

The Order of the Court is stated below:

Dated: July 05, 2017
10:19:17 AM

/s/ BARRY LAWRENCE
District Court Judge



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**DISTRICT COURT OF THE STATE OF UTAH
THIRD JUDICIAL DISTRICT
SALT LAKE COUNTY**

<p>BRITTANY S. SCOTTORN, Petitioner, vs. ROBERT T. SCOTTORN, Respondent.</p>	<p>DECREE OF DIVORCE Case Number 174903605 Judge: Barry Lawrence Comm'r: Patrick Casey</p>
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The above-entitled matter came before the Court pursuant to Rule 7 of the Utah Rules of Civil Procedure. The Petitioner was represented by Kimberly D. Washburn and the Respondent, Robert T. Scottorn, did not appear, having filed an *Acceptance of Service, Entry of Appearance, Waiver and Notice and Consent to Entry of Default*.

The Court, having found and entered its Findings of Fact and Conclusions of Law and being otherwise fully advised, it is hereby

ORDERED, ADJUDGED AND DECREED:

1. That the Petitioner is hereby awarded a Decree of Divorce from the Respondent, such to become final upon signature and entry herein.

2. The parties have incurred debts and obligations during the course of their marriage. These debts and obligations are divided as follows:

A. Petitioner is ordered to assume and pay the following: first mortgage owed to America First Credit Union; ½ of cost to close mortgage early; ½ cost to close the home equity line of credit; the debt owed on the 2011 Sportsmobile; the debt on the 2015 GMC Sierra truck.

B. Respondent is ordered to assume and pay the following: the debt on the home equity line of credit in the amount of \$16,663.28 for the Respondent's 2016 KTM motorcycle; ½ of cost to close mortgage early; ½ of cost to close the home equity line of credit.

C. The parties have agreed that the Petitioner will refinance the marital residence solely into her name and take out a loan against the equity in the home to pay cash to the Respondent for his one-half share of marital assets. Through this refinance, the first mortgage and the home equity line of credit on the home will both be paid off in full.

D. Both parties are entitled to and shall receive a credit for one-half of the net equity in the home, with the Respondent's one-half of the net equity being reduced by the loan amount owed for the 2016 KTM 1190 motorcycle (which was purchased with funds from the home equity line of credit on the marital residence); one-half

of the net equity in the 2011 Sportsmobile, one-half of the net equity in the 2012 Nissan Xterra, and one-half of the net equity in the 2015 GMC Sierra truck.

3. Any debt incurred by a party since the date of the parties' separation is the sole responsibility of the party who incurred the debt.

4. Neither party is awarded alimony from the other.

5. During the course of the marriage the parties acquired a home located at 1393 East Galaxie Drive, Sandy, Utah 84093. The Petitioner is awarded the marital residence as her sole and separate property subject to the following:

A. The Petitioner should pay one-half of the net equity (value of the home minus the mortgage balance and the home equity line of credit balance) to the Respondent.

B. Upon payment of the one-half of the net equity to the Respondent from Petitioner, Respondent is ordered to execute all necessary documents to transfer the marital residence solely into the Petitioner's name.

6. During the course of the marriage relationship the parties acquired personal property. The following items of personal property are awarded to the Petitioner: 2015 GMC Sierra truck and the 2011 Sportsmobile (Ford E350 camper van, gold). The following items of personal property are awarded to the Respondent: 2012 Nissan Xterra and the 2016 KTM 1190 motorcycle.

7. All other personal property shall be divided in accordance with the property distribution list which is attached to the Verified Petition for Divorce Exhibit A and is incorporated herein by this reference.

8. All property and property rights which may be vested in either party as a result of family inheritance, trusts or similar sources should be awarded to the party from whose family it came.

9. All premarital property is awarded to the party that brought the particular item into the marriage, except for those items which have lost their separate character through improvements or commingling during the marriage.

10. Each party has acquired an interest in various retirement assets including pensions. These assets will be divided so that the parties share in these assets equally.

11. The parties are ordered to share equally in the cost of the preparation of all necessary Qualified Domestic Relations Orders for the division of the retirement plan and pension plan assets.

12. If this matter is uncontested, the parties should share equally the legal costs and attorneys fees incurred in this matter. If the matter becomes contested, the Petitioner will seek attorneys fees and costs from the Respondent.

13. The parties are ordered to file separate income tax returns for the year 2017 and every year thereafter.

14. The parties are ordered to restrain from transferring, disposing, or otherwise encumbering any of the assets of the parties during the pendency of this action unless advance written permission is granted by the other party or the Court enters an order after an appropriate motion is filed and ruled upon.

15. The Petitioner is restored the use of her former name "BRITTANY SARAH SANDERS" if she

so desires.

16. Each party is ordered to execute and deliver to the other such documents as are required to implement the provisions of the Decree of Divorce entered by the Court.

17. The parties are ordered to take all steps to comply with the Decree of Divorce within thirty (30) days following the Entry of the Decree of Divorce in this matter. The Petitioner shall pay the Respondent his share of the marital estate as set forth herein and the Respondent shall move out of the marital residence and remove all of his property.

18. The Court should grant such other and further relief as it may deem just and appropriate in this matter.

IN ACCORDANCE WITH THE UTAH STATE DISTRICT COURTS E-FILING STANDARDS, THE COURT'S SIGNATURE AND DATE OF ENTRY APPEAR ON THE TOP OF THE FIRST PAGE OF THIS ORDER.

**NOTICE PURSUANT TO RULE 7(j)(4) OF THE UTAH RULES
OF CIVIL PROCEDURE**

Please take notice that pursuant to Rule 7(j)(4) of the Utah Rules of Civil Procedure, that this proposed DECREE OF DIVORCE will be adopted by the Court unless you file an objection in writing within seven (7) days from the date of service of this Notice.

DATED this 23rd day of June, 2017.

/s/ Kimberly D. Washburn
Kimberly D. Washburn
Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing proposed DECREE OF DIVORCE was served via first class mail postage prepaid upon the following:

Robert T. Scottorn
7280 South 525 East
Midvale, UT 84047

DATED this 23rd day of June, 2017.

/s/ Kimberly D. Washburn
Kimberly D. Washburn
Attorney for Petitioner