

The Order of the Court is stated below:

Dated: March 21, 2024
10:24:21 AM

/s/ DENISE M PORTER
District Court Judge



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**IN THE FOURTH JUDICIAL DISTRICT COURT IN AND FOR
UTAH COUNTY, STATE OF UTAH**

In the matter of the marriage of

AGUSTINA GORO,
Petitioner,

and

**EDUARDO L. NIETO
CASTELLANOS,**
Respondent.

DECREE OF DIVORCE

Case No. 244100044

Judge Denise M. Porter

Commissioner Marla Snow

IN THIS ACTION, the parties, having signed a Stipulation for Divorce (the “Stipulation”), consenting to the entry of a Decree of Divorce consistent with the terms set forth in the Stipulation;

NOW THEREFORE, in light of the foregoing; and for good cause appearing;

IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

1. The parties are granted a divorce on the grounds of irreconcilable differences pursuant to Utah Code Ann. § 30-3-1(3)(h).

MINOR CHILDREN

2. The parties do not have any children together and no children are expected.

ALIMONY

1. Both parties are fully capable of supporting themselves. Neither party will be awarded any alimony either now or hereafter.

MARITAL HOME & REAL PROPERTY

2. Real Property: The parties own a home located at 608 E. 430 S., American Fork, Utah 84003 (the “Marital Home”). The Marital Home was purchased prior to the marriage.

3. The Marital Home is awarded to the Petitioner as her sole and separate property. The Petitioner will pay the mortgage payments, utilities, taxes, and any other costs associated with this property and will hold the Respondent harmless on any and all debts.

4. The Petitioner will pay the Respondent his one-half share of any equity that had accrued as of October 16, 2023, when the parties separated. The parties will agree on a buy-out amount hereafter (based on an appraisal if necessary), and the Petitioner will pay that amount to the Respondent as soon as she is able.

5. The Petitioner’s parents borrowed \$4,000 to the parties to assist them with the purchase of the Marital Home. The Respondent will reduce his equity share by \$2,000 and those funds will be paid back to the Petitioner’s parents.

MARITAL PROPERTY

1. Petitioner is awarded her personal items, including but not limited to clothing, furniture, electronics, and personal effects. The Respondent is awarded his personal items, including but not limited to clothing, furniture, electronics, and personal effects. The parties’ property has been equitably divided as agreed. Both parties are therefore awarded the property that they now have

in their possession and control.

2. The parties will divide their vehicles as follows: Agustina is awarded the 2021 Nissan Rogue and any associated financial obligations. Eduardo is awarded the 2013 Subaru Crosstrek and any associated financial obligations. Within 30 days of the signing of this Stipulation, if necessary, Agustina will move the loan on the 2021 Nissan Rogue into her name only and the title will be transferred to her (current approximate loan balance is \$31,190). Also within 30 days of the signing of this Stipulation, Eduardo will refinance the loan on the 2013 Subaru Crosstrek and remove Agustina from any liability (current approximate loan balance is \$8,275). If either party is unable to refinance or move the loan on their respective vehicle into their sole and separate names, then that vehicle will be listed for sale and sold immediately at fair market value. Both parties will be personally responsible for any shortfall on their vehicles' loan or will keep any equity received.

6. During the course of their marriage, the parties may have accrued pension, profit sharing and/or other retirement benefits or accounts, including but not limited to 401(k) retirement plans, if any. The parties are awarded any pension, profit sharing and/or other retirement benefits or accounts, including but not limited to 401(k) retirement plans, which are currently in their sole and separate names. Neither party will divide any such accounts with the other party, both parties are awarded all accounts and funds that are currently under their separate names (although neither party knows of any such accounts).

7. During the course of the marriage, the parties had checking and savings accounts (and other accounts). Both parties are awarded their sole and separate personal accounts that are currently in their separate names (and any funds therein) free and clear from any ownership

interest of the other party. There may be one joint account with a nominal sum. This account is awarded to Agustina and she will close the account.

8. Both parties are awarded an equal share of any mutually filed tax refunds. The parties will either file a joint tax return for 2023 or choose to file separately, depending on the expected benefits. If the parties are unable to agree on whether to file a joint return then they will each file separately. Thereafter, for 2024 and beyond, the parties will file separately and retain their own separate refunds, if applicable.

9. The parties do not own any businesses or other income-generating properties together.

3. Both parties will retain ownership of any life insurance accounts that are currently under their sole and separate names and will reassign beneficiaries as applicable or desired.

1. MARITAL DEBT

10. The Petitioner will be fully responsible for any and all debts that are under her sole and separate name and will hold the Respondent entirely harmless on these debts. The Respondent will be fully responsible for any and all debts that are under his sole and separate name and will hold the Petitioner entirely harmless on these debts.

MISCELLANEOUS

1. Prior to a Petition to Modify being filed to change any provision of a final decree, the parties must first make a good faith attempt to resolve the issue through mediation, for which both parties will share the cost equally.

2. The Petitioner owned a dog prior to the marriage and the parties purchased another dog together during the marriage. The dogs have been residing with the Petitioner since the parties

separated and she has taken care of them and paid for all of their maintenance costs. As a result, both dogs are awarded to the Petitioner as her sole and separate property.

3. Each party will be responsible for his or her own costs and attorney's fees.
4. Each party will execute and deliver to the other party any documents necessary to implement the provisions of the Decree of Divorce entered by the court.

End of Order. Court's signature and seal in top margin.

/s/ Eduardo L. Nieto Castellanos

Approved as to form (electronically signed with permission of Respondent via email on March 16, 2024)

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of March 2024, I caused a true and correct copy of the foregoing DECREE OF DIVORCE to be served via email and via U.S. mail, first class, postage pre-paid, upon the following:

Eduardo L. Nieto Castellanos
1116 E. 750 S.
Layton, Utah 84041

/s/ Darin S. Featherstone