

13846823 B: 11282 P: 1198 Total Pages: 9
12/14/2021 03:20 PM By: dhummel Fees: \$40.00
AFFID- AFFIDAVIT
Rashelle Hobbs, Recorder, Salt Lake County, Utah
Return To: MOUNTAIN VIEW TITLE - OGDEN
5732 S 1475 E STE 1000OGDEN, UT 844037006

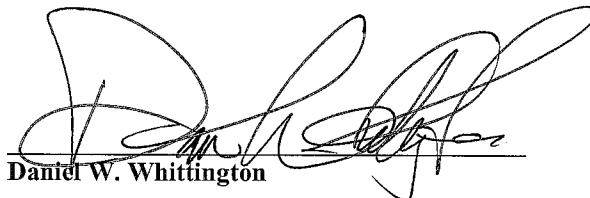
When Recorded Mail To: *Mail Tax Notices to:*
Daniel W. Whittington
13232 S. 300 E.
Draper, UT 84020

AFFIDAVIT AND NOTICE

The undersigned, having been duly sworn, hereby deposed and says as follows:

1. My name is Daniel W. Whittington and am one and the same person as Daniel W. Whittington listed as the petitioner on the Certified copy of the Order on Motion to Correct Clerical Error Pursuant to URCP 60(a) RE: Supplemental Decree of Divorce entered on December 24, 2020 attached as Exhibit "A" and hereto referred to as the "Order".
2. Pursuant to the Decree of Divorce filed as Case Number 074400124 the Petitioner was awarded the exclusive use, ownership, and possession of the marital home located at 13232 South 300 East, Draper, Utah 84020.
3. The Order was added as a supplement to said Decree of Divorce to add the property legal description and tax identification number for the sole purpose of having title transferred from the Respondent to the Petitioner due to the fact that the Respondent, Suzanne Marie Whittington has not taken care of the necessary conveyance deed to transfer title to the marital home.
4. Title to the property listed in the Order should now be vested as follows:
Daniel W. Whittington

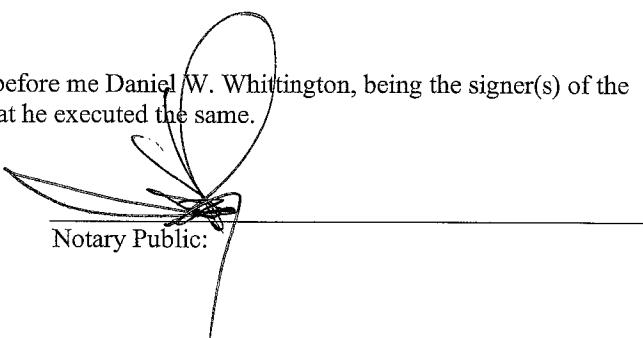
Dated this 13 day of December 2021.



Daniel W. Whittington

State of **Utah**)
County of **Salt Lake**)

On the 13 day of December 2021, personally appeared before me Daniel W. Whittington, being the signer(s) of the instrument herein and who duly acknowledged to me that he executed the same.



Notary Public:

The Order of the Court is stated below:

Dated: December 24, 2020

10:49:50 AM

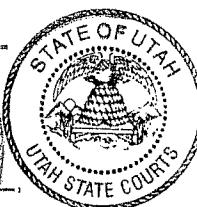
/s/ L DOUGLAS HOGAN
District Court Judge



ANGELA H. ELMORE - USB #13693
UTAH LEGAL CLINIC
214 East 500 South Street
Salt Lake City, Utah 84111-3204
Telephone: (801) 328-9531

Attorney for Petitioner

STATE OF UTAH
COUNTY OF Salt Lake
I hereby certify that the document to
which this certificate is attached is a
full, true and correct copy of the
original filed in the Utah State Courts
WITNESS my hand and seal
this 23 day of November
2020
DISTRICT JUVENILE COURT



CLERK

**IN THE THIRD JUDICIAL DISTRICT COURT IN AND FOR
SALT LAKE COUNTY STATE OF UTAH
WEST JORDAN DEPARTMENT**

DANIEL W. WHITTINGTON,
Petitioner,

vs.

SUZANNE MARIE WHITTINGTON,
Respondent.

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

Case Number 074400124
Judge L. Douglas Hogan

THE ABOVE CAPTIONED MATTER having come before the Court for hearing or consideration on the date set forth below, the undersigned, one of the Judges of the above entitled Court presiding, DANIEL W. WHITTINGTON, the petitioner being present in person or petitioner's presence being unnecessary in light of the affidavit filed herein in support of the divorce decree, SUZANNE MARIE WHITTINGTON, the respondent not being present nor being represented by counsel, the respondent having signed and filed with the Court an Acceptance of Service and Waiver and not having filed any responsive pleading and the time for such a responsive pleading having expired, based thereon, upon the motion of the petitioner, the default of the respondent was entered, more than ninety days have elapsed since the filing of this action or for good cause the Court having waived the initial ninety day waiting period, the petitioner was sworn and testified or pursuant to Utah Code Ann. 30-3-4(1)(b) (1953 as

amended) and Rule 104, Utah Rules of Civil Procedure, the evidence necessary to establish jurisdiction and grounds for the divorce having been presented through the affidavit filed herein in support of the divorce decree, the Court having reviewed the file and the pleadings therein, based thereon and for good cause appearing, the Court hereby makes and enters the following:

FINDINGS OF FACT

1. **RESIDENCY REQUIREMENT.** The petitioner was for the three (3) month period immediately prior to the filing of this divorce action a resident of Salt Lake County and the State of Utah.
2. **MARRIAGE STATISTICS.** Petitioner and respondent are not husband and wife, as a previous Bifurcated Decree was signed previously, granting a divorce only. The parties were married on June 12, 1989 at Lake Tahoe, Nevada. The parties have been separated since March, 2006.
3. **CHILDREN.** There have been no children born of this marriage and none are expected.
4. **MARITAL / PERSONAL PROPERTY.** The parties have previously made an equitable division of their marital and personal property, belongings and effects. Both parties are satisfied with that division.
 - a. The Respondent should be awarded any and all of the Iraqi Currency, free and clear from any claim by the Petitioner, subject to the indebtedness thereon, holding the Petitioner harmless therefrom.
 - b. Each party should be awarded those items of personal property, including but not limited to motor vehicles, currently in their respective possessions free and clear

of any claim by the other party.

5. **MARITAL / PERSONAL DEBTS.** The parties have previously made an equitable division of their marital and personal debts and obligations. Each party should be ordered to pay the debts he or she has incurred in his or her own name and/or for his or her own benefit during the marriage and since the date of the parties' separation, March, 2006, holding the other party harmless therefrom. That division should be confirmed.
6. **NOTICE TO CREDITORS.** The parties shall notify their creditors in writing as to which party shall be responsible for payment of each of the various debts of the parties pursuant to the decree herein. The parties shall notify each creditor as to both parties' current separate addresses. Said creditors shall, after such notice, provide both parties individually statements, notices, etc. regarding the debt as required by Utah Code Ann. § 15-4-6.5 (1953 as amended).
7. **BANK ACCOUNT.** The parties acquired a Zions Bank Account (Account ending in 6412). The parties did not contribute or deduct any money from the bank account since September 26, 2006. As of September 26, 2006, the account had approximately \$24,202.87 and has been gaining substantial interest since September 26, 2006. The Respondent should be awarded the Zions Bank Account entirely, free and clear from any claim by the Petitioner therefrom.
8. **REAL PROPERTY.** The parties have acquired a marital home located at 13232 South 300 East, Draper, Utah 84020. The Petitioner should be awarded the exclusive use, ownership, and possession of said marital home, free and clear

from any claim by the Respondent, subject to the indebtedness thereon and holding the Respondent harmless therefrom. The Respondent should execute a Quitclaim Deed and any and all other documents necessary to transfer title of said home to the Petitioner on or before the entry of the Divorce Decree herein.

9. **PROPERTY SETTLEMENT.** As the Respondent has been awarded the entirety of the parties Zions Bank Account and all of the Iraqi Currency; and the Petitioner has been awarded the marital home; neither party should be awarded any additional settlements in regards to property and each party waives the right to any additional property settlements.
10. **ALIMONY.** Neither party should be awarded alimony. Each party waives the right to future alimony.
11. **ATTORNEY FEES / COSTS.** Each party shall be responsible for and pay their own attorney's fees and court costs incurred in this action.
12. **RULE 70.** Both parties should be ordered to sign and fully execute whatever documents are necessary for the implementation of the provisions of the divorce decree to be entered herein. Should a party fail to execute a necessary document within sixty (60) days of the entry of the divorce decree, the other party may bring an Order to Show Cause and request that the Court appoint the Clerk of this Court to execute the document pursuant to Rule 70 of the Utah Rules of Civil Procedure. Any document executed pursuant to Rule 70 has the same effect as if executed by the disobedient party. Attorney fees and court costs may be awarded against the non-compliant party.

BASED UPON THE FOREGOING, and for good cause appearing, the Court makes and enters the following:

CONCLUSIONS OF LAW

1. The Court has jurisdiction over the subject matter of this action and personal jurisdiction over the parties herein.
2. The Supplemental Decree of Divorce should be entered in conformance with the foregoing Findings of Fact.

* * * * * **END OF DOCUMENT** * * * * *
* * * * * **SIGNATURE OF JUDGE LOCATED AT TOP OF FIRST PAGE** * * * * *

The Order of the Court is stated below:

Dated: October 15, 2021

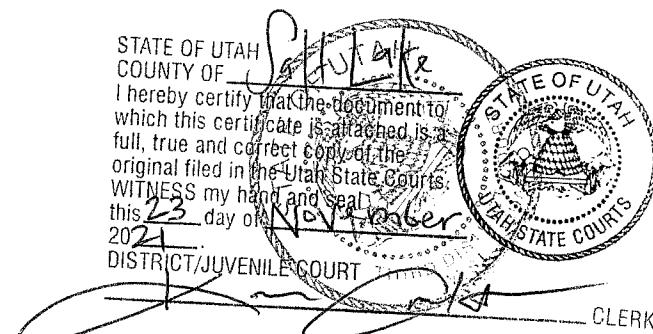
04:37:56 PM

/s/ L DOUGLAS HOGAN
District Court Judge



ANGELA H. ELMORE - (#13693)
UTAH LEGAL CLINIC
214 East 500 South
Salt Lake City, UT 84111
Telephone: (801) 328-9531
Facsimile: (801) 328-9533

Attorney for Petitioner



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

DANIEL W. WHITTINGTON,
Petitioner,

vs.

SUZANNE MARIE WHITTINGTON
Respondent.

**ORDER ON MOTION TO
CORRECT CLERICAL ERROR
PURSUANT TO URCP 60(a) RE:
SUPPLEMENTAL DECREE OF
DIVORCE ENTERED ON
DECEMBER 24, 2020**

Case Number 074400124
Judge L. Douglas Hogan
Commissioner Michelle Tack

Having come before _____ on _____, and
the Court finding sufficient facts to support the granting of the Motion to Correct Clerical
Error, the Court enters the following Order on Motion to Correct Clerical Error and finds that
the Decree of Divorce should read:

- a. The parties have acquired a marital home located at 13232 South 300 East, Draper, Utah 84020. The Petitioner should be awarded the exclusive use, ownership, and possession of said marital home, free and clear from any claim by the Respondent, more particularly described as follows:

Parcel Number 28-31-376-052-0000

BEG N 921 FT & E 2250.76 FT & N 135 FT FR SE COR of SEC 31, T 3S, R 1E,
SLM; N 118FT; E 341.58 FT M or L; S118 FT M or L; W 341.58 FT M or L BEG. .093
AC M or L. 4699-1280 4711-0256 6236-0743, 0745 6930-2653 9009-3576

***** END OF ORDER *****

*****JUDGES SIGNATURE LOCATED AT THE TOP OF THE PAGE*****

WHEN RECORDED, MAIL TO:
Daniel Whittington
13232 S 300 E
Draper, UT 84020

11855018
05/27/2014 10:21 AM \$10.00
Book - 10233 Pg - 2935
GARY W. OTT
REORDER, SALT LAKE COUNTY, UTAH
DANIEL WHITTINGTON
13232 S 300 E
DRAPER UT 84020
BY: EEA, DEPUTY - WI 1 P.

NOTICE OF INTEREST

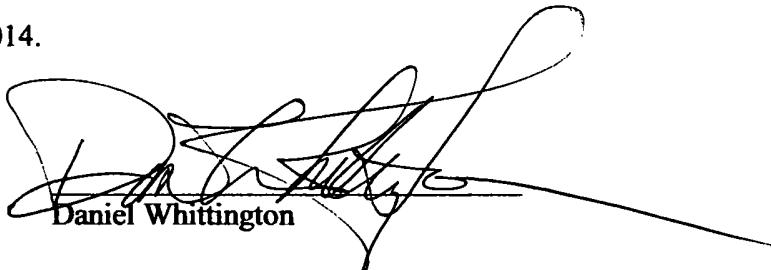
The undersigned, Daniel Whittington, hereby gives notice of interest, in accordance with Utah Code Ann. §57-9-5, that he has an interest in the real property located in Salt Lake County, State of Utah, which property is more particularly described as follows:

Parcel Number 28-31-376-052-0000

BEG N 921 FT & E 2250.76 FT & N 135 FT FR SW COR of SEC 31, T 3S, R 1E, SLM;
N 118 FT; E 341.58 FT M or L; S 118 FT M or L; W 341.58 FT M or L to BEG. .093 AC M or
L. 4699-1280 4711-0256 6236-0743, 0745 6930-2652 9009-3576

Daniel Whittington has a court order resides on and has a marital interest in this real property under Civil Case #074400124. Said interest arises from a marital estate.

Dated this 27 day of May 2014.



Daniel Whittington

STATE OF UTAH

COUNTY OF SALT LAKE

Subscribed and sworn to (or affirmed) before me this 27th day of May 2014 by Dan Whittington.

Becky Day
NOTARY PUBLIC

