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ULS Program Pro Bono Attorney for Petitioner

IN THE FOURTH JUDICIAL DISTRICT COURT OF UTAH COUNTY
STATE OF UTAH
Fourth District Court, 137 N Freedom Blvd, Suite 100, Provo, UT 84601

In the Matter of the Marriage of:

Maria Sevillano Ruiz,
Petitioner,

vs.

Felipe Polo Rosas
Respondent.

DECREE OF DIVORCE

Case No.: 264400238

Commissioner: Marla Snow

Judge: Kraig Powell

The above-entitled matter having come duly before the Court; the court having reviewed the papers filed herein; and having found that all appropriate documents have been filed; the Court having reviewed Petitioner's Affidavit as to Jurisdiction and Grounds, the Court having entered the Finding of Fact and Conclusions of Law, now **ORDERS, ADJUDGES AND DECREES;**

JURISDICTION

1. Petitioner was a bona fide resident of Utah County, State of Utah, on the date this action was filed and for at least three months immediately prior to the filing of this action.

DIVORCE

2. MARIA SEVILLANO RUIZ and FELIPE POLO ROSAS were married on July 6, 2004, in Trujillo Distrito La Esperanza, La Libertad, Peru and are presently married.
3. MARIA SEVILLANO RUIZ and FELIPE POLO ROSAS separated on August 2020.
4. Petitioner and Respondent are granted a mutual decree of divorce, one from the other, upon the grounds of irreconcilable differences, the same to become final upon entry.
5. Children. There are no children from this marriage and none are expected.

PERSONAL PROPERTY

6. The parties acquired personal property during the marriage. It is reasonable and proper that this property shall be divided as follows:

Vehicles:

- a. To Respondent: **2007 Toyota Corolla which was acquired around May 1, 2024.** The Court shall award 2007 Toyota Corolla, the motor vehicle described as 2007 Toyota Corolla acquired around May 1, 2024, to Respondent, as Respondent's sole and separate property. Respondent shall be solely responsible for any loan, lien, insurance, registration, maintenance, and other expenses associated with the vehicle, effective upon entry of the Decree of Divorce. Both parties shall cooperate in good faith and execute all documents necessary to effectuate ownership to Respondent of the vehicle, including but not limited to

title documents and sale paperwork, within thirty (30) days following entry of the Decree of Divorce.

b. To the Parties: 2017 Chevrolet Spark acquired around August 1, 2023.

The parties shall sell the Chevrolet Spark, motor vehicle described as 2017 Chevrolet Spark acquired around August 1, 2023. Upon sale of the vehicle, the net proceeds (after payment of any outstanding loan balance, liens, and reasonable costs of sale) shall be divided equally between the parties. Both parties shall cooperate in good faith and execute all documents necessary to effectuate the sale of the vehicle, including but not limited to title documents and sale paperwork, within thirty (30) days following entry of the Decree of Divorce.

c. All other personal property shall be divided as currently held by the parties.

THE DEBTS

7. The parties acquired debts during the marriage. It is reasonable and proper that each party shall notify respective creditors or obligees regarding the division of debts, obligations and/or liabilities herein along with his or her current address. It is reasonable and proper that each party shall be ordered to assume and pay debts and hold the other harmless from liability as follows:

a. UCCU VISA: Amount owed is approximately \$1,000. Monthly payment is \$50. Respondent shall assume responsibility for entirety of remaining debt for Credit Card.

b. Medical Bills

i. ARUP Laboratories: Amount owed is approximately \$188.82.

Respondent shall assume responsibility for entirety of this remaining debt.

ii. Other Medical Bills: With unknown amount owed. Respondent shall assume responsibility for entirety of remaining debt from any remaining Medical bills owed at the time this Decree of Divorce is entered.

c. Other Unknown Debts:

i. Petitioner does not have control over or is aware of all financial obligations owed by parties, the Respondent shall assume responsibility for paying any other debts owed at the time this Decree of Divorce is entered.

REAL PROPERTY

8. The parties own real property located at 723 N 2200 W, Provo, Utah 84601.

Description Lot 52, Plat C, Harbor Park Sub. Tax ID 41:088:0052. Date acquired October 25, 2018. Approximate Current Value is \$420,800. Amount still owed on Mortgage is \$333,401.00. Monthly Mortgage Payment \$1928.00. Property was acquired during marriage, and it is reasonable and proper should be disposed of as follows:

a. Petitioner shall be entitled to sole and exclusive use and possession of marital residence for a period of ninety (90) days following entry of the Decree of Divorce. Upon expiration of the ninety (90) day period, the marital residence shall be listed for sale. Upon sale of the marital residence, the net proceeds—after payment of all outstanding mortgage balances, property taxes, customary closing

costs, and any other liens or encumbrances—shall be divided equally between the parties.

b. Both parties shall execute all documents necessary to effectuate the listing and sale of the marital residence, including but not limited to listing agreements, purchase agreements, closing documents, deeds, and any other instruments required by the title company or lender. The sale of the marital residence shall be completed no later than sixty (60) days after Petitioner vacates the residence, unless otherwise agreed to in writing.

c. Both parties shall cooperate fully and in good faith to ensure the timely sale of the property.

ALIMONY

9. It is reasonable and proper that Petitioner be awarded Alimony.

a. Respondent shall pay alimony to Petitioner in the amount of Nine Hundred Dollars (\$900.00) per month, beginning upon entry of the Decree of Divorce, and continuing thereafter monthly until further order of the Court or as otherwise provided by law.

b. In determining alimony, the Court has considered Petitioner's financial need, Respondent's ability to provide support, the length of the marriage, and the standard of living established during the marriage, pursuant to Utah Code Ann. § 81-4-502.

RETIREMENT BENEFITS

10. The parties have no ownership interest in any retirement money which is marital property or that they need the court to make an order on.

MISCELLANEOUS

11. Duty to Sign Documents which Implement Decree of Divorce. It is reasonable and proper that both parties shall be ordered to sign and fully execute whatever documents are necessary for the implementation of the provisions of their divorce decree. Should a party fail to execute a document within sixty (60) days of the entry of their divorce decree, the other party may bring an Order to Show Cause at the expense of the disobedient party and ask that the Court appoint some other person 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.

12. Mediation Required Prior to Modification. Prior to any Petition being filed to change any provision of the final Decree of Divorce, the parties must attempt to resolve the issue through mediation.

13. Petitioner Name. Petitioner shall continue with the use of her same name. Maria Flor Sevillano Ruiz.

14. The Attorney's Fees and Other Costs. The Court has considered the request for attorney fees and costs pursuant to Utah Code Ann. § 30-3-3. The Court orders that Respondent shall pay reasonable attorney fees and litigation costs, in an amount to be determined by the Court, based on the ability of Respondent to pay, and the

reasonableness of the fees incurred. Such fees may be paid directly to Petitioner's counsel or as otherwise ordered by the Court.

15. Other Equitable Relief. It is reasonable and proper that The Court shall grant such other and further relief as it may deem just and appropriate in this matter.

16. Final Order. This Decree of Divorce is a final order of the Court. The Court retains jurisdiction to enforce its terms.

~~-----End of Order, Court's Signature Appears at Top of First Page-----~~

[ENCLOSED]

