



Online Court Assistance Program

Name: **Dana Lee Pickard**
Address: **1336 Sotogrande Way**
Syracuse, UT 84075
Phone: **(801) 721-5721**
Email: **dpickard123@hotmail.com**
Pro Se I am the Petitioner

IN THE SECOND JUDICIAL DISTRICT COURT
OF DAVIS COUNTY, STATE OF UTAH
Second District Court, 800 West State Street, P.O. Box 769, Farmington UT 84025

<p>Dana Lee Pickard, Petitioner,</p> <p>v.</p> <p>Rhonda Kay Pickard, Respondent.</p>	<p>DECREE OF DIVORCE AND JUDGMENT</p> <p>Case No. 194700227</p> <p>Commissioner: Morgan</p> <p>Judge: Connors</p>
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This divorce action is before the court on **Dana Lee Pickard's** VERIFIED PETITION FOR DIVORCE. The Court having found and entered its FINDINGS OF FACT AND CONCLUSIONS OF LAW and being otherwise fully advised, adjudges and decrees as follows:

DIVORCE

1. **Dana Lee Pickard** is granted a divorce based on his Affidavit of Jurisdiction and Grounds, the divorce to become final upon entry.

CHILDREN

2. There are no unborn or minor children from this marriage. There are no children of this marriage as defined in Utah Code 78B-12-102(7)(a). There are either no adult children from this marriage eligible for child support as defined in Utah Code 78B-12-102(7)(b) and (c), or, **Dana Lee Pickard** is not asking the court to establish a child support order for any adult child who may be eligible under Utah law.

PERSONAL PROPERTY

3. The following vehicles are divided as indicated:
a. **Dana Lee Pickard** is awarded the following vehicles:

i. Make: **Dodge**, Model: **Ram 2500**, Year: **2008**
Estimated current value: **\$21,560.00**
Owner (before divorce): **Dana Lee Pickard**

ii. Make: **Jeep**, Model: **Wrangler**, Year: **2017**
Estimated current value: **\$30,000.00**
Owner (before divorce): **Dana Lee Pickard**

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This vehicle is security for the following loans

Lender: **Goldenwest Credit Union**
Address: **5025 South Adams Avenue**
South Ogden, UT 84403

Amount Owed: **\$32,000.00**

Monthly Payment: **\$558.00**

Dana Lee Pickard will pay: **The entire debt.**

Person to provide creditor Decree of Divorce: **Dana Lee Pickard**

iii. Make: **Harley Davidson**, Model: **Road King Classic**, Year: **2012**
Estimated current value: **\$9,645.00**
Owner (before divorce): **Dana Lee Pickard**

iv. Make: **KTM**, Model: **Duke 690**, Year: **2016**
Estimated current value: **\$4,485.00**
Owner (before divorce): **Dana Lee Pickard**

v. Make: **KTM**, Model: **Freeride 250r**, Year: **2016**
Estimated current value: **\$3,300.00**
Owner (before divorce): **Dana Lee Pickard**

vi. Make: **Honda**, Model: **Africa Twin**, Year: **2016**
Estimated current value: **\$7,530.00**
Owner (before divorce): **Dana Lee Pickard**

b. **Rhonda Kay Pickard** is awarded the following vehicles:

i. Make: **Subaru**, Model: **Outback**, Year: **2013**
Estimated current value: **\$13,300.00**
Owner (before divorce): **Dana Lee Pickard**

4. The following bank and credit union accounts shall be divided as indicated:

a. Account number: **3014**

Name of Institution: **Golden West Credit Union**

Address: **5025 South Adams Avenue**
South Ogden, UT 84403

Account Balance: **\$661.00**

Names on Account: **Dana Lee Pickard**

Rhonda Kay Pickard

Divide as follows: **Dana Pickard will take over 100% of this account**

b. Account number: **9303**

Name of Institution: **Golden West Credit Union**

Address: **5025 South Adams Avenue
South Ogden, UT 84403**

Account Balance: **\$200.00**

Names on Account: **Dana Lee Pickard**

Rhonda Kay Pickard

Divide as follows: **Rhonda Pickard will take over 100% of this account**

OTHER PERSONAL PROPERTY

5. **Dana Lee Pickard** shall receive the following property:

Hand and power tools

Tool Chest

Work Benches in Garage

Woodworking machinery

Misc camping equipment

Kurzweil piano

Dana's Grandmothers Hutch

Dana's Grandmothers Anniversary Clock

Dana's Mothers curio cabinet

Dana's Bicycles

6. **Rhonda Kay Pickard** shall receive the following property:

Household furnishings

Appliances

Exterior shed

Riding Lawn Mower

Time Share at Iron Blossom Lodge, Snowbird, UT. Room 1016. Week 39

Sony A6000 Camera

Apple iPhone

HP Computer and Printer

Rhonda's Bicycles

Ping Pong Table

7. All other personal property shall be divided as the parties have already divided it.

CREDIT CARD DEBT

8. Each party is ordered to assume and pay debts and hold the other harmless from liability as follows:

- a. Credit Card: **VISA**
Credit Card Number: **1738**
Amount owed on debt: **\$6,482.00**
Credit Card Owner: **Dana Lee Pickard and Rhonda Kay Pickard**
Dana Lee Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Dana Lee Pickard**
- b. Credit Card: **Master Card**
Credit Card Number: **6910**
Purchases: **Zero percent interest credit card opened up to pay off high interest credit cards in Rhonda Kay Pickards name.**
Amount owed on debt: **\$8,348.00**
Credit Card Owner: **Dana Lee Pickard**
Rhonda Kay Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Dana Lee Pickard**
- c. Credit Card: **KOHL'S**
Credit Card Number: **Not Available**
Amount owed on debt: **\$500.00**
Credit Card Owner: **Rhonda Kay Pickard**
Rhonda Kay Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Rhonda Kay Pickard**
- d. Credit Card: **Visa Overdraft on Rhonda's Checking Acct**
Credit Card Number: **Not Available**
Amount owed on debt: **\$500.00**
Credit Card Owner: **Rhonda Kay Pickard**
Rhonda Kay Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Rhonda Kay Pickard**

INSTALLMENT LOAN DEBT

9. Each party is ordered to assume and pay debts and hold the other harmless from liability as follows:

- a. Debt owed to: **Goldenwest Credit Union**
Street: **5025 South Adams Avenue**
City, State, Zip: **South Ogden, UT 84403**
Loan Description: **2016 Vengeance Travel Trailer**
Amount owed on debt: **\$21,200.00**
Dana Lee Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Dana Lee Pickard**
- b. Debt owed to: **Goldenwest Credit Union**
Street: **5025 South Adams Avenue**

City, State, Zip: **South Ogden, UT 84403**
Loan Description: **2018 Can Am Maverick X3 Side by Side UTV**
Amount owed on debt: **\$16,310.00**
Dana Lee Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Dana Lee Pickard**

OTHER DEBT

10. Each party is ordered to assume and pay debts and hold the other harmless from liability as follows:

- a. Debt owed to: **Neil H Pickard**
Street: **Not Available**
City, State, Zip: **Not Available**
Description of debt: **Loan for home down payment**
Amount owed on debt: **\$20,000.00**
Dana Lee Pickard will pay: **The entire debt.**
Person to provide creditor Decree of Divorce: **Dana Lee Pickard**

REAL PROPERTY

11. During the course of the marriage, the parties acquired the following real property:

- a. **Single Family Home:**
 - i. Address: **1551 South Bluff Road, Syracuse, UT 84075;**
 - ii. Tax Identification Number: **120490078;**
 - iii. Legal description: **A PART OF THE SW 1/4 OF SEC 9-T4N-R2W, SLM; BEG AT A PT WH IS S 89°49'43" W 1136.375 FT (W 1136.375 FT) ALG THE SEC LINE; N 0°10'17" E 559.23 FT (N 558.36 FT) TO AN OLD EXIST FENCE; S 88°58' W 478.00 FT (S 89°40' W 478 FT) ALG SD FENCE & N 0°28' E 161.04 FT FR THE S 1/4 COR OF SD SEC 9 & RUN TH N 0°28' E 58.26 FT; TH N 89°52' W 248.80 FT (S 89°40' W 248.80 FT) TO THE CENTER OF A 3 ROD ROAD; TH S 24°07' E (S 24°35' E 143.44 FT) ALG SD CENTER LINE; TH N 63°00' E 45.14 FT; TH S 65°14'41" E 13.38 FT; TH N 67°23'24" E 148.77 FT ALG AN EXIST FENCE & FENCE LINE EXTENDED TO THE POB. CONT. 0.50 ACRES.**
- b. **Rhonda Kay Pickard** shall be awarded this property as her sole and exclusive property.

12. During the course of the marriage, the parties acquired the following real property:

- a. **Single Family Home:**
 - i. Address: **309 South 600 East, Clearfield, UT 84015;**
 - ii. Tax Identification Number: **120130022;**

- iii. Legal description: **ALL OF LOT 22, BLK 3, CENTRAL PARK SUB. CONT. 0.17 ACRES .**
- b. **Dana Lee Pickard** shall be awarded this property as his sole and exclusive property.
- c. The First Mortgage on this property shall be paid as follows:
 - i. Lender: **BBT Mortgage**
Address: **BBT Mortgage**
Amount Owed: **\$31,600.00**
Monthly Payment: **\$573**
Dana Lee Pickard will pay this mortgage after the divorce.
Dana Lee Pickard will provide a copy of the Decree of Divorce to the lender.

13. During the course of the marriage, the parties acquired the following real property:

a. **Single Family Home:**

- i. Address: **1573 South Bluff Road, Syracuse, UT 84075;**
- ii. Tax Identification Number: **120490077;**
- iii. Legal description: **BEG N 89°49'43" W 1136.375 FT ALG SEC LINE & N 0°09'37" E 558.3 FT TO PT ON A FENCE LINE AS DESC BY BNDRY LINE AGMT 414-208 & S 88°55'30" W 263.06 FT ALG SD FENCE LINE & S 89°06' W 216.94 FT ALG SD FENCE LINE FR THE SE COR OF SW 1/4 OF SEC 9-T4N-R2W, SLM; TH N 161.04 FT; TH S 67°23'24" W 148.77 FT; TH N 65°14'41" W 13.38 FT; TH S 63°00' W 45.14 FT; TH S 24°35' E 97.66 FT TO A PT S 89°06' W FR POB; TH N 89°06' E 148.5 FT ALG SD FENCE LINE TO THE POB. CONT. 0.50 ACRES. (WENT TO 12-049-0078).**

b. **Rhonda Kay Pickard** shall be awarded this property as her sole and exclusive property.

14. During the course of the marriage, the parties acquired the following real property:

a. **Single Family Home:**

- i. Address: **3871 Foxglen, Roy, UT 84067;**
- ii. Tax Identification Number: **09-337-0010;**
- iii. Legal description: **ALL OF LOT 459, FOXGLEN SUBDIVISION NO.22, ROY CITY, WEBER COUNTY, UTAH.**

b. **Dana Lee Pickard** shall be awarded this property as his sole and exclusive property.

c. The First Mortgage on this property shall be paid as follows:

- i. Lender: **BB&T Mortgage**
Address: **BB&T Mortgage**
Amount Owed: **\$116,200.00**
Monthly Payment: **\$835**
Dana Lee Pickard will pay this mortgage after the divorce.
Dana Lee Pickard will provide a copy of the Decree of Divorce to the lender.

15. During the course of the marriage, the parties acquired the following real property:

a. **Single Family Home:**

- i. Address: **1336 Sotogrande Way, Syracuse, UT 84075;**
- ii. Tax Identification Number: **123320220;**
- iii. Legal description: **ALL OF LOT 220, PRESTWICK SUB PHASE 2. CONT. 0.24 ACRES .**

b. **Dana Lee Pickard** shall be awarded this property as his sole and exclusive property.

c. The First Mortgage on this property shall be paid as follows:

- i. Lender: **Provident Funding Associates**
Address: **Provident Funding Associates**
Amount Owed: **\$280,000.00**
Monthly Payment: **\$1,705**
Dana Lee Pickard will pay this mortgage after the divorce.
Dana Lee Pickard will provide a copy of the Decree of Divorce to the lender.

ALIMONY

16. Alimony is awarded as follows:

a. **a. Dana Lee Pickard believes that Rhonda Kay Pickard should not be awarded alimony because Rhonda is the principal cause of the marital problems that have led to the divorce and she will have enough financial assets, including two debt free homes and rental income, to be able to provide for her future needs and expenses.**

i. Financial Stability - Rhonda has a pattern of opening and using credit card accounts without Dana's knowledge. In fact she goes to great lengths to hide them from Dana until the monthly payment is so great she cannot hide them from Dana. She has done this several times in the past, with each time an increase in indebtedness, and each time insists that she will never do it again. This has caused serious financial difficulties in the past which has required Dana to work extra hours and/or jobs to relieve the debt. Dana is getting close to retirement and will have limited financial resources when that happens. Dana is worried that Rhonda will continue this behavior which will seriously impact their financial stability.

ii. Health Concerns - Rhonda has serious issues with cleanliness and hoarding that create an unhealthy and dangerous living environment. The pet urine/feces and

moldy/rotting food in the home has caused Dana to suffer respiratory, headache and depression issues for many years. Many of the rooms in the home are chest high with "clutter" that Rhonda was unable to part with despite Dana's pleading. They have slept in separate bedrooms because the clutter in Rhonda's bedroom has piled so high it covered the side of the bed that Dana would normally sleep. Since Dana and Rhonda separated several family members and friends have forced Rhonda to clean out the home in order to convince Dana that things have gotten better and return. Dana feels that until Rhonda seeks professional counseling that she will continue to have these same issues. They have tried multiple times to resolve these issues without success. Until the separation Dana tried to stay away from the home as much as possible to try and stay healthy

17. Alimony shall be paid as follows:

Dana Lee Pickard will make no alimony payments to Rhonda Kay Pickard

RETIREMENT MONEY – RETIREMENT ACCOUNTS

18. The parties have retirement money. The owner of the retirement money (Plan Participant) shall cooperate fully in whatever is necessary for both parties to have full access to all of the information concerning the pension plan, retirement account, moneys and/or benefits, including signing any necessary forms for release of the information to the other party (Alternate Payee). In the event that the owner (Plan Participant) receives any of the retirement money awarded to the other party (Alternate Payee), the owner (Plan Participant) shall receive that money in the form of a constructive trust for the other party (Alternate Payee) and the owner (Plan Participant) is ordered to pay the benefit directly to the other party (Alternate Payee) within five days of its receipt. Information on the retirement accounts and how they are to be divided is listed below:

a. Company: **Goldenwest Credit Union**

- i. Account Type: **IRA**
- ii. Street: **5025 South Adams Avenue**
City, State, Zip: **South Ogden, UT 84403**
- iii. Plan Administrator **Dan Larsen**
- iv. Account Number **3014**
- v. This plan is in the name of **Dana Lee Pickard**
- vi. Plan Value: **\$182,205.00**
- vii. The plan shall be awarded by dollar amount. **Dana Lee Pickard** is awarded **\$66,505.00** and **Rhonda Kay Pickard** is awarded **\$115,700.00**.
- viii. **Petitioner** shall prepare the Qualified Domestic Relations Order (QDRO) for this plan within **30 Days** of the entry of the Decree of Divorce.

b. Company: **Goldenwest Credit Union (CUNA)**

- i. Account Type: **IRA**
- ii. Street: **5025 South Adams Avenue**
City, State, Zip: **South Ogden, UT 84403**
- iii. Plan Administrator **Dan Larsen**
- iv. Account Number **Not Available**
- v. This plan is in the name of **Dana Lee Pickard**
- vi. Plan Value: **\$158,280.00**
- vii. The entire account shall be awarded to **Dana Lee Pickard.**

c. Company: **Beneficial Life**

- i. Account Type: **IRA**
- ii. Street: **55 N 300 W**
City, State, Zip: **Salt Lake City, UT 84101**
- iii. Plan Administrator **Not Available**
- iv. Account Number **7086**
- v. This plan is in the name of **Dana Lee Pickard**
- vi. Plan Value: **\$31,146.00**
- vii. The entire account shall be awarded to **Dana Lee Pickard.**

d. Company: **Principal Financial**

- i. Account Type: **401k**
- ii. Street: **Not Available**
City, State, Zip: **Not Available**
- iii. Plan Administrator **Not Available**
- iv. Account Number **Not Available**
- v. This plan is in the name of **Dana Lee Pickard**
- vi. Plan Value: **\$76,430.00**
- vii. The entire account shall be awarded to **Dana Lee Pickard.**

ADDITIONAL PROVISIONS

19. The parties shall adhere to the following additional provisions:

a. **2015 Honda Grom Scooter**
Value \$800.00
Loan Amount - \$0.00
Name On Title - Dana Lee Pickard
Ownership after divorce - Dana Lee Pickard

b. **2018 Can Am Maverick X3 Side by Side**
Value - \$18,650.00
Loan Amount - \$16,310.00
Name on Title - Dana Lee Pickard
Ownership after divorce - Dana Lee Pickard

c. 2016 Forest River Vengeance Travel Trailer

Value - \$20,000.00

Loan Amount - \$21,200.00

Monthly Payment - \$332.00

Name on Title - Dana Lee Pickard

Ownership after divorce - Dana Lee Pickard

d. 2012 Shadow Cruiser Travel Trailer

Value - \$9,000.00

Loan Amount - \$0.00

Name on Title - Dana Lee Pickard

Ownership after divorce - Dana Lee Pickard

e. 2004 Hobie Cat Sailboat

Value \$2,800.00

Loan Amount - \$0.00

Name on Title - Dana Lee Pickard

Ownership after Divorce - Dana Lee Pickard

f. Life Insurance Policy from MONY for Keith Clarence West, Rhonda Kay Pickard's father, who is deceased. Amount is unknown. Will be distributed 50% to Rhonda Kay Pickard and 50% to Dana Lee Pickard. Rhonda Kay Pickard, as executor of Keith Clarence West's estate, will be responsible for completing this distribution within 60 days of the divorce being final.

DUTY TO SIGN DOCUMENTS WHICH IMPLEMENT DECREE OF DIVORCE

20. Both parties are ordered to sign and fully execute whatever documents are necessary for the implementation of the provisions of their divorce decree. Should a party fail to execute a document within 60 days of the entry of their divorce decree, the other party may bring an Order to Show Cause at the expense of the disobedient party and ask that the Court appoint some other person to execute the document pursuant to Rule 70 of the Utah Rules of Civil Procedure. Any document executed pursuant to Rule 70 has the same effect as if executed by the disobedient party.

Judge's signature may instead appear at the top of the first page of this document.

DATED April 11, 2019

David M. Cannon
District Court Judge



DATED _____

District Court Commissioner

CERTIFICATE OF DELIVERY

On **March 25, 2019** I mailed a copy of this DECREE OF DIVORCE AND JUDGMENT, to:

**Rhonda Kay Pickard
1551 South Bluff Road
Syracuse, UT 84075**

Sign here *Dana Lee Pickard*
Dana Lee Pickard