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LOHETTA BOWMAN
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BY LORI HUNTER

1 Case No. D21016

2 Dept. No. XI

3 Docket: S

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6 IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF CLARK

8 * * * * *

9 ROBERT M. KELCH,)

10 Plaintiff,)

11 -vs-)

DECREE OF DIVORCE

12 JOANNE J. KELCH,)

13 Defendant.)

14

15 The above-entitled cause having come on regularly for
16 trial April 15, 1981 before the above-entitled court, sitting
17 without a jury, Plaintiff-Counterdefendant Robert M. Kelch
18 appearing in person and by and through his attorney, Stewart M.
19 Bell of Bell, Leavitt & Green, Defendant-Counterclaimant Joanne J.
20 Kelch appearing in person and by and through her attorney, Roger
21 A. Wirth of Jolley, Urga & Wirth, the parties having by stipula-
22 tion resolved all questions as to child custody, visitation,
23 division of property, child support, alimony, and fees and costs,
24 the court having heard evidence and witnesses sworn and examined
25 in open court and said action having been submitted to the court
26 for decision and judgment, the court having approved the stipula-
27 tions of the parties and being fully advised in the premises, both
28 parties having waived the filing and service of findings of fact,
29 conclusions of law, and notice of entry of judgment, good cause
30 appearing, upon consideration thereof, the court finds:

31 That the court has complete jurisdiction in the premises
32 both as to the subject matter thereof and the parties thereto;

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1 that the Plaintiff-Counterdefendant and Defendant-Counterclaimant
2 are now and for more than six weeks immediately preceding the
3 commencement of this action have been actual, bona fide residents
4 and domiciliaries of the County of Clark, State of Nevada, actually
5 and physically residing and being domiciled therein during all of
6 said period of time; that Defendant-Counterclaimant is entitled to
7 an absolute decree of divorce on the grounds set forth in the
8 counterclaim; it is hereby

9 1. ORDERED, ADJUDGED and DECREED that the bonds of
10 matrimony heretofore and now existing between Plaintiff-
11 Counterdefendant and Defendant-Counterclaimant be, and the same
12 are, hereby wholly dissolved, set aside, and held for naught, and
13 an absolute decree of divorce is hereby granted to the Defendant-
14 Counterclaimant, and each of the parties hereto is hereby restored
15 to the status of a single, unmarried person; and it is

16 2. FURTHER ORDERED, ADJUDGED and DECREED that Defendant-
17 Counterclaimant Joanne J. Kelch be and hereby is awarded as her
18 sole and separate property the real property and improvements at
19 6636 West Treadway, Las Vegas, Clark County, Nevada, free and
20 clear of encumbrances, and the 1967 Ford Mustang automobile, free
21 and clear of encumbrances, and that Plaintiff-Counterdefendant
22 Robert M. Kelch be and hereby is awarded as his sole and separate
23 property the eleven acres of unimproved property in Alamo, Nevada,
24 and the 1979 Chevrolet Caprice automobile; and it is

25 3. FURTHER ORDERED, ADJUDGED and DECREED that Defendant-
26 Counterclaimant Joanne J. Kelch be and hereby is awarded as her
27 sole and separate property the household furniture, furnishings
28 and items of decoration and miscellaneous items of personal property
29 located at 6636 West Treadway, Las Vegas, Clark County, Nevada,
30 excepting therefrom the following items of personal property which
31 are hereby awarded to Plaintiff-Counterdefendant Robert M. Kelch
32 as his sole and separate property: Sylvania stereo; typewriter;

1 wood desk; Laser camper; antique sewing box; filing cabinet;
2 antique dresser; antique buffet; grandfather's toolbox; furniture
3 in the home office (with the exception of a brown chair); two brown
4 swivel rockers; the dining room set, consisting of a table, six
5 chairs, table pad and tablecloths; and all tools acquired prior to
6 the separation of the parties in April 1980; and it is

7 4. FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff-
8 Counterdefendant Robert M. Kelch be and hereby is awarded as his
9 sole and separate property the business known as "Robco Storage",
10 together with all income received therefrom after April 15, 1981,
11 subject to all debts and obligations thereof; and it is

12 5. FURTHER ORDERED, ADJUDGED and DECREED that the
13 parties shall cooperate in the preparation and filing of a joint
14 federal income tax return for the tax year 1980 provided that
15 Plaintiff-Counterdefendant Robert M. Kelch shall pay all costs
16 attendant to preparation of said return as well as all liabilities
17 thereon, and shall pay, discharge and hold Defendant-Counterclaimant
18 Joanne J. Kelch free and harmless from any and all income tax
19 assessments, deficiencies, interest and penalties, if any, levied
20 against the parties by any taxing authority for any period during
21 the marriage of the parties, and further provided that any refund
22 paid upon the aforementioned federal income tax return for the tax
23 year 1980 shall be divided equally by the parties; and it is

24 6. FURTHER ORDERED, ADJUDGED and DECREED that Defendant-
25 Counterclaimant Joanne J. Kelch be and hereby is awarded the
26 exclusive care, custody and control of Brian Robert Kelch, born
27 April 1, 1980, subject to Plaintiff-Counterdefendant Robert M.
28 Kelch's privileges of visitation as follows:

29 A. From date hereof and until July 15, 1981,
30 visitation each and every Wednesday, or such other day as the
31 parties shall reasonably agree, from 10:00 a.m. until 7:00 p.m.
32 provided, however, such visitation shall be in the presence of

1 either the mother or sister of Plaintiff-Counterdefendant;

2 B. Commencing July 15, 1981 and continuing to
3 April 1, 1983, visitation each and every Wednesday, or such other
4 day as the parties shall reasonably agree, from 10:00 a.m. to 7:00
5 p.m.;

6 C. Commencing April 1, 1983 and thereafter until
7 further order of this court, visitation bi-weekly, on Wednesday
8 and Thursday, or such other two-day period as the parties shall
9 reasonably agree and, on intervening weeks, during the daytime hours
10 on Wednesday or such other day as the parties shall reasonably agree;

11 D. Odd-numbered years, April 1, Thanksgiving and
12 December 24, and even-numbered years, December 25 and Easter, such
13 visitation to terminate at Brian's normal bedtime, provided, any
14 other visitation provisions herein notwithstanding, Brian Robert
15 Kelch shall remain in the custody of Defendant-Counterclaimant
16 Joanne J. Kelch on the dates stated in this paragraph in the years
17 in which visitation by Plaintiff-Counterdefendant is not provided
18 by this paragraph;

19 E. In 1985 and 1986, visitation of two weeks
20 during the summer; in 1987, visitation of three weeks during the
21 summer; and commencing in 1988 and each year thereafter, visitation
22 of four weeks during the summer, the exact dates to be reasonably
23 agreed upon by the parties; and it is

24 7. FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff-
25 Counterdefendant pay to Joanne J. Kelch as and for alimony the sum
26 of \$1,500 per month, commencing May 1, 1981 and continuing through
27 August 1, 1985, provided, however, such payment shall be increased
28 based upon increases in the cost of living, as determined by the
29 monthly index of the Consumer Price Index for Urban Wage Earners
30 and Clerical Workers, U. S. City Average, All Items, U. S. Department
31 of Labor (1967 base), May 1, 1982, May 1, 1983, May 1, 1984, and
32 May 1, 1985 to an amount obtained by multiplying \$1,500 per month

1 by the monthly index number for March 1 of the year of adjustment
2 and dividing the same by the index number for March 1, 1981;
3 commencing September 1, 1985, said alimony shall be reduced to a
4 sum determined by multiplying \$1,000 by the monthly index number
5 for July 1, 1985 and dividing the same by the monthly index number
6 for March 1, 1981; such alimony shall terminate after payment of
7 the payment due August 1, 1986, and commencing September 1, 1986
8 Plaintiff-Counterdefendant Robert M. Kelch shall pay to Defendant-
9 Counterclaimant Joanne J. Kelch child support in a monthly amount
10 determined by multiplying \$500 by the monthly index number for
11 July 1, 1986 and dividing the same by the monthly index number for
12 March 1, 1981, and such child support shall thereafter, on May 1
13 of each year during the minority of Brian Kelch, be increased to
14 such sum as is determined by multiplying \$500 by the March 1 index
15 number for the year of adjustment and dividing the same by the
16 monthly index number for March 1, 1981; Plaintiff-Counterdefendant
17 Robert M. Kelch shall pay to Defendant-Counterclaimant Joanne J.
18 Kelch as and for further alimony, on the first day of each month
19 for a period of twenty-four months thereafter, commencing May 1,
20 1981, the sum of \$200; all sums payable hereunder until September 1,
21 1986 shall be deductible by Plaintiff-Counterdefendant Robert M.
22 Kelch for federal income tax purposes as alimony and shall be
23 declared by Defendant-Counterclaimant Joanne J. Kelch for federal
24 income tax purposes as alimony; in the event of the remarriage of
25 Joanne J. Kelch prior to September 1, 1986, Plaintiff-
26 Counterdefendant Robert M. Kelch shall be relieved of any further
27 obligation to pay alimony and shall thereupon, on the first day of
28 the month following such remarriage, pay to Joanne J. Kelch as and
29 for child support a sum determined by multiplying \$500 times the
30 monthly index number of the Consumer Price Index as aforescribed,
31 for the first day of the month two months preceding said remar-
32 riage and dividing the same by the monthly index number for

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1 March 1, 1981, provided, however, such remarriage shall not relieve
2 Plaintiff-Counterdefendant Robert M. Kelch of the additional
3 alimony payments of \$200 per month payable commencing May 1, 1981
4 and continuing thereafter for a twenty-four months period; and it
5 is

6 8. FURTHER ORDERED, ADJUDGED and DECREED that Plaintiff-
7 Counterdefendant Robert M. Kelch shall promptly pay when due or
8 promptly reimburse to Defendant-Counterclaimant Joanne J. Kelch
9 all medical, dental, orthodontic and optical expenses of Brian
10 Robert Kelch during his minority; and it is

11 9. FURTHER ORDERED, ADJUDGED and DECREED that the
12 obligations of Plaintiff-Counterdefendant Robert M. Kelch shall
13 survive his death and shall be binding upon his estate; and it is

14 10. FURTHER ORDERED, ADJUDGED and DECREED that the
15 parties shall bear their own attorneys' fees and costs incurred
16 herein.

17 DATED: This 12 day of April 1981.

18 **ABDELIAR D. GUY,**

19 **DISTRICT JUDGE**

20 Submitted by:

21 **JOLLEY, URGAS & WIRTH**

22 *[Signature]*
23 BY
24 **ROGER A. WIRTH, ESQ.**
25 302 East Carson, Suite 514
26 Las Vegas, Nevada 89101
27 Attorneys for Defendant-Counterclaimant

No. **108760**
filed and recorded at request of
BRAD LAWRENCE
APRIL 8, 1997

28 Approved as to content and form by:

29 **BELL, LEVITT & GREEN, CHTD.**

At 01 minutes past 11 o'clock
Lincoln County Nevada Recorder.

Yuriko Setzer
COUNTY CLERK
by *[Signature]* **deputy**

30 *[Signature]*
31 BY
32 **STEWART M. BELL, ESQ.**
601 East Bridger Avenue
Las Vegas, Nevada 89101
Attorneys for Plaintiff-Counterdefendant

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- 6 - *[Signature]*
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