

IN THE DISTRICT COURT OF SARPY COUNTY, NEBRASKA

ANGELA MARIE KEYES,] DOC. CI03 NO. 1507
Petitioner,]
vs.] DECREE OF DISSOLUTION
DONALD ANDREW KEYES II,]
Respondent.]

2004 APR 21 PM 12:35
SARPY COUNTY
DISTRICT COURT
Clerk
Clerk of District Court

THIS MATTER came for final hearing on the 2nd day of April, 2004 upon the Petition for Dissolution filed herein by the Petitioner, and the parties having reached an agreement. Appearing in Court were, Respondent, with his attorney David Christensen. Not appearing in court, but having approved the Decree was the Petitioner, Angela Keyes, and her attorney, Angela Dunne Tiritilli. Whereupon, the Court, being fully advised in the premises, finds as follows:

I.

The parties were residents of the State of Nebraska for more than one (1) year immediately prior to the filing of the Petition.

II.

Neither party is party to any other pending action for legal separation, annulment or dissolution.

III.

Neither party is a member of the armed forces of the United States or its allies.

IV.

The Court has jurisdiction of both parties and the subject matter of this action.

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V.

The parties were married on the 27th day of August, 1988.

VI.

There are five children born of the marriage of the parties, namely:

DONALD ANDREW KEYES, born March 7, 1990, age 14;

NOAH JOHN KEYES, born April 8, 1992, age 11;

RACHAEL EDIE MAE KEYES, born July 7, 1994, age 9;

SAMUEL CHARLES KEYES, born May 9, 1997, age 6; and,

BENJAMIN JOSIAH KEYES, born March 3, 1999, age 5.

VII.

Both parties are fit and proper person to be awarded joint legal custody of the minor children of the parties with the primary residence being with the Respondent and subject to the Petitioner's right of liberal parenting time as set forth in the Parenting Plan attached and incorporated herein.

VIII.

The Petitioner should be awarded parenting time pursuant to the Parenting Plan attached and incorporated herein.

XI.

Neither party should be ordered to pay child support for the minor children as hereinafter ordered.

X.

The Respondent should maintain health insurance on the minor children of the parties as hereinafter ordered. The Respondent should maintain health insurance on the Petitioner for a period of six (6) months following the entry of the Decree of Dissolution.

The parties should each be responsible for a portion of the deductibles, co-pays and

uninsured medical, dental, orthodontia, pharmacy and ophthalmology expenses of the minor children of the parties as hereinafter ordered.

XI.

The parties should pay and be responsible for any and all work or education related child care expenses when the minor children are in their respective possession.

XII.

The Respondent should be awarded the tax exemptions for the minor children for the purpose of filing State and Federal Income Tax Returns.

XIII.

The parties should be awarded their personal property as hereinafter ordered.

XIV.

The Respondent should be awarded the real property of the parties located at 13104 S. 150th Street, Springfield, Nebraska as hereinafter ordered.

XV.

The parties should each be awarded their own checking and savings accounts held in their own individual names.

XVI.

The Respondent should be awarded his Smith Hayes Financial account as hereinafter ordered.

XVII.

The Respondent should be awarded all right, title and interest in Keyes Enterprises as hereinafter ordered.

XVIII.

The parties should pay and be responsible for their own separate debts incurred since November, 2003 and hold each other harmless from said debts.

The Respondent should pay the marital debt as hereinafter ordered.

XIX.

The Respondent should pay to the Petitioner a lump sum property settlement in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) within thirty (30) days of the entry of the Decree of Dissolution.

XX.

Neither party should be awarded alimony.

XXI.

The parties should each pay and be responsible for their own attorneys fees incurred in this matter.

XXII.

Each of the parties warrants to the other party that there has been an accurate, complete and current disclosure of all income, assets, debts, and liabilities. Both parties understand and have agreed that any deliberate failure to provide complete disclosure constitutes grounds for setting aside this Decree of Dissolution of Marriage. The property referred to in this Decree represents all the property which either party has any interest in or right to, whether legal or equitable, owned in full or in part by either party, separately or by the parties jointly.

XXIII.

Upon evidence that reconciliation efforts have been attempted and that further reconciliation efforts would not be fruitful, the Court finds that the marriage of the parties is irretrievably broken and should be dissolved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the marriage of the Petitioner and the Respondent is dissolved.

CUSTODY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties shall be awarded joint legal of the minor children and the primary residence being with the Respondent and subject to the Petitioner's right of liberal parenting time as set forth in the Parenting Plan attached and incorporated herein.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Petitioner shall be awarded parenting time pursuant to the Parenting Plan attached and incorporated herein.

REMOVAL FROM JURISDICTION

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that neither party shall remove the minor children of the parties from the jurisdiction of the Court, said jurisdiction being the State of Nebraska, other than for leisure or vacation periods, and each parent shall be required to obtain a court order to move and relocate the children's residence outside of Nebraska.

CHILD SUPPORT

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that neither party shall be ordered to pay child support.

INSURANCE

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent shall maintain health insurance coverage for the minor children.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Respondent shall maintain health insurance on the Petitioner for a period of six months following the entry of this Decree of Dissolution.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each party shall be required to furnish to the Clerk of the District Court of Sarpy County, whether he or she has access to employer-related health insurance coverage and, if so, the health insurance policy information.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent shall be responsible for the first \$480.00 per child of uninsured medical, dental, orthodontia, pharmacy and ophthalmology expenses on an annual basis. Thereafter the Petitioner shall pay twenty percent (20%) of any and all deductibles, co-pays, and uninsured medical, dental, orthodontia, pharmacy and ophthalmology expenses for the minor children in excess of \$480.00 per child per year, until said minor children reach the age of majority, die, marry, become emancipated or until further order of the Court. The Petitioner shall reimburse the Respondent for her portion within thirty (30) days of receiving from the Respondent proof of payment of the first \$480.00 per child in expenses on an annual basis and a receipt of the requested reimbursement after said expense has been processed through the applicable health insurance.

CHILDCARE EXPENSES

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties shall pay and be responsible for any and all work or education related child care expenses when the minor children are in their respective possession

TAX EXEMPTIONS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent shall claim each of the minor children for State and Federal income tax purposes.

PERSONAL PROPERTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each of the parties shall be awarded the personal property in their possession.

The Respondent shall be awarded the 1992 Dodge Ram van and the 1992 Chrysler Caravan free and clear of any interest of the Petitioner and hold the Petitioner harmless from any liability thereon.

REAL PROPERTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the real property of the parties located at 13104 S. 150th Street, Springfield, Nebraska shall be awarded to the Respondent free and clear of any interest of the Petitioner. The Respondent shall hold the Petitioner harmless from any liability thereon.

BANK ACCOUNTS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that each of the parties shall be awarded their own checking and savings accounts held in their own individual names.

FINANCIAL ACCOUNTS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent shall be awarded his Smith Hayes Financial account free and clear of any interest of the

Petitioner.

BUSINESS INTEREST

IT IS FURTHER ORDERED, ADJUDGED AND DECREED the Respondent shall be awarded all right, title and interest in Keyes Enterprises.

DEBTS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the parties shall each pay and be responsible for their separate debts since November, 2003 and shall hold each other harmless from said debts.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent shall pay and be responsible for the MBNA credit card account number 5490-9905-6102-2375, and the Springfield bank loan and hold and indemnify the Petitioner harmless thereon.

PROPERTY SETTLEMENT AWARD

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent shall pay to the Petitioner a lump sum property settlement in the amount of One Hundred Ten Thousand Dollars (\$110,000.00) within thirty (30) days from the entry of the Decree of Dissolution by the court.

ALIMONY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that neither party should be awarded alimony and both parties are forever barred from seeking alimony from

the other hereafter.

ATTORNEY FEES

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that parties shall each pay and be responsible for their own attorneys fees incurred in this matter.

FULL DISCLOSURE

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any deliberate failure on the part of either party to provide complete disclosure of all income, assets, debts, and liabilities as they relate to the determination of alimony, or asset and debt allocations as stated herein, shall constitute grounds for setting aside this Decree of Dissolution of Marriage.

GENERAL PROVISIONS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that within thirty (30) days of the date of the Decree herein, each party shall execute and deliver to the other party any and all documents necessary to transfer title to the property herein awarded to either party, and upon failure or refusal to do so, this Decree shall operate as a conveyance of said property. Each party shall execute all Deeds of Trust or other security instruments as may be necessary during the 30 day period following the entry of this Decree to facilitate either purchase or financing of real estate by the other party during said period.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Decree shall become final and operative, except for the purposes of review by appeal, thirty (30) days after the entry of this Decree or on the date of the death of one of the parties, whichever shall

occur first.

For the purpose of remarriage and for the purposes of health insurance coverage, this Decree shall become final six (6) months after its entry or on the date of the death of one of the parties, whichever shall occur first.

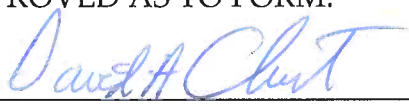
In the event of the death of one of the parties, this Decree shall be treated as if it became final on the date of its entry.


SIGNED this 21st day of April, 2004.

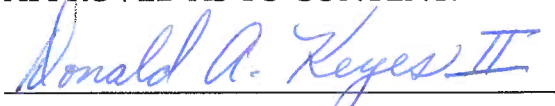
BY THE COURT:


DISTRICT COURT JUDGE

PREPARED AND SUBMITTED BY:
ANGELA DUNNE TIRITILLI #21938
Law Office of Susan Ann Koenig, P.C.,
A Limited Liability Organization
1266 South 13th Street
Omaha, Nebraska 68108-3502
(402) 346-1132
Attorney for Petitioner

APPROVED AS TO FORM:

DAVID CHRISTENSEN #19196
MARKS CLARE & RICHARDS, L.L.C.
11605 Miracle Hills Drive, Suite 300
Omaha, Nebraska 68154-8005
(402) 492-9800
Attorney for Respondent

APPROVED AS TO CONTENT:

ANGELA M. KEYES, Petitioner

APPROVED AS TO CONTENT:

DONALD A. KEYES II, Respondent

CHILD SUPPORT CALCULATOR
 Joint Custody Calculation

Case: Keyes v. Keyes Doc/Pg CI03-1507 Date: 04/14/2004
 Exemptions: Mother (2) Father (5)
 Five Children

	Mother -----	Father -----
Total Monthly Income (Taxable)	\$1,560.00	\$2,250.00
Total Monthly Income (Non Taxable)	\$0.00	\$0.00
Deductions		
Federal Income Tax	\$66.08	\$36.25
State Income Tax	\$22.38	\$13.74
FICA Tax	\$119.34	\$172.13
	-----	-----
Total Tax Deductions	\$207.80	\$222.12
Health Insurance	\$0.00	\$0.00
Retirement	\$0.00	\$0.00
Child Support Previously Ordered	\$0.00	\$0.00
Regular Support for other children	\$0.00	\$0.00
	-----	-----
Total Of Other Deductions	\$0.00	\$0.00
	-----	-----
Total Deductions	\$207.80	\$222.12
Child Tax Credit	\$0.00	\$0.00
Monthly Net Income	\$1,352.20	\$2,027.88
Combined Monthly Net Income		\$3,380.08
Combined Annual Net Income		\$40,560.95
Percent contribution of each parent:	40.00%	60.00%
Monthly support (Table 1)		\$1,728.00
Each Parent's Monthly Share	\$691.28*	\$1,036.72
Section R Adjusted Monthly Share(*)	\$567.20*	\$1,036.72
Number of Days the Children live with each parent	130	235
Percent of the year the Children are in the custody of each parent	35.62%	64.38%
Mother's obligation to Father	\$445.07	
Mother's Adjusted obligation to Father	\$365.18*	
Father's obligation to Mother		\$369.24
Father's obligation for support		(\$75.83)
Father's adjusted obligation for support		\$4.06*
		=====

* See Section R under "Nebraska Child Support Guidelines" in the online help.