

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WHITE PINE.

KATE HERRERA,
Plaintiff,

vs.

EDWARD HERRERA,
Defendant.

No. 4149

FILED Nov. 27th, 1939.

F.D. Oldfield CLERK.

J.M. Collins,
Attorney for Plaintiff.

DECREE OF DIVORCE.

The above entitled cause and action came on regularly for trial and was tried before the court on the 25th day of November, 1939.

The plaintiff appeared at said trial personally and by and with her counsel, J.M. Collins, Esquire, and the defendant did not appear at said trial, either in person or by attorney.

It appearing to the satisfaction of the court from the files and records in this cause and action that the defendant had been duly and regularly served with process herein according to law. That a demurrer had been filed herein on behalf of the defendant, and by W.R.Reynolds, Esquire, his attorney.

That thereafter a stipulation was entered into between the parties to this cause and action, through their respective counsel, and filed herein on the 24th day of November, 1939.

That pursuant to said stipulation the demurrer heretofore filed on the part of the defendant was overruled and the said cause and action was set down for trial before the court on the 25th day of November, 1939, at the hour of eleven o'clock A.M. of said last mentioned day.

That by said stipulation defendant had refused to file any other or further demurrer, answer or other pleading and had elected not to plead further to the complaint filed and had consented that this cause and action might be set down for trial before the court immediately upon the filing of the said stipulation and thereupon tried without further notice to him or his counsel. That the time provided by statute for the signing of findings of fact, conclusions of law and decree was waived by both the parties to this action and consent was given by both of said parties that such findings of fact, conclusions of law and decree might be signed by the Judge of this court if and when the cause might be so tried, findings of fact and conclusions of law made by this court and decree ordered entered herein.

The community property belonging to the parties to this action and in which the respective parties hereto have the right to an undivided one-half interest, is particularly described in the stipulation entered into by the parties herein, and hereinafter particularly mentioned and decreed to the plaintiff; and

The court having heard the testimony and evidence adduced in support of the allegations contained in plaintiff's complaint, and having duly considered the pleadings and the evidence, and being fully advised in the premises, and having further made and filed herein its findings of fact and conclusions of law, wherein the court found that the plaintiff, Kate Herrera, was and is entitled to a judgment and decree of this court as hereinafter set forth:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony and contract of marriage heretofore and now existing between the plaintiff, Kate Herrera, and the defendant, Edward Herrera, be and the same are hereby absolutely and forever dissolved, and the said plaintiff and the said defendant are, and each of them is, hereby released from all the duties, obligations, liabilities and responsibilities arising out of or from said contract of marriage and marriage relationship, and they are, and each of them is, hereby restored to the status of a single persons; and

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff is entitled to an un-divided one-half interest in the community property belonging to the parties to this action, and the court, by virtue of the power vested in it, does hereby award, decree to and vest in the said plaintiff, Kate Herrera, as her own and separate estate, an undivided one-half interest in and to the following described property, all situated, lying and being in the town of Eureka, County of Eureka, State of Nevada:

Lots 1, 2, 3, 4 and 5, in Block 41.

Lot 3, in Block 36.

The improvements located on said lots and the furniture and fixtures contained in the buildings on said lots, or either or any of said buildings.

Done in open court this 25th day of November, 1939.

Geo. P. Annand
DISTRICT JUDGE.

STATE OF NEVADA, |
 | ss.
COUNTY OF WHITE PINE. |

I, F. D. Oldfield, the duly elected, qualified and acting County Clerk and ex-officio Clerk of the Seventh Judicial District Court of the State of Nevada, in and for the County of White Pine, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of the original Decree of Divorce entered in the case of Kate Herrera, Plaintiff, vs. Edward Herrera, Defendant, which said original now remains on file and of record in my office, in my care and custody and under my control.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court this 27th day of November, 1939.

(SEAL OF COURT)

F. D. Oldfield
CLERK AS AFORESAID.

Recorded at the request of Kate Herrera Dec. 4 A.D. 1939 At 30 minutes past 11 A.M.

Peter Merialdo---Recorder.