

1 CASE NO. 42-9-96 LC

2 DEPT.

FILED

1996 NOV 22 P 12:21

COURT CLERK
LINCOLN COUNTY CLERK

3
4
5
6
7
8 IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF
9 NEVADA, IN AND FOR THE COUNTY OF LINCOLN

10 *****

11 _____
12 MARY LOUISE LOVE FITZGERALD,

13 Plaintiff,

14 -vs-

DECREE OF DIVORCE

15 ARTHUR WAYNE FITZGERALD,

16 Defendant.
17 _____

18
19 The above entitled action having come regularly for hearing before the
20 above entitled Court on the 22nd day of November, 1996, the Plaintiff appearing in
21 person and by her attorney, G.L. CRITCHFIELD, ESQ., Defendant having been served
22 with a copy of the Summons and Complaint for Divorce and due proof of service having
23 been filed with the Court, and Defendant having failed to appear or answer the
24 Complaint within the time allowed by law, and that the Default of Defendant,
25
26
27 ARTHUR WAYNE FITZGERALD, having been duly and regularly entered, and the
28 cause having been submitted; the Court having entered its Findings of Fact and

1 Conclusions of Law; good cause appearing

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
3 marriage between MARY LOUISE LOVE FITZGERALD and ARTHUR WAYNE
4 FITZGERALD, is hereby dissolved and the parties are hereby restored to the status of
5 single persons.
6

7 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
8 that Plaintiff is awarded the sole legal and physical custody of the minor child, ABIGAIL
9 LOVE FITZGERALD, subject to visitation by the Defendant on Father's Day of each
10 year.
11

12 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
13 that Defendant be ordered to pay eighteen percent (18%) of his gross monthly income
14 as and for the support, maintenance and education of the minor child, and in no event
15 less than One Hundred Fifty Dollars (\$150.00) per month, until the minor child
16 becomes of lawful age, marries or becomes otherwise lawfully emancipated. The
17 Defendant's child support obligation is hereby set at One Hundred Fifty Dollars
18 (\$150.00) per month.
19

20 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
21 that the Defendant's child support obligation be offset by Defendant's equity in the
22 marital residence and real property as described below, in the sum of Seven Thousand
23 Five Hundred Dollars (\$7,500.00).
24

25 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
26

27
28

1 that said child support obligation shall be automatically withheld from the Defendant's
2 wages pursuant to NRS 31A once the above offset has been liquidated, approximately
3 four (4) years from the date of entry of the Decree of Divorce.
4

5 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
6 that Defendant be ordered to obtain medical, dental and optical insurance coverage for
7 the minor child if it is available through his employer. If insurance is available,
8 Defendant shall be solely responsible for any premiums and deductibles charged. Any
9 charges not otherwise covered by either parties insurance should be split equally between
10 the parties.
11

12 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
13 that Plaintiff is allowed to claim the minor child as a dependant for income tax purposes.
14

15 IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
16 that the provisions of NRS 200.359 be incorporated into this order as follows:
17

18 PENALTY FOR VIOLATION OF ORDER: THE ABDUCTION,
19 CONCEALMENT OR DETENTION OF A CHILD IN VIOLATION OF
20 THIS ORDER IS PUNISHABLE AS A FELONY BY UP TO 6 YEARS IN
21 PRISON. NRS 200.359 provides that every person having a limited right
22 of custody to the child who willfully detains, conceals or removes the child
23 from a parent, guardian or other person having lawful; custody or right of
24 visitation of the child in violation of an order of this court, or removes the
25 child from the jurisdiction of the court without the consent of either the
26 court or all persons who have the right to custody or visitation is subject
27 to being punished by imprisonment in the state prison for not less than 1
28 year nor more than 6 years, or by a fine of not less than \$1,000 nor more
than \$5,000 or by both, fine and imprisonment.

That the terms of the Hague Convention of October 25, 1980, adopted by
the 14th Session of the Hague Conference on Private International Law,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

apply if a parent abducts or wrongfully retains a child in a foreign country.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED
that the community property of the parties be divided as follows:

A. Plaintiff is awarded the Copy Right business including all equipment associated therewith. Plaintiff is also awarded the 1983 Toyota Supra, VIN JT2MA67L6D0074958; the 1971 Toyota Land Cruiser, VIN FJ0104238; the horses, Legs, Taffy, Buck and Daka; two (2) saddles; the airless sprayer; the stereo; the old television set and VCR; all furniture which was Plaintiff's prior to the marriage; the king size bed; the green shade tent; the 2" pipe; and the horse corral panels.

Plaintiff is also awarded the real property located at 3rd and Blad Street, and the vacant lot, with the equity, in the approximate amount of Fifteen Thousand Dollars (\$15,000.00). Said real property is more particularly described as follows:

A portion of Lot 2 in Block 19 in the Town of Panaca, County of Lincoln, State of Nevada, described as: Beginning at the northeast corner of said Lot 2; thence running along the north side of said lot west a distance of 196 feet; thence at right angles south a distance of 66 feet; thence east at right angles a distance of 196 feet to the east line of said lot; thence along said east line north a distance of 66 feet to the place of beginning; together with any and all improvements situate thereon.

APN 2-043-03

Commencing at the Northwest Corner of Lot numbered 2 in Block numbered 19, as said Lot and Block are delineated on the official Plat of said Town of Panaca now on file in the office of the County Recorder of said County of Lincoln, and running thence East 66 feet, thence South 132 feet, thence West 66 feet, thence North 132 feet to the place of beginning; together with any and all improvements thereon.

APN 2-043-02.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

B. Defendant is awarded the 1980 Ford Pickup, VIN F26GRGJ0835; the air nail gun; two (2) air T-Nailers; all drywall equipment and all miscellaneous tools except the airless sprayer; the reloading equipment; the bread maker; the new television set and VCR; the washer and dryer; and the Honda lawnmower.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that a copy of this Decree of Divorce be recorded with the Lincoln County Recorder's conveying the real property solely to Plaintiff, MARY LOUISE LOVE.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that the community debts of the parties are divided as follows:

A. Plaintiff shall solely assume and discharge the debt to the mortgage company for the above described real property and all credit cards in her name.

B. That the horses awarded to Plaintiff, Legs and Taffy, should be sold by Plaintiff and the proceeds used to pay any outstanding community debts and the cost of the divorce proceeding.

C. Plaintiff and Defendant are ordered to fully perform the remaining obligation under the Contract with Dan and Connie Simkins. In the event Defendant does not perform the labor required and Plaintiff is required to hire laborers, Defendant shall reimburse Plaintiff for one-half (1/2) of the costs involved.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff have her former name of MARY LOUISE LOVE restored to her.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED

1 that the Court retain jurisdiction in this matter so as to make and enter such further
2 orders and grant such further relief as the Court may deem proper in the premises.
3

4 DATED this 22nd day of November, 1996.

5
6 S/ Dan L. Papez
7 DISTRICT JUDGE

8 Submitted by:

9 G.L. Critchfield
10 G.L. CRITCHFIELD, ESQ.
11 P.O. Box 599
12 Ely, Nevada 89301
13 Nevada Bar #4241

14 Attorney for Plaintiff

15 This document to which this certificate is attached is a full, true and correct
16 copy of the original, on file and of record in the County Clerk's Office, Lincoln
17 Nevada.

18 In witness whereof, I have hereunto set my hand and affixed the Seal of the
19 Seventh Judicial District Court in and for the County of Lincoln, State of
20 Nevada, this 3rd day of Dec. 19 96.

21 Cornie Shagan
22 Clerk

23 Deputy Clerk

24 106570

25 NO.
26 Filed And Recorded At Request Of
27 Steve Dobrescu
28 Dec. 3, 1996

At 1 Minutes Past 12 O'Clock
p M In Book 122 Of Official Records
Page 472 Lincoln County Nevada.

James A. Setzer
County Recorder