

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

In the Matter of the Marriage of:

Case No. 19DR21196

LESLIE JUNE JACOB-BEARD,

**CORRECTED WRIT OF
EXECUTION (Real Property)**

Petitioner,

and

GERALD ADAMS BEARD,

Respondent.

CERTIFIED TRUE COPY OF THE ORIGINAL
DATED THIS 13 DAY OF Aug. 2021
CIRCUIT COURT
CROOK COUNTY,
STATE OF OREGON

BY *Chesterman*
C-CHESTERMAN COURT CLERK

TO: SHERIFF OF CROOK COUNTY:

On or about April 29, 2020, a general judgment was entered in the register for this case in the above-entitled court, in favor of the Petitioner and against the Respondent, providing two money awards; the first in the principal amount of \$175,000.00, plus interest at the rate of nine percent per annum from May 29, 2020 until paid, and the second in the principal amount of \$25,000.00, plus interest at the rate of nine percent per annum from May 29, 2020 until paid. As of June 28, 2021, the total owing under the two Judgments is \$219,227.12. Interest continues to accrue at \$51.82 per day.

Now, therefore, in the name of the State of Oregon, you are hereby commanded to sell in the manner prescribed by law for the sale of real property (subject to redemption), all of the interest the Respondent has in the real property located in the Crook County, Oregon (the "Real Property") described as follows:

12499 SW George Millican Road, Prineville, Oregon 97754.

The legal description for the real property is:

In Township 16 South, Range 15 East of the Willamette Meridian, Crook County, Oregon: Section 11: The Southwest quarter of the Southwest quarter.

Account: 2170

Map & Tax Lot: 16150000-01300-2170

1 The sale proceeds are to satisfy the sum of \$219,227.12, together with accrued interest
2 thereon of \$51.82 as of the date hereof, and also the costs of and upon this writ and make due
3 return hereon within 60 days after you have received this writ. The mailing address for the
4 judgment debtor is

4 Gerald Adams Beard
12499 SW George Millican Road,
5 Prineville, Oregon 97754

6 The mailing address for the judgment creditor is:

7 Leslie June Jacob,
c/o Bryant Emerson, LLP
8 Steven Bryant
PO Box 457
9 Redmond, OR 97756

10 The Real Property is the residence of Respondent. The court granted an order authorizing
11 the sale of the Real Property, which was entered on April 22, 2021 in the above captioned matter.

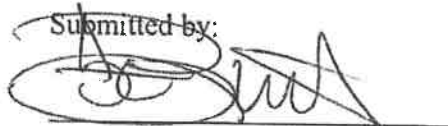
12 DATED: Signed: 8/12/2021 04:47 PM _____, 2021.

13 COURT ADMINISTRATOR

14
15 By:
16 Deputy


Amy Bonkosky, Trial Court Administrator

17 Submitted by:


18
19 Attorney for Plaintiff

20 **SUBMITTED BY:**
Steven D. Bryant, OSB No. 915302
21 sbryant@redmond-lawyers.com
Of Attorneys for Petitioner
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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

In the Matter of the Marriage of:
LESLIE JUNE JACOB BEARD,
Petitioner,
and
GERALD ADAMS BEARD,
Respondent.

Case No.: 19DR21196

**STIPULATED GENERAL
JUDGMENT OF DISSOLUTION
OF MARRIAGE AND MONEY
AWARD**

THIS MATTER comes before the Court on the stipulation of the parties, the Affidavit of Petitioner for entry of a Stipulated General Judgment of Dissolution of Marriage, and Respondent’s Waiver of Further Appearance. Petitioner is represented by STEVEN D. BRYANT. Respondent is represented by ANDREW FITCH. The Court having been presented with this form of Stipulated General Judgment, having reviewed the records and documents on file herein, and being fully advised in the premises, makes the following findings of fact:

1. The parties were married on November 25, 2000 in Multnomah County, Oregon;
2. Petitioner and Respondent have been residents of the state of Oregon for six continuous months prior hereto;
3. The Court has jurisdiction of the marriage and the parties;
4. Irreconcilable differences exist between the parties making continuation of the marriage relationship impossible;
5. The parties have no joint children;



1 6. Petitioner is not now pregnant;
2 7. Petitioner has gross income of \$4,200.00 per month;
3 8. Respondent has gross income of \$4,350.00 per month;
4 9. Respondent currently has health insurance through VA and Medicare covering
5 himself.

6 10. Petitioner currently has health insurance coverage through Liberty Health Share for
7 herself.

8 11. Each of the parties represent to the other and to this Court that they have fully
9 disclosed all assets and their values and have had the opportunity to consider that information and
10 consult with any professionals they desire. They both acknowledge that the disposition of their
11 property, whether or not equal, is just and proper considering all circumstances. Each party
12 acknowledges that there have been no representations or promises of any kind, which have been
13 made to him or her as inducement to enter into the agreement represented by this General Judgment
14 other than those expressly set forth. Both parties acknowledge that no attorney in this matter has
15 undertaken an independent investigation of either party's debts or assets and they are solely relying
16 on the representation of the other party. Both parties are satisfied with the property distribution.

17 Now, therefore,

18 **IT IS HEREBY ADJUDGED** that:

19 **1. EFFECTIVE DATE:** The marriage of the parties is hereby dissolved and said
20 dissolution is finally effective on the date this Stipulated General Judgment is signed by the Court.

21 **2. SPOUSAL SUPPORT:** Neither party is awarded spousal support.

22 **3. REAL PROPERTY:** The parties jointly own and have acquired real property
23 during the marriage. Each party shall receive his and her respective interests in the real properties
24 as set forth below free and clear of any interest of the other party, except as specifically provided

1 in this section, and subject to any and all encumbrances thereon, except as otherwise described
2 herein, from which each shall hold the other harmless. The Court retains jurisdiction to effectuate
3 the provisions of this section including but not limited to: allocating the property, issuing orders
4 with respect to the real property described in this section of the General Judgment and resolving
5 disputes arising herein.

6 **A. CROOK COUNTY REAL PROPERTY:** The parties own joint real
7 property located at 12499 SW George Millican Road, Prineville, Oregon. Respondent is awarded
8 any and all interest in the real property. Respondent shall be solely responsible for any and all
9 encumbrances and/or expenses on the property including but not limited to mortgage payments,
10 HELOC, taxes and insurance, which shall be kept current. Respondent shall refinance, or in some
11 other manner remove Petitioner from the debt associated with this property and pay all amounts
12 owing to Petitioner within six months of entry of the Judgment. Until Respondent removes
13 Petitioner from the obligations associated with the debt for this property, Respondent shall defend
14 and indemnify Petitioner from all of those obligations.

15 **B. KLAMATH COUNTY REAL PROPERTY:** The parties owned joint
16 real property located at 1500 Summer Tree Ln., Chiloquin, Oregon. Petitioner is awarded any and
17 all interest in the real property including but not limited to: mortgage payments, taxes and
18 insurance. Petitioner shall refinance, or in some other manner remove Respondent from the debt
19 within one year of entry of the Judgment.

20 **4. PERSONAL PROPERTY:** The parties reached an agreement on the distribution
21 of personal property which is set forth in sections A and B below. All personal property listed
22 below, titles to vehicles signed off by the other party, keys to the vehicles and all other items
23 awarded to the other party shall be exchanged within 30 days of entry of the Judgment.
24

1 **A. PETITIONER'S PERSONAL PROPERTY:** Petitioner shall receive the
2 following as her own separate property, free and clear of any lien or claim of Respondent, subject
3 to any indebtedness thereon from which she shall hold Respondent harmless:

- 4 (1) All personal property currently in Petitioner's possession unless specifically
5 awarded to Respondent. This includes any personal effects, belongings,
6 bank accounts, and accounts of any other nature that are currently in the
7 possession of the Petitioner or held in Petitioner's name alone; and
8 (2) 2005 Ford Excursion;
9 (3) 1989 Ford Bronco;
10 (4) Petitioner's personal property in the home office including the bead cabinet;
11 (5) Petitioner's personal property in the garage including exercise equipment.

12 **B. RESPONDENT'S PERSONAL PROPERTY:** Respondent shall receive
13 the following as his own separate property, free and clear of any lien or claim of Petitioner, subject
14 to any indebtedness thereon from which he shall hold Petitioner harmless:

- 15 (1) All personal property currently in Respondent's possession unless
16 specifically awarded to Petitioner. Except as provided for in section 4.A,
17 this includes any personal effects, belongings, household furnishings,
18 jewelry, collections, bank accounts, and accounts of any other nature that
19 are currently in the possession of the Respondent or held in Respondent's
20 name alone;
21 (2) 2008 Ford F-450;
22 (3) 1969 GMC 4X4;

23 **5. BUSINESS PRORERTY:**

24 **A. REFRIGERATION BUSINESS:** Respondent is awarded all interest in



1 the Refrigeration Business, including the current income and stream for the business.

2 **B. OUTWEST REALTY:** Petitioner is awarded all interest in Outwest
3 Realty including all assets and liabilities.

4 **6. EQUALIZATION JUDGMENT:** The parties have divided the personal and real
5 property with Husband receiving substantially more in value. The property distribution will be
6 equalized through a payment to Petitioner from Respondent in the amount of \$200,000.
7 Respondent shall pay Petitioner \$175,000 no later than 60 days after the entry of this Judgment.
8 Respondent shall pay Petitioner an additional \$25,000 that will be due no later than 6 months from
9 the entry of this Judgment. The money awards will not accrue interest if paid within 30 days of
10 the entry of this Stipulated General Judgment.

11 **7. RETIREMENT ACCOUNTS AND FUNDS:** Petitioner and Respondent have
12 interests in retirement plans that were earned during the marriage. Each party will keep the
13 retirement plans in their individual name.

14 **8. PARTIES' DEBTS:** Each party shall be responsible for the payment of all debts
15 which are distributed to them by the Court and all debts which are secured by property distributed
16 to that party. Further, each party shall be required to defend, indemnify and hold the other party
17 harmless from all debts, or any claim or liability, described in this paragraph. Neither Petitioner
18 nor Respondent shall charge upon the credit of the other without specific permission to do so. All
19 outstanding credit cards in the names of both parties shall be immediately returned and cancelled.

20 **A. PETITIONER SHALL ASSUME THE FOLLOWING DEBTS:**

- 21 (1) B of A Visa ending in #6446 with an approximate balance of \$9,000;
22 (2) Discover ending in #6994 with an approximate balance of \$21,000;
23 (3) Oregonians Credit Union PLOC ending in #5200 with an approximate
24 balance of \$4,000;



- 1 (4) American Express #25699 with an approximate balance of \$500; and
2 (5) First Interstate Bank PLOC ending #5774 with an approximate balance of
3 \$17,000.

4 **B. RESPONDENT SHALL ASSUME THE FOLLOWING DEBT:**

- 5 (1) B of A Visa ending in 3369 with an approximate balance of \$4,359;
6 (2) All debt associated with the Crook County real property.

7 **9. ATTORNEY FEES:** Each party will pay their own attorney fees

8 **10. NAME RESTORATION:** Petitioner is restored her former name, Jacob.

9 **11. NECESSARY DOCUMENTS:** It is further hereby ordered that each of the parties
10 shall execute such documents as may be necessary to effectuate this Stipulated General Judgment.
11 If the parties hereto fail to execute such documents as may be necessary to effectuate this Stipulated
12 General Judgment within thirty (30) days from the date of this General Judgment, then this General
13 Judgment shall operate to transfer the interest and title of such property to the respective parties as
14 set forth herein.

15 **12. REVOCATION OF DESIGNATION OF BENEFICIARY:** With the entry of
16 this Judgment unless otherwise provided in this General Judgment any designation of the now
17 former spouse as a beneficiary of any benefit, including but not limited to, retirement benefits,
18 IRA accounts, life insurance policies, annuities or other assets where a party is able to designate a
19 beneficiary to receive the proceeds of that asset upon the death of that party, which was in place
20 on or before the date of entry of this Judgment, shall be deemed to have been revoked effective
21 with the entry of this Judgment. The benefit shall be paid to the secondary or contingent
22 beneficiary or, if no such beneficiary is named, then to the decedent's estate. The surviving former
23 spouse shall cooperate with the decedent's estate in assuring his directive is completed, specifically
24 including the affirmative responsibility to disclaim, in writing and within nine months of the date

1 of death, to assure that the surviving former spouse does not receive any benefit as a result of the
2 decedent's failure to modify the beneficiary designation of the above described assets.

3 **13. RELEVANT DATA:**

4 **PETITIONER: LESLIE JUNE JACOB BEARD**
5 Maiden: Jacob
6 Residence: 11547 NW Morrow
7 Prineville, Oregon 97754
8 Age: 57

7 **RESPONDENT: GERALD ADAMS BEARD**
8 Residence: 12499 SW George Millican Road
9 Prineville, Oregon 97754
10 Age: 71

10 All other relevant data submitted pursuant to UTCR 2.100.

11 *****
12 **MONEY AWARD- EQUALIZING JUDGMENT- 1**
13 *****

13 Judgment Creditor: Leslie June Jacob Beard, Petitioner
14 Judgment Creditor Address/Phone: 11547 NW Morrow
Prineville, Oregon 97754
15 Attorney for Judgment Creditor: Steven D. Bryant, OSB #915302
16 888 SE Evergreen Ave
Redmond, OR 97756
541-548-2151
17 Judgment Debtor: Gerald Adams Beard, Respondent
18 Judgment Debtor Address: 12499 SW George Millican Road
Prineville, Oregon 97754
19 Attorney for Judgment Debtor: Andrew Fitch, OSB #151001
20 210 SW 5th St STE 2
Redmond, OR 97756
541-316-1588
21 Judgment Amount: \$175,000.00 due and payable 60 days after
22 the date this Stipulated General Judgment is
signed by the Court.
23 Pre-Judgment Interest: \$0
24 Post Judgment Interest: 9% beginning 30 days after the entry of this




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Stipulated General Judgment.

MONEY AWARD- EQUALIZING JUDGMENT- 2

Judgment Creditor: Leslie June Jacob Beard, Petitioner
Judgment Creditor Address/Phone: 11547 NW Morrow
Prineville, Oregon 97754
Attorney for Judgment Creditor: Steven D. Bryant, OSB #915302
888 SE Evergreen Ave
Redmond, OR 97756
541-548-2151
Judgment Debtor: Gerald Adams Beard, Respondent
Judgment Debtor Address: 12499 SW George Millican Road
Prineville, Oregon 97754
Attorney for Judgment Debtor: Andrew Fitch, OSB #151001
210 SW 5th St STE 2
Redmond, OR 97756
541-316-1588
Judgment Amount: \$25,000.00 due and payable 6 month after the
date this Stipulated General Judgment is
signed by the Court.
Pre-Judgment Interest: \$0
Post Judgment Interest: 9% beginning 30 days after the entry of this
Stipulated General Judgment.

Signed: 4/29/2020 12:21 PM

Michael R. McLane, Circuit Court Judge

1 IT IS SO STIPULATED BETWEEN THE PARTIES:

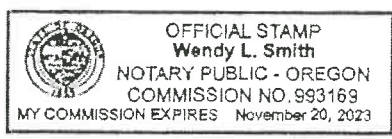
2 *Leslie June Jacob Beard*
3 LESLIE JUNE JACOB BEARD
4 Petitioner: *Wife*
Dated: *2/25/2020*

Gerald Adams Beard
GERALD ADAMS BEARD
Respondent: Husband
Dated: *02/19/20*

5 STATE OF OREGON, County of Deschutes) ss.

25th of February, 2020

7 Personally appeared before me the above-named LESLIE JUNE JACOB BEARD and
8 acknowledged the foregoing STIPULATED GENERAL JUDGMENT OF DISSOLUTION OF
MARRIAGE AND MONEY AWARDS to be her voluntary act and deed.



Wendy L. Smith
Notary Public for Oregon

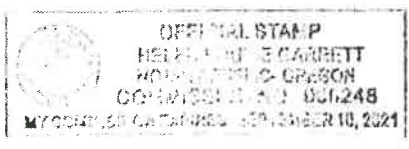
11 STATE OF OREGON, County of Deschutes) ss.

19th February, 2020

13 Personally appeared before me the above-named GERALD ADAMS BEARD and
14 acknowledged the foregoing STIPULATED GENERAL JUDGMENT OF DISSOLUTION OF
MARRIAGE AND MONEY AWARDS to be his voluntary act and deed.

H. G. Smith
Notary Public for Oregon

17 SUBMITTED BY:
18 STEVEN D. BRYANT, OSB# 915302
19 BRYANT, EMERSON, LLP
888 W. Evergreen Avenue
20 Redmond, OR 97756
(541) 548-2151
Of Attorney for Petitioner



22 Approved as to Form
Andrew Fitch
23 Andrew Fitch, OSB# 151001
24

