

File No. 34985

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO

BERNICE L. NAPOLES,

Plaintiff.

vs.

JOHN B. NAPOLES,

Defendant.

No. 9701

Filed : August 30, 1960

R.L.KANE, ClerkBy _____
Deputy ClerkJUDGMENT AND DECREE OF DIVORCE

The above-entitled action being at issue upon the plaintiff's verified Complaint and the Answer of the defendant, and coming on duly and regularly for trial on the 18th day of August, 1960, before the above-entitled court, the Honorable TAYLOR H. WINES, District Judge, presiding, without a jury, pursuant to a stipulation of the parties and an order of the above-entitled court; the plaintiff appeared in person and was represented by her attorney, JOSEPH O. McDANIEL, Esq., and the defendant appeared in person and was represented by his attorney, LEO J. PUCCINELLI, Esq.; evidence was adduced on the part of the plaintiff and defendant, and the cause having been duly submitted to the court for its decision and judgment, and the court being fully advised as to the law and the facts in the premises and having filed its findings of fact and conclusions of law, and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony now and theretofore existing between the plaintiff and defendant be, and the same hereby are, forever dissolved, and that the parties be, and they hereby are, released from the bonds and obligations thereof, and restored to the status of single persons.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the care, custody and control of the three minor children, DONALD EUGENE NAPOLES, age thirteen, JOHN BRYANT NAPOLES, age twelve, and ROBERT CRAIG NAPOLES, age ten, be, and the same is hereby awarded to the plaintiff reserving, however, the right of the defendant to see and visit the children, and have the children visit with him, and the plaintiff shall not restrict the visits with the defendant to less than half a day of each weekend nor shall she in anywise restrict correspondence with the defendant, but she may confine his visits with the children in her home to a schedule submitted to and approved by this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant shall pay to the plaintiff for the support and maintenance of said minor children, the sum of \$50 per month per minor child, to be paid in two equal installments of \$75 each to be paid to the plaintiff before the 15th and last day of each and every month, commencing with the month of September 1960 until the children shall reach their age of majority, shall become self-supporting, emancipated, or until the further order of this court, provided that as each child shall reach his age of majority, becomes self-supporting or emancipated, the sum ordered paid each month shall be proportionately reduced; the obligation herein imposed shall be a charge against the estate of the defendant.

The defendant shall be required, and is hereby ordered, to keep in force and effect the hospitalization and

medical insurance now insuring himself and the three minor children, and to pay the premiums on the life insurance policies on the lives of the three children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant pay to the plaintiff the sum of \$75 per month by way of alimony. Said alimony shall be payable in two equal installments commencing in the month of September 1960 to be paid on the 15th and last day of each and every month.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all of the property of the parties is community property save and except 102.67 shares in the Financial Industrial Fund, Inc., which is owned by the parties as joint tenants. Said joint tenancy is hereby dissolved and an undivided one-half interest in said shares is set aside to each of the parties as his and her separate property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following community property be set aside to the plaintiff as her sole and separate property, to-wit:

- a. the resident at Beowawe, Nevada, together with the diesel light plant attached thereto, the fixtures, furniture and furnishings, appliances, bedding and utensils situate therein.
- b. one 1958 Bel-Air Chevrolet, subject however to the unpaid balance of the purchase price.
- c. the balance of the savings account in the First National Bank of Nevada, Elko Branch.
- d. the life insurance policy upon the life of the plaintiff.
- e. the possession of the three life insurance policies upon the lives of the three children, but the beneficiaries in each instance should henceforth be each child's other two brothers, or the survivor of them, and the plaintiff is hereby directed to make such changes forthwith in said life insurance policies.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the following community property be set aside to the defendant as his sole and separate property, to-wit:

- a. one 1956 Dodge pickup.
- b. one 28-foot trailer house.
- c. the cash proceeds from the surrender of a twenty-year endowment life insurance policy on his life.
- d. the life insurance policy presently in effect in the Commercial Life Insurance Company upon the life of the defendant.
- e. the share of stock in the Lucky Mine Uranium Company.
- f. the \$165 in the Christmas savings fund.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the defendant set over and assign to the plaintiff all of his interest in the contract to carry mail with the U.S. Postal Service at Beowawe, Nevada, to the extent that said contract is assignable.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that jurisdiction of this action be retained by the above-entitled court for the purpose of modifying, upon good cause shown, the provisions of the judgment and decree relating to the car, custody, control, support, maintenance and education of the children and the alimony awarded to the plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff shall recover her cost of suit incurred herein.

DATED this 29th day of August, 1960.

TAYLOR H. WINES
DISTRICT JUDGE

STATE OF NEVADA,)
) ss.
COUNTY OF ELKO.)

I, R. L. KANE, County Clerk and ex-officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed is a full, true and correct copy of JUDGMENT AND DECREE OF DIVORCE IN CIVIL ACTION NO. 9701, BERNICE L. NAPOLES, Plaintiff - vs - JOHN B. NAPOLES, Defendant. as the same appears on file and of record in my office.

WITNESS my hand and the seal of said court affixed this 9th day of September, A.D., 1960.

(Official Seal)

R. L. Kane, Clerk

Recorded at the request of Bernice Napoles September 19, A.D., 1960 At 105 minutes past 8 A. M.

Willis A. DePaoli - Recorder.