

The Order of the Court is stated below:

Dated: March 29, 2022
02:15:52 PM

/s/ ANDREW H STONE
District Court Judge



Kathleen McConkie #3978
Michelle R. O'Neil #10656
Dean Collinwood #16424
MC CONKIE COLLINWOOD ADAMS
110 North Main Street
Bountiful, Utah 84010
Telephone: (801) 294-2800
Facsimile: (801) 295-6600
kathleen@kmclaw.net
michelle@kmclaw.net
dean@kmclaw.net

Attorneys for Petitioner

**IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY, STATE OF UTAH**

<p>LISA ZIMMERMAN, Petitioner, v. PATRICK ZIMMERMAN, Respondent.</p>	<p>DECREE OF DIVORCE Civil No. 214903050 Judge Hon. Andrew Stone Commissioner Michelle Blomquist</p>
--	--

Testimony verifying Petitioner's residency status, and grounds was entered by Petitioner's Affidavit; the Court having reviewed and heard Petitioner's Affidavit, and the parties' Stipulation and Property Settlement Agreement, on file with the court, and being fully advised in the premises, and having heretofore entered the Findings of Fact and Conclusions of Law, now as justice and equity require, therefore

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. Pursuant to Utah Code Ann. § 30-3-1(3)(b), Petitioner is awarded a divorce from the Respondent based upon irreconcilable differences.

Issue of Marriage:

2. The parties have no minor children as issue of this marriage.

Alimony

3. As Ms. Zimmerman has need and Mr. Zimmerman has the ability to pay, Ms. Zimmerman is awarded as alimony, one half of his total taxable income after state and federal taxes are taken out or \$8,000 whichever amount is greater. Respondent is ordered to send an alimony check by the 5th day of each month, which should be accompanied by his monthly pay stub. Alimony is awarded for a minimum of 11 years or until Respondent reaches retirement age (65) and actually retires from his full-time employment at Intermountain Healthcare, with a reduction in income of at least 50%. If Respondent continues to work at his Intermountain Healthcare jobs after retirement age, and his income remains over 50% of its current amount, alimony is to continue as outlined above; however, if he retires then alimony shall terminate as both parties will have access to retirement funds at that point.

4. Alimony is to automatically terminate upon death, remarriage or cohabitation of Petitioner.

5. Respondent and Petitioner are entitled to notice of change in either's full-time (meaning more than 30 hours per week) employment or increase or decrease in income within 30 days of the occurrence, as well as retirement. Alimony may be revisited if such a change occurs.

ASSETS AND DEBTS

Debts:

2. There are no joint marital debts outside of the first mortgage on the marital home.
3. Respondent is ordered to pay the approximately \$1500 total remaining on the Amex, REI and Citi Costco cards from the joint account. Any debts incurred after the date of the parties' agreement are the responsibility of the party incurring the debt.
4. Should any debts exist they are the responsibility of the party who incurred the debt.
13. Each party is ordered to assume responsibility for the debts they have personally accrued after the date of separation (April 2018), with the responsible party holding the other harmless for any and all liability thereon.

Identity Theft:

14. Each party is ordered not use the other party's likeness, identity, or personal information for any inappropriate or unauthorized purpose.

Personal Property:

15. The parties have already divided their personal property and agree to the division of specific items of personal property as follows:
 - a. Petitioner is to receive the parties' Eccles Theater Season pass tickets; however, Respondent is entitled to purchase Eccles tickets, through Petitioner's account, until he is able to purchase his own Eccles Season tickets in 2023.
 - i. Petitioner is ordered to provide Respondent with her log in information for the Eccles account so that Respondent may purchase additional tickets for individual shows (with Petitioner's approval).

- ii. Petitioner is ordered to transfer to Respondent any tickets she does not intend to use and should forward any emails from Eccles theater regarding the account, until Respondent is able to purchase his own season tickets. This obligation will automatically terminate after the expiration of one year or January 1, 2023.
 - iii. Respondent shall retain 2 of the tickets for Hamilton that came with the subscription and Petitioner will retain the remaining 8 tickets the parties' purchased.
- b. Respondent is to receive the parties' opera and football season tickets;
 - c. Petitioner is to receive all the furniture and appliances in the marital home;
 - d. Respondent is to receive all the furniture and appliances in the condo.

Financial Accounts:

- 16. The parties are to equally divide their joint bank accounts.
- 17. Any jointly-titled accounts are to be closed after division.

Retirement Assets:

18. The parties' 401(k), 403(b), 457(b) retirement accounts are to be equally divided, other than as specifically described herein below. The parties will cooperate and split the cost of any QDRO prepared to facilitate said transfer of funds.

19. The pension account shall be divided pursuant to the Woodward formula. The parties are to cooperate and split the cost of any QDRO prepared to facilitate the said transfer of funds.

Vehicles:

20. During the course of the marriage, the parties acquired certain vehicles. Petitioner is awarded the 2013 Lexus, and the Subaru and the Camry, which are being used by the adult children and Respondent is awarded the Jeep, the Volvo and the Suburban.

Real Property:

21. The parties' real property located at 993 West Chapel Ridge, Dr., South Jordan, UT 84095 and 11104 Owen Ridge Way, South Jordan, UT 84095 is to be divided as follows:

- a. Petitioner is awarded the marital home free and clear of any claim by Respondent. Respondent is awarded equity in the marital home in the amount of \$36,000. Petitioner is ordered to pay Respondent the \$36,000 within 12 months of the date the divorce is final. Respondent is ordered to quitclaim his interest in the marital home within one week of the date the divorce is final.
- b. Respondent is awarded the 11104 Owen Ridge Way, South Jordan, UT property free and clear from any claim from Petitioner.
- c. The parties are ordered to cooperate with executing the necessary documents to transfer title and remove each other from the respective mortgages.
- d. The parties are ordered to equally split the property taxes associated with both properties for 2021 and are ordered to assume all related taxes and liabilities associated with the property each party was awarded thereafter.

Taxes:

22. The parties are ordered to file a joint income tax return for the 2021 tax year and to divide any refund or liability equally. The parties' are ordered to cooperate in exchanging necessary information to see that the joint return is timely filed.

Miscellaneous:

23. Each party is responsible for his and her own attorneys' fees and costs in this action.

24. The parties are ordered to each put aside \$15,000 (or \$30,000 total) for the purpose of paying the expenses associated with the marriage(s) of their adult children. Respondent shall put his \$15,000 into a separate bank account, to be accessed and used solely for the expenses associated with the marriage(s) of the parties' adult children.

25. Petitioner is awarded the right to change her name at the time of the divorce if she so elects.

26. Each party is permanently restrained from doing or saying anything to the detriment, harm, or injury of the other party. The parties are mutually restrained from involving any third party to injure or harm, harass, abuse, stalk, or bother the other party or any person associated with the other party.

27. Each party is restrained and enjoined from speaking negatively about the other party in front of family members.

28. Each party is ordered to sign all necessary documents, Deeds, or conveyances as are needed to transfer property, vehicles or other assets as divided by the Decree of Divorce.

***** In accordance with the Utah R. Civ. P. 10 (e), the official signature of the court authority who has hereto attached a signature to this order of the court will appear at the top of the first page.***

McCONKIE LAW OFFICES

/s/ Kathleen McConkie
Kathleen McConkie
Michelle O'Neil
Attorneys for Petitioner

Approved as to Form:

/s/ Jason Fuller

Jason Fuller

Attorney for Respondent

*Signed electronically by Kathleen McConkie with permission of Jason Fuller

CERTIFICATE OF SERVICE

I hereby certify that e-filed and delivered a true and correct copy of the above and foregoing *Decree of Divorce* to the following on this 28th day of March 2022:

Jason Fuller

/s/ Michelle R. O'Neil