIVER PINE ESTATES, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon.

2309-024B0-03300-000

Key No. 132788

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$25,500.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 19 day of Dec., 2003

Annette Wilbanks

Annette G. Wilbanks, who acquired title as Annette Gail Johnston, AKA Annette G. Tristan

State of Oregon
County of ~~DESCHUTES~~ Benton

This instrument was acknowledged before me on 12-19, 03 by Annette G. Wilbanks, who acquired title as Annette Gail Johnston, aka Annette G. Tristan.



Paige Olsen
(Notary Public)
My commission expires 8-24-07

106.00 RR
7:40 AM

93508

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DESCHUTES

In the Matter of the Marriage of:

Annette G. Johnston.

Petitioner,

and

Cary D. Johnston.

Respondent.

Case No. 03DS0152 AB

JUDGMENT AND DECREE OF
DISSOLUTION OF MARRIAGE

This matter came before the Court:

☒ On the motion and affidavit of Petitioner, the default of Respondent having been found.

☐ On the stipulations of the parties, as shown by the signatures below.

☐ At a hearing held _____, 20____, at which the following persons were present:

☐ Petitioner

☐ Petitioner's attorney _____

93509

1 ☐ Respondent

2 ☐ Respondent's attorney _____

3 The Court considered the:

4 ☒ Affidavit

5 ☐ Affidavit and stipulations

6 ☐ Evidence presented

7 and found that irreconcilable differences have caused the irremediable breakdown of this
8 marriage. The Court found further that:

9 a. ☐ Oregon has jurisdiction under the Uniform Child Custody Jurisdiction Act to hear the

10 ☐ custody and parenting time issue because:

11 ☐ Oregon is the children's home state.

12 ☐ The child/ren and _____

(name of parent or caretaker)

13 have had significant connections to Oregon and substantial evidence about
14 them is available here.

15 ☐ The child/ren are physically present in Oregon and:

16 ☐ The child/ren have been abandoned, or

17 ☐ An emergency exists requiring the child/ren's protection.

18 b. ☐ Oregon does not have jurisdiction under the Uniform Child Custody Jurisdiction
19 Act because

20 _____

21 _____

22 NOW THEREFORE IT IS HEREBY ORDERED:

23 **DISSOLUTION OF MARRIAGE**

24 The terms of this judgment and decree are effective immediately. The marriage of the parties
25 is hereby dissolved.

26 Page 2 of 17 - JUDGMENT AND DECREE OF DISSOLUTION OF MARRIAGE

93510

CHILDREN OF THE MARRIAGE

The following children were born to or adopted by the parties before or during this marriage:

☒ Wife is not now pregnant.

☐ Wife is now pregnant. Husband is the father of wife's child due _____, 20____.

☐ Husband is not the father, or paternity has not been established, of wife's child/ren named _____ born during the marriage on the following date(s):

☐ Wife is now pregnant. Husband is not the father of wife's child whose expected birth date is _____, 20____.

CHILD CUSTODY

Custody of the child/ren is awarded as follows:

☐ Wife is awarded _____ custody of the following child/ren:

☐ Husband is awarded _____ custody of the following child/ren:

☐ Wife and husband should be awarded joint legal custody of the following child/ren: _____ to have physical custody of the child/ren.

93511

PARENTING TIME

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2

3 ☐ _____ should be awarded the following parenting time:4 ☐ Local Rule 8.075 Standard Parenting Plan (copy must be attached)5 ☐ Other as follows: _____

6 _____

7 _____

8 _____

9 ☐ Additional page attached; see section labeled "Parenting Time continued."

10 _____ should have the right to additional reasonable parenting time with

11 the child/ren upon giving reasonable notice to the other parent. Minimum parenting time should be:

12 _____

13 _____

14 _____

15 ☐ _____ should not be granted parenting time because such would endanger
16 the health and safety of the child/ren as described below:

17 _____

18 _____

19 ☐ Wife and Husband should each provide contact addresses and contact telephone
20 numbers to the other, if possible, and notify the other of any emergency circumstances or substantial
21 changes in the child/ren's health.22 ☐ The requirement of ORS 107.159 regarding notice of move is suspended for good
23 cause found.

24

CHILD SUPPORT

25 ☐ No child support is ordered at this time because: _____

26

93512

1 _____
2 ☐ Child support in the amount of \$ _____ monthly has already been ordered and
3 docketed with the _____ County Circuit Court. (attach copy of child support
4 judgement)

5 ☐ Other: _____

6 ☐ Child support shall be paid by _____ to
7 _____ beginning on the first day of the month following the
8 date of the decree and continuing on the 1st day of each month thereafter. The support for each child
9 shall continue until the child reaches eighteen (18) years of age, or is otherwise emancipated. The
10 support shall continue until the child reaches the age of twenty-one (21) so long as the child is a
11 student attending school as defined by Oregon law. Until further order, the total payment per month
12 shall be \$ _____, for _____ children.

13 **CALCULATION**

14 ☐ The child support worksheet on which the support amount was calculated is labeled
15 "Exhibit I" and attached to and incorporated in this judgment.

16 ☐ The support award does not deviate from the amount presumed correct under the
17 guidelines set out in Oregon Administrative Rules.

18 ☐ The support amount presumed correct under the guidelines set out in Oregon
19 Administrative Rules is \$ _____. The support award deviates from this amount because this
20 Court finds that application of the formula would be unjust or inappropriate in this case because ____
21 _____
22 _____
23 _____

24 ///

25 ///

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PAYMENT

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All payments of child support shall be made:

☐ To the Department of Justice, Child Support Accounting Unit, P.O. Box 14506, Salem, Oregon, 97309. By petitioner's request, collection, accounting, disbursement, and enforcement services of this obligation shall be through the State of Oregon's Department of Justice. Pursuant to ORS 25.311(1), an income withholding order shall be issued to enforce this obligation unless an exception is indicated below.

☐ Exceptions to withholding. Income withholding is not ordered at this time because all support arrearages have been paid in full, the paying parent has not previously been granted an exemption from withholding, and:

☐ The parents, and the State, if support rights are assigned, have agreed in writing to an alternative arrangement; or

☐ Good cause not to require withholding is found because _____

☐ Pursuant to the above exception, support shall be paid directly to _____'s checking or savings account at _____ Bank, _____ branch. Party receiving support shall provide the account number to the party paying support. A receipt of deposit shall be kept by the parent paying support as proof of payment. The parent receiving support shall provide the paying parent with current deposit slips and/or bank name, account name, and account number.

93514

NOTICE OF INCOME WITHHOLDING

Oregon law requires that child support on all new or modified orders be collected by income withholding. Exceptions may be granted under the provisions of ORS 25.317.

The Support Order is enforceable by income withholding under ORS 25.311 to 25.318, 25.351 to 25.367 and 25.722. Withholding shall occur immediately, whenever there are arrearages at least equal to the support payment for one month, whenever the obligated parent requests such withholding or whenever the obligee requests withholding for good cause. The District Attorney, or as appropriate, the Support Enforcement Division of the Department of Justice will assist in securing such withholding. Exceptions may apply in some circumstances.

Oregon Law recognizes that child support and visitation terms are designed for the child's benefit. A parent ordered to pay support must comply with those child support orders even if the parent is not receiving the parenting time with the child that the court allowed. Similarly, a parent with whom a child lives must comply with visitation orders even if the parent is not receiving the ordered child support.

Violation of child support orders and visitation orders is punishable as contempt of court.

Publicly funded help is available to establish, enforce and modify child support orders.

Paternity establishment services are also available. Contact your local District Attorney or the Department of Human Resources at Salem, Oregon for information.

93515

**NOTICE ABOUT PERIODIC REVIEW
AND MODIFICATION OF CHILD SUPPORT ORDERS**

A. If your child support case is handled by the District Attorney or the Support Enforcement Division (SED), this agency will review your child support order if at least two years have passed since the order was entered, modified, or last reviewed. *This review will take place only if a parent requests.*

The purpose of the review is to see if the amount ordered is still within the guidelines for child support set out in Oregon law. The review could result in an increase or decrease in the support amount, depending on the parents' financial circumstances and the needs of the child.

This 'periodic review' service is provided at no cost to parents, but is available only for cases handled by the District Attorney or SED.

B. The support agency handling your case will also review your support order for compliance with the guidelines whenever a substantial change in circumstance has occurred. You can request this 'change in circumstance' modification from the support agency. But *any* support order (not just orders handled by the District Attorney or SED) can be modified because of a change in circumstance, so a private attorney is able to assist you with this, too. You may also represent yourself.

LIFE INSURANCE COVERAGE FOR CHILD(REN)

☐ _____ shall obtain and maintain life insurance in the amount of \$ _____ for the benefit of the parties' child/ren throughout the period of the support obligation. This parent shall maintain coverage for the duration of the support obligation.

☐ Respondent should not be required to obtain and maintain life insurance because he/she cannot afford to maintain life insurance, and/or social security survivor benefits payable to the child/ren in the event of _____'s death will be sufficient to replace the obligor's child support obligation.

MEDICAL INSURANCE COVERAGE FOR CHILD(REN)

☐ _____ shall name the child/ren as beneficiaries of any health, accident, dental, orthodontic, and optical insurance plan, throughout the period of the support obligation, whenever such insurance is available through this parent's employment, group, or union, at a cost not to exceed the amount of the child support award on Line 12 of page 5. If this parent

93516

1 to maintain insurance under these circumstances for the child/ren, this parent shall be liable for any
2 of those expenses incurred after the date of the court order requiring the coverage. if this parent
3 maintains the required insurance but the insurance does not provide complete coverage, this parent
4 shall pay ☐ one half ☐ all of the uninsured costs. if this parent provides insurance that is available
5 through his or her employment, group, or union membership, and this employment or membership
6 then terminates, this parent shall notify the other parent of this fact prior to or immediately upon
7 termination.

8 ☐ Whenever _____ does not have health, accident, dental, orthodontic,
9 or optical insurance available through employment, group, or union membership, this parent shall
10 pay: ☐ one-half ☐ all of the uninsured medical, dental, orthodontic, optical and prescription
11 medicine costs incurred for the child/ren throughout that period.

12 SPOUSAL SUPPORT, LIFE INSURANCE, AND MEDICAL COVERAGE

13 ☒ No spousal support, spousal life insurance, or spousal medical coverage is ordered
14 in this case.

15 ☐ The indicated terms on the inserted pages 8a and 8* shall be in effect.

16 REAL PROPERTY DISTRIBUTION

17 ☐ Neither wife nor husband has any interest in any real property located in this or in any
18 other state.

19 ☒ ~~Annette + Cary Johnston~~ has/have an interest in real property located at the address
20 of 1927 RECTOR DRIVE LAPINE Ore 97739.

21 ☐ This property shall be distributed as follows:

22 property at this address should go to
23 petitioner

24 _____
25 ☐ The legal description of the real property is attached as Exhibit ____ and incorporated

93517

1 in this Judgment and Decree.

2 [] Distribution of this property is not within this state and, therefore, not within the
3 jurisdiction of this court.

4 **PERSONAL PROPERTY DISTRIBUTION**

5 [x] The wife and husband have divided between them all personal effects, household
6 goods and other personal property they own separately or together, and neither shall claim those
7 items now in possession of the other.

8 [x] The wife is awarded the following personal property: Sharp television
9 RCA DVD Player, 1994 Geo METRO, Microwave
10 _____
11 _____

12 [] The wife is awarded her retirement benefits, pension plan, profit-sharing plan,
13 deferred-compensation plan, and/or stock-option plan held by wife's employer, free of any interest
14 in the husband.

15 [] The husband is awarded the following personal property: 1999 Chevy x cab 4x4
16 Should be refinanced within 30 days of divorce, 1991 Suzuki VT
17 three wheeler, small television, big television, DVD Player
18 vcr couch, 1996 Fleetwood Single wide removed within 30
19 days of divorce from 127 Recter Dr. LA PIN

20 [x] The husband is awarded his retirement benefits, pension plan, profit-sharing
21 plan, deferred-compensation plan, and/or stock-option plan held by husband's employer, free of any
22 interest in the wife.

23 [] Additional page attached; see section labeled "personal property distribution
24 continued."

25 ///

26 ///

93518

DISTRIBUTION OF DEBTS

1

2 (a) Husband's Responsibility

3 ☒ Husband shall pay the debts listed below.

| 4 <u>Name of Creditor</u> | <u>What debt is for</u> | <u>Amount</u> |
|---------------------------|-----------------------------|-------------------|
| 5 <u>Triad Financial</u> | <u>1999 Chevy X cab 4x4</u> | <u>\$ 15,200.</u> |
| 6 <u>Conserva Finance</u> | <u>1996 Fleetwood</u> | <u>\$ 19,000</u> |
| 7 _____ | _____ | _____ |
| 8 _____ | _____ | _____ |
| 9 _____ | _____ | _____ |

10 (b) Wife's Responsibility

11 ☒ Wife shall pay the debts listed below.

| 12 <u>Name of Creditor</u> | <u>What debt is for</u> | <u>Amount</u> |
|----------------------------|------------------------------|--------------------|
| 13 <u>Amerititle</u> | <u>loan against property</u> | <u>\$ 7,818.28</u> |
| 14 _____ | _____ | _____ |
| 15 _____ | _____ | _____ |
| 16 _____ | _____ | _____ |
| 17 _____ | _____ | _____ |

18 Each party shall be responsible for the payment of all debts incurred by them individually
19 since the date of their separation; all debts which are distributed to them by the court; and all debts
20 which are secured by property distributed to that party. Further, each party shall be required to
21 defend, indemnify and hold the other party harmless from all debts described in this paragraph.

22 FORMER NAME

23 ☒ Annette Johnston 's former name of Annette Wilbanks

24 _____ is restored.

25

26

93519

COURT COSTS AND FEES

1
2 (a) Costs and Fees Deferred3 ☐ Husband ☐ Wife shall be liable for all the court costs and service fees that were
4 deferred.5 ☒ Husband and Wife shall each be liable for one half the court costs and service fees
6 that were deferred.7 ☐ The State of Oregon shall have judgment against ☒ Husband ☐ Wife for ☐ one-
8 half ☒ all the court costs.9 ☐ The County of Deschutes shall have a judgment against ☒
10 Husband ☐ Wife for ☐ one-half ☒ all the service fees.

11 (b) Costs and Fees Paid

12 ☒ Husband ☐ Wife shall be liable for ☐ one-half ☒ all the court costs and service fees
13 that have been paid in this suit. ☒ Husband ☐ Wife shall have a judgment against ☐ Husband
14 ☐ Wife for ☐ one-half ☒ all of these costs.

REQUIRED INFORMATION ABOUT THE PARTIES

15 WIFE16 Full name Annette G Johnston17 Soc. Sec. # 541-08-669118 Driver's License # 4558158

19 Residence, Mailing or Contact

20 Address PO Box 1321 Crescent Oregon22 Telephone 433-5364

23 Employer Name _____

24 Employer Address _____

25 _____

26 Employer Telephone _____

HUSBANDFull name Cary D. JohnstonSoc. Sec. # 544-04-3612

Driver's License # _____

Residence, Mailing, or Contact

Address C/O Central Oregon Build Sup.1303 S.E. Armour BendTelephone 382-9191Employer Name Central Or. Build. Sup.Employer Address 1303 S.E. ArmourBend Oregon 97702Employer Telephone 388-4843

93520

1 [] Based on a finding that the health, safety, or liberty of _____
(name of parent at risk)
2 or a child _____ would unreasonably be put at risk by disclosure of the
(name of child at risk)
3 preceding information in this section, _____ is allowed not to disclose this
information

4 Both parties shall inform the Department of Human Resources (P.O. Box 14506,
5 Salem, Oregon 97309) in writing of any change in the information required by this
6 section within ten (10) days of such change. If the court has ordered that a party
be allowed not to disclose information by means of this Judgment, the
7 Department of Human Resources shall not disclose this information to the other
parent.

8 Date of birth: 06/10/69 Age 33 Date of birth: 11-09-68 Age 34
(Wife) (Husband)

9 All former legal names of the wife are: TRISTAN

10 All former legal names of the husband are: _____

11 Date of Marriage: 05-15-99

12 Place of Marriage: Crescent Oregon Klamath Co.

13 There are 0 children of the parties, whose names, ages, and dates of birth are:

14

| Name | Age | Expected/Date of Birth |
|------|-----|------------------------|
|------|-----|------------------------|

15 _____

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MONEY JUDGMENT SUMMARY

(Child Support Obligation [☒ included [] not included)

A. CHILD SUPPORT

Judgment Creditor _____

Judgment Creditor Address _____

Judgment Debtor _____

Judgment Debtor Address _____

Amount of Judgment: _____ per month, commencing the first day of the month following the date of the decree.

Interest: a. Interest accrues at 9% per annum, simple interest.

b. Interest accrues on the judgment on each unpaid installment as it becomes due on the first day of each month.

B. SPOUSAL SUPPORT

Judgment Creditor _____

Judgment Creditor's Address _____

Judgment Debtor _____

Judgment Debtor's Address _____

Amount of Judgment: \$ _____ per month, commencing the first day of the month following the date of the decree.

Interest: a. Interest accrues at 9% per annum, simple interest.

b. Interest accrues on the judgment on each unpaid installment as it becomes due on the first day of each month.

C. PROPERTY AND DEBT DIVISION [judgments against Husband]

Judgment Creditor _____

Judgment Creditor's Address _____

26

93522

1 Judgment Debtor _____

2 Judgment Debtor's Address _____

3 Amount of Judgment _____

4 Interest: a Interest accrues at 9% per annum, simple interest.

5 b. Date from which interest runs: date entered as judgment.

6 D. PROPERTY AND DEBT DIVISION [judgments against Wife]

7 Judgment Creditor _____

8 Judgment Creditor's Address _____

9 Judgment Debtor _____

10 Judgment Debtor's Address _____

11 Amount of Judgment _____

12 Interest: a. Interest accrues at 9% per annum, simple interest.

13 b. Date from which interest runs: date entered as judgment.

14 E. COURT COSTS

15 Judgment Creditor Annette Johnston16 Judgment Creditor's Address PO Box 13 Crescent Ore 9773317 Judgment Debtor Cary Johnston18 Judgment Debtor's Address c/o Central Oregon Blvd. Supp. 1303 S.E. Armour Rd Bend Ore.19 Amount of Judgment \$125⁰⁰

20 Interest a. Interest accrues at 9% per annum, simple interest.

21 b. Date from which interest runs: date entered as judgment.

22 F. SERVICE FEES

23 Judgment Creditor _____

24 Judgment Creditor's Address _____

25 Judgment Debtor _____

26

93523

1 Judgment Debtor's Address _____

2 Amount of Judgment _____

3 Interest a. Interest accrues at 9% per annum, simple interest.

4 b. Date from which interest runs: date entered as judgment.

5
6 DATED this 3 day of June, 2003.

7
8 
9 Circuit Judge

10

11 Submitted by:

12

13 Annette Johnston on 04-29-03
Petitioner, Pro Se (signature) (date)

14 Annette Johnston
15 (print name)

16 P.O. Box 13
Address or Contact Address

17 Crescent Ore 97733
18 City, State, Zip Code

19 (541) 433-5364
Telephone or Contact Telephone

20

21 So Stipulated by:

22

23 _____
Respondent, Pro Se

24

25

26 Page 16 of 17 - JUDGMENT AND DECREE OF DISSOLUTION OF MARRIAGE

93524

CERTIFICATE OF DOCUMENT PREPARATION

1 I hereby certify that the following is true:
2 I selected the document(s) for myself.
3 I was provided the document(s) by an attorney.
4 I completed the document(s) without paid assistance.
5 I paid or will pay money to _____ for assistance in preparing the
6 document(s)/form(s).

7 DATED this 29 day of April, 2003.

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Annette Johnston
Signature