

The Order of the Court is stated below:

Dated: April 09, 2025
01:14:19 PM

/s/ ROBERT C LUNNEN
District Court Judge



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IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY
STATE OF UTAH
137 North Freedom Blvd, Provo, Utah 84601

In the Matter of the Marriage of:

KATIE MCCAUL
Petitioner,

and

JASON MCCAUL
Respondent.

DECREE OF DIVORCE

Civil No. 244401273
Judge Lunnen

This matter comes before the court for final entry of the Decree of Divorce. The default of Respondent was previously entered. The Court having reviewed the Affidavit in Support of Default and having previously entered its Findings of Facts and Conclusions of Law,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

The bonds of matrimony and the marriage contract heretofore existing by and between the Petitioner and Respondent are hereby dissolved, and the Petitioner is hereby awarded a Decree of Divorce from Respondent on the grounds of irreconcilable differences, said Decree to become absolute and final upon entry by the Court in the Register of Actions:

1. **Residency.** Wife has been a resident of Utah County, State of Utah, for at least three months prior to the filing of this action.

2. Marriage Statistics. The parties were married on November 20, 2004, in Manti, Utah, and are presently married.

3. Grounds for Divorce. Husband has engaged in cruel treatment of Wife to the extent of causing bodily injury or great mental distress.

4. Minor Children. There have been three minor children born of issue of the marriage: R.A.M. (born in November 2006); R.R.M. (born in November 2009); and O.K.M. (born in April 2017) (the “Children”).

5. Home State. Utah is the home state of the Children pursuant to U.C.A. §78B-13-201(1)(a).

6. 1Custody/Parent time. The parties shall be awarded joint legal custody of the Children with Wife awarded the physical custody of the Children with parent-time as the parties may agree, or, if the parties cannot agree, parent-time pursuant to Husband having parent-time pursuant to Utah Code 81-9-302 (previously Utah Code 30-3-35).

7. Proposed Joint Parenting Plan. The parties shall adopt Utah Code 81-9-202 (previously Utah Code 30-3-33) as the parties’ joint parenting plan. If the parties are unable to reach an agreement on an important decision for the children, Wife shall make the final decision.

8. Child Support. Child support shall be calculated as according to Utah Code 81-6-201 et seq. based on the sole custody calculator. The calculations are supported by Wife’s submitted exhibits:

a. Wife’s income shall be found to be **\$3,813** gross per month.

b. Husband’s income shall be imputed at **\$23,683** gross per month.

c. Using the above incomes, Husband shall pay **\$3,416** per month in child support following the Utah Sole Custody Worksheet commencing December 1, 2024.

9. 2Medical/Dental Expenses. In accordance with Utah Code 81-6-208, insurance for the medical and dental expenses of the minor children and unreimbursed out of pocket medical and dental expenses of the minor children shall be equally shared.

10. Childcare Expenses. In accordance with 81-6-209, each parent shall equally share the reasonable work-related childcare expenses for the minor children, if any.

11. Alimony. Wife shall be awarded an equitable amount of alimony for the length of the marriage. Using the above gross incomes, net incomes could be reasonably approximated by multiplying gross incomes (x) a 20% “effective tax rate,” which results in \$18,946 net per month for Husband and \$3,050 net per month for Wife. After payment of monthly child support, Husband would have \$15,530 per month, and Wife would have \$6,466 per month. It is fair and reasonable that the Court equalize the parties net resources with Husband paying Wife an additional \$4,532 per month in alimony, which would leave both parties with \$10,998 net per month. Accordingly, Husband shall pay Wife alimony in the amount of \$4,532 per month commencing December 1, 2024.

12. Personal Property. During the course of the marriage, the parties acquired personal property. The personal property items shall be divided equitably as the parties may agree, or if they do not agree, attend mediation prior to seeking Court assistance. The parties’ joint accounts shall be equally divided as of the date of the Decree of Divorce.

13. Real Property. The parties acquired real properties during the marriage located at 7775 Tinamous Rd, Eagle Mountain, UT 84005 (the “Marital Home”) and 9742 County Road, No 29, Duchesne UT, 84021 (the “Vacation Home”).

a. Marital Home. Wife is currently residing in the Marital Home with the Children. Wife shall be permitted to remain in the Marital Home with the Children until the last of the minor

Children graduates from high school, at which time, the Marital Home shall be sold under mutually agreed terms with an agreed upon realtor. If the parties disagree on the terms, they shall defer to the recommendations of the realtor. Wife will have sole possession of the Marital Home until then; and Husband will have 14 days to move out of the home. Wife shall assume all ongoing obligations with the Marital Home commencing when Husband moves out to when the Marital Home is sold. The proceeds of sale of the Marital Home shall be divided as follows: first, to pay costs of sale; second, to pay off mortgages; third, to pay off any joint debts remaining of the parties as set forth below under "debts"; and, fourth, the remainder to be equally divided between the parties.

b. Vacation Home. The Vacation Home shall be sold under mutually agreed terms with an agreed upon realtor. If the parties disagree on the terms, they shall defer to the recommendations of the realtor. The parties shall equally share all ongoing obligations with the Vacation Home until it is sold, assuming that Husband is current in his monthly support obligations, otherwise, Husband shall pay for those expenses. The proceeds of sale of the Vacation Home shall be divided as follows: first, to pay costs of sale; second, to pay off mortgages; third, to pay off any joint debts of the parties as set forth below under "debts"; and, fourth, the remainder to be equally divided between the parties

14. Debts. During the course of the marriage, the parties acquired certain debts. All such debts shall be identified and paid off with the proceeds of the sale of the Vacation Home (with any not paid off satisfied with the sale of the Marital Home). If there is a dispute about whether a debt is marital, this issue is reserved for Court decision.

15. Retirement and Savings. Retirement of the parties shall be equally divided. Wife does not have a retirement account. Husband's retirement shall be divided equally as of the date of the Decree of Divorce. Husband will provide statements showing the retirement balance, and the

parties will cooperate in dividing the retirement, which each party sharing the cost of the division.

16. Maiden Name. Wife shall be restored to her maiden name if she desires to do so.
17. Attorney's Fees and Costs. Each party shall pay his or her respective attorney's fees and costs.

Order is signed when electronically stamped by the Court on the first page