

The Order of the Court is stated below:

Dated: December 29, 2022 /s/ G MICHAEL WESTFALL
03:20:22 PM District Court Judge



Brent M. Brindley - 7148
BRINDLEY SULLIVAN
A PROFESSIONAL LIMITED LIABILITY COMPANY
50 East 100 South, Suite 302
St. George, Utah 84770
Telephone: (435) 673-9220
Facsimile: (435) 673-3401
brentbrindley@brindleysullivan.com
Attorneys for Petitioner

IN THE FIFTH JUDICIAL DISTRICT COURT
IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

In the Matter of the Marriage of: REBECCA LOUISE GIBSON, Petitioner vs. CLINTON DOUGLAS GIBSON, Respondent.	DECREE OF DIVORCE Case No. 224500332 Judge G. Michael Westfall
--	---

THIS MATTER was submitted to the Court for entry of a decree of divorce without a hearing, pursuant to Rule 104 of the Utah Rules of Civil Procedure. The Court having reviewed the parties' settlement agreement and finding that the provisions of the settlement agreement are fair and equitable, made findings of fact and entered conclusions of law. Based upon its findings of fact and conclusions of law, the Court now:

ORDERS, ADJUDGES, AND DECREES as follows:

1. **DIVORCE.** Petitioner Rebecca Louise Gibson is awarded a divorce from Respondent Clinton Douglas Gibson on the grounds of irreconcilable differences. The bonds of matrimony heretofore existing between Petitioner and Respondent are severed.

2. **CHILDREN.** The parties have six children in common who are under the age of 18 years: E.J.G., born June 2005, Z.S.G., born October 2006, C.E.G., born April 2007, T.J.G., born November 2008, J.M.G., born October 2012 and A.J.G., born January 2015. No other children are expected.

3. **CUSTODY.** Petitioner is awarded sole legal custody and sole physical custody of the parties' children.

4. **PARENTAL AUTHORITY.** Petitioner is awarded the right to make all decisions for the children.

5. **PARENT TIME.** Respondent will be in therapy following his release from incarceration and the children will continue in therapy as well. Respondent shall have no parent time with any of the children until his therapist and the children's therapists recommend parent time between Respondent and the children. The conditions and frequency of Respondent's parent time will then be as recommended by the therapists. If either party feels that the parent time recommendations from the therapists are not in the children's best interests, the issue of Respondent's parent time may be presented to the court for review.

6. **RELOCATION.** Because of Respondent's incarceration, Petitioner shall be allowed to relocate with the children if she feels it is in the children's best interests to do so. The provisions of Utah Code § 30-3-37 shall apply if she chooses to relocate.

7. **CHILD SUPPORT.** Petitioner is currently employed by Richens Eye Center and earns \$3,466 per month gross income. Respondent is currently employed by Ash Excavation and earns \$3,986 per month gross income. Respondent shall pay Petitioner child support in the amount of \$1,161 per month. Income verification and a child support worksheet supporting this calculation have been filed with the Court. Child support shall terminate when the youngest child reaches the age of 18 years or graduates from high school with her normal and expected graduating class.

8. **HEALTH INSURANCE AND MEDICAL EXPENSES.** Consistent with Utah Code §78B-12-212, the parties shall provide insurance for the medical, dental and related expenses of the minor children if it is available at a reasonable cost. The children are currently covered by Medicaid.

9. The parties shall each pay half of the cost of the children's portion of the insurance premium, if any.

10. The parties shall equally share all reasonable and necessary uninsured and unreimbursed medical and dental expenses incurred for the children, including but not limited to deductibles and copayments.

11. The party providing insurance shall provide verification of coverage to the other party upon initial enrollment of the children, and thereafter on or before January 2 of each calendar year.

12. A party who incurs medical expenses shall provide written verification of the cost and payment of medical expenses to the other party within 30 days of payment. The other parent shall pay their half of the expense within 30 days of receipt of notice of the expense.

13. In addition to any other sanctions provided by the court, a parent incurring medical expenses may be denied the right to receive credit for the expenses or to recover the other parent's share of the expenses if that parent fails to comply with the notice requirements above.

14. **CHILDREN'S ACTIVITIES.** The parties shall each pay one half of the cost of all agreed-upon extracurricular activities for the children.

15. **TAXES.** Petitioner is awarded the right to claim the children as dependents for all tax purposes as long as the children remain eligible to be claimed.

16. **ALIMONY.** Petitioner has need of alimony. At present Respondent does not have the ability to pay alimony. The parties agree that Petitioner is awarded the marital home on the terms set forth below in lieu of and in full satisfaction of Respondent's current and any future alimony obligation.

17. **DEBTS.** The parties acquired debt during the marriage. Responsibility to pay the marital debts shall be as follows:

To Petitioner

a.	Mortgage	\$304,477.91
b.	One half of loan to Respondent's father	\$42,500
c.	Other debts in own name	

To Respondent

a.	All of Respondent's student loans
----	-----------------------------------

- b. One half of loan to Respondent's father
\$42,500
- c. Hyundai Elantra loan
\$2,800
- d. All other debts in his name

18. The parties shall each be responsible for any debts incurred after the parties' separation and shall hold the party harmless from any such debt.

19. **PERSONAL PROPERTY.** During their marriage, the parties acquired personal property. Petitioner is awarded the following:

- All contents of marital home and all personal property in her possession unless otherwise specified herein
- Van
- Monte Carlo
- 2 small kayaks
- Large green kayak

Respondent is awarded the following:

- Kawasaki motorcycle
- Kawasaki motorcycle
- Yamaha motorcycle
- Pontiac Firebird
- Chevrolet Bel Air
- Hyundai Elantra

- Shop tools and equipment, which are his tools to repair cars. This does not include small hand tools and the tools for yard work (lawn mower, string trimmer, etc.).

- Compressor
- Personal items, clothing and effects
- All kayaks other than those awarded to

Petitioner

- Horses
- Laptop computer when released by parole officer
- Cell phone when released by parole officer
- 2 bicycles
- Pistol
- Rifle
- Souvenirs
- Decorations
- Personal collections such as Hot Wheels cars in package, 3D puzzles, and small motorcycles

20. The parties have various motorcycles that are for the children to ride. Petitioner is awarded the two Honda Motorcycles which are currently in her possession. Respondent is awarded the Yellow Suzuki Motorcycle and SSR which are currently in his possession.

21. REAL PROPERTY. During the marriage, the parties acquired one parcel of real property. The parcel is a home located at 1180 Hubbard Place, St. George, Utah 84790. This home is subject to a note and mortgage. The amount owing on the mortgage is approximately \$304,477.91 and the monthly mortgage payment is \$2,260.28. Petitioner is awarded the home as her sole and separate property. Petitioner shall be responsible for the mortgage and shall use her best efforts to refinance the mortgage and note on the home to get them out of Respondent's name within 12 months of the date of the entry of the decree in this case. If Petitioner is not able to refinance the mortgage on the home within 12 months from the entry of the decree, the home shall be sold as soon as reasonably possible, and Petitioner is awarded all of the net proceeds from the sale of the home.

22. BANKING, RETIREMENT AND INVESTMENT ACCOUNTS. The parties are each awarded their own checking and savings accounts and all funds on deposit in those accounts. The parties' investment accounts have been liquidated and are awarded as the funds have been divided.

23. Petitioner shall pay Respondent \$3,500 as part of the property settlement. She shall make this payment within two weeks of the date the parties sign this agreement.

24. ATTORNEY'S FEES. The parties shall each pay their own attorney's fees incurred in this case.

APPROVED:

/s/ Clinton Gibson

Respondent

Signed with Respondent's Permission Given by Email on December 5, 2022.

----- THE COURT'S SEAL AND SIGNATURE APPEAR AT THE TOP OF THE FIRST PAGE -----