

Cynthia Diane Johnston

Name

129 S 500 W

Address

OREM, Utah 84058

City, State, Zip

435-630-7525

Phone

celestebrookk@gmail.com

Email

In the Court of Utah

FOURTH Judicial District UTAH County

Court Address 137 NORTH FREEDOM BOULEVARD, PROVO, UT 84606

In the Matter of (select one)

☒ the Marriage of (for a divorce with
or without children, annulment,
separate maintenance, or
temporary separation case)

Cynthia Diane Johnston

(name of Petitioner)

and

Gary Von Johnston

(name of Respondent)

Other parties (if any)

Divorce Decree

264401936

Case Number

Petersen

Judge

Snow

Commissioner (domestic cases)

The court decrees:

Divorce

1. Cynthia Diane Johnston is granted a divorce based on the Declaration of Jurisdiction and Grounds signed by Cynthia Diane Johnston. The divorce will become final upon entry of the divorce decree.

Children (Utah Code 81-6-101(7))

2. **Cynthia Diane Johnston** and **Gary Von Johnston** do not have any children together.

- We do not have any children together who are minors. A minor is a child under 18 who has not been married or otherwise emancipated.
- We are not expecting a child.
- We do not have incapacitated adult children together who are eligible for child support, or, **Cynthia Diane Johnston** is not asking for child support for any adult child who is eligible for child support.

Personal property (Utah Code Title 81, Chapters 1, 4, 6, and 9)

3. All personal property not addressed in the divorce should be divided as the parties have already divided it.

Vehicles

4. Vehicles will be divided as follows:

a.

Year: **1997**

Make: **Jeep**

Model: **Cherokee**

VIN: **N/A**

Owner (before divorce): **Gary Von Johnston**

Current value: **\$1,200.00**

Amounts Estimated: **yes**

Basis of Estimation: **Estimate**

Ownership After Divorce: **Gary Von Johnston**

Loan: **N/A**

b.

Year: **1989**

Make: **Ford**

Model: **Jamboree**

VIN: **N/A**

Owner (before divorce): **Gary Von Johnston**

Current value: **\$6,000.00**

Amounts Estimated: **yes**

Basis of Estimation: **Estimate based on purchase price**

Ownership After Divorce: **Gary Von Johnston**

i.

Lender: **Mountain America Credit Union**

Address: **760 W Price River Dr**

Date Acquired: **N/A**

Amount Owed: **\$3,864.00**

Amounts Estimated: **no**

Monthly Payment: **\$250.00**

The debt will be paid as follows: **Gary Von Johnston will pay the entire debt. Gary Von Johnston will provide a copy of the divorce decree to the lender.**

c.

Year: **2019**

Make: **Lincoln**

Model: **MKT**

VIN: **N/A**

Owner (before divorce): **Gary Von Johnston**

Current value: **\$12,000.00**

Amounts Estimated: **yes**

Basis of Estimation: **AI**

Ownership After Divorce: **Cynthia Diane Johnston**

Loan: **N/A**

Life insurance policies owned by Cynthia Diane Johnston

5. The life insurance policies owned by Cynthia Diane Johnston will be divided as follows:

a.

Account Number: **8560**

Account Type: **N/A**

Institution Name: **Global Atlantic**

Address: **Accordia Life PO Box 4321 Clinton IA 52733**

Date Opened: **N/A**

Balance (US Dollars): **\$5,000.00**

Estimated: **no**

Owner: **N/A**

Co-Owner(s): **N/A**

Divide as follows: **Gary Von Johnston should be awarded the entire balance of \$5,000.00 from this money.**

6. This other property will be divided as follows:

Temporary Possession and Transfer of Lincoln MKT. -Husband shall retain temporary possession of the 2019 Lincoln MKT during the pendency of the divorce proceedings and for a period of up to thirty (30) days following entry of the Decree of Divorce. During this period, Husband shall: a. Maintain the vehicle in good working order and maintain insurance coverage on the vehicle;

b. Complete all necessary repairs to the vehicle, including but not limited replacement of the front windsheild and current registration due, at Husband's expense, so that the vehicle is delivered to Wife in fully operational and road-safe condition; c. Not use the vehicle in any manner that would materially diminish its value beyond ordinary wear and tear associated with reasonable use. - Upon completion of repairs and no later than thirty (30) days following entry of the Decree of Divorce, Husband shall transfer title of the 2019 Lincoln MKT to Wife and deliver the vehicle to Wife or to a location mutually agreed upon by the parties. Wife shall thereafter be solely responsible for all maintenance, repair, registration, and operational costs of the vehicle. - All other personal property, furnishings, and household items shall be divided by mutual agreement of the parties. Any items not claimed within sixty (60) days of the entry of the Decree shall be deemed the property of the party in whose possession they remain.

Debts

7. Each party will be ordered to assume and pay debts as follows. The party assuming the debt must put the debt in their name and pay it. If they can't put the debt in their name, they must still pay it. If a party pays a debt they are not responsible for, they can recover that amount from the responsible party.

Credit Card Debt

a.

Account Number: **3183**

Institution Name: **Sams Club Card**

Address: **N/A**

Amount owed on debt (in US Dollars): **\$8,000.00**

Minimum Monthly Payment (in US Dollars): **\$225.00**

Owner: **Gary Johnston**

The debt will be paid as follows: **Gary Von Johnston will pay the entire debt.**

Gary Von Johnston will provide a copy of the divorce decree to the lender.

b.

Account Number: **3484**

Institution Name: **CitiBank**

Address: **N/A**

Amount owed on debt (in US Dollars): **\$2,268.00**

Minimum Monthly Payment (in US Dollars): **\$57.00**

Owner: **Gary Johnston**

The debt will be paid as follows: **Gary Von Johnston will pay the entire debt.**

Gary Von Johnston will provide a copy of the divorce decree to the lender.

c.

Account Number: **6182**

Institution Name: **Credit One**

Address: **N/A**

Amount owed on debt (in US Dollars): **\$2,700.00**

Minimum Monthly Payment (in US Dollars): **\$114.00**

Owner: **Gary Johnston**

The debt will be paid as follows: **Gary Von Johnston will pay the entire debt. Gary Von Johnston will provide a copy of the divorce decree to the lender.**

Other Debt

a.

Account Number: **0000**

Institution Name: **Celeste Kennedy**

Address: **129 S 500 W Orem UT 84058**

Amount owed on debt (in US Dollars): **\$8,000.00**

Minimum Monthly Payment (in US Dollars): **\$125.00**

Owner: **Cynthia Johnston**

The debt will be paid as follows: **Cynthia Diane Johnston will pay the entire debt. Cynthia Diane Johnston will provide a copy of the divorce decree to the lender.**

Real property

8. The parties acquired the following real property during the marriage:

a.

Description: **East Carbon Home**

Address: **150 Grassy Trail, , East Carbon, carbon, Utah 84520 United States**

Tax ID: **1C-0616-0000**

Legal Description: **LOT 17, BLOCK 15, PLAT "C" DRAGERTON SUB. 0.24 AC**

Date property acquired: **May 1, 1994**

Names on title: **Gary V Johnston & Cynthia D Johnston**

Original cost: **\$65,000**

Current value: **\$230,000.00**

Property values estimated: **yes**

Estimation basis for property value: **County property value assessment**

Disposal: **Husband shall receive as his sole and separate property the real property and residence located at 150 Grassy Trail Drive, East Carbon, Carbon County, Utah 84520, including all right, title, and interest therein. Husband shall assume the existing mortgage obligation on said property (current approximate balance: \$37,000) and shall hold Wife harmless from any liability thereon. Husband acknowledges his substantial financial and labor**

contributions to the construction of a residential apartment on real property owned by a third party (Celeste Kennedy) located in Orem, Utah County, Utah. Wife contributed labor to said construction as well. Husband voluntarily relinquishes any and all claims to said improvement or to compensation for said contributions as part of this settlement. Wife shall have the benefit of continued residence in said apartment pursuant to whatever arrangement she may maintain with the property owner.

i.

Creditor: **N/A**

Names on mortgage: **Gary Von Johnston**

Date mortgage acquired: **Sep 1, 2025**

Mortgage balance: **\$36,871.22**

Monthly payment: **\$454.09**

Mortgage values estimated: **no**

This mortgage will be paid as follows after the divorce: **Gary Von Johnston will pay the entire debt. Gary Von Johnston will provide a copy of the divorce decree to the lender.**

Alimony

Cynthia Diane Johnston's Financial Need

9. **Cynthia Diane Johnston's** net income (after taxes) is **\$920.00** per month. This amount is based on these sources of income:

Monthly Current Income

Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)

\$ 0

Rental income

\$ 0

Business income

\$ 0

Interest

\$ 0

Dividends

\$ 0

Retirement income

\$ 0

(including pensions, 401(k), IRA, etc.)

Worker's Compensation

\$ 0

Social Security Disability

(SSDI)	\$760
Supplemental Security Income (SSI)	\$0
Social Security (Other than SSDI or SSI)	\$0
Private Disability Insurance	\$0
Unemployment benefits	\$0
Education benefits (Including grants, loans, cash scholarships, etc.)	\$0
Veteran's Benefits	\$0
Alimony (from a prior marriage)	\$0
Child Support (from a prior order)	\$0
Payments from civil litigation	\$0
Victim restitution	\$0
Utah Cash Assistance	\$0
Family Employment Program (FEP), etc.	
Federal Cash Assistance	\$0
Temporary Assistance for Needy Families (TANF), etc.	
Financial support from household members	\$0
Financial support from non-household members	\$0
Trust income	\$0
Annuity income	\$0
	\$0
	\$0
Total Gross Monthly Income	\$920

Monthly Tax Deductions

Type of Deductions

Amount

Federal Income Tax	\$ 0
State Income Tax	\$ 0
Municipal Income Tax	\$ 0
FICA	\$ 0
Medicare	\$ 0

10. **Cynthia Diane Johnston's** ability to earn is limited for the following reasons:
- diagnosed with disability: **Chronic back pain**
11. **Cynthia Diane Johnston** has taken these reasonable efforts to improve their employment situation:
- Currently on SSDI**
12. **Cynthia Diane Johnston** faces these reasonable barriers to improving their employment situation:
- Disabled**
13. **Cynthia Diane Johnston's** current reasonable monthly expenses are as follows:

Rent or Mortgage	\$ 650
Real estate taxes (if not included in mortgage)	\$ 0
Real estate insurance (if not included in mortgage)	\$ 0
Real estate maintenance	\$ 0
Food and household supplies	\$ 180
Clothing	\$ 20
Automobile payments	\$ 0
Automobile insurance	\$ 0
Automobile fuel	\$ 60
Automobile maintenance	\$ 100
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 0
Telephone	\$ 0

Paid television, cable,	\$ 0
satellite	
Internet	\$ 0
Credit card payments	\$ 0
Loans and other debt	\$ 125
payments	
Alimony from previous	\$ 0
marriages	
Child support	\$ 0
Child care	\$ 0
Extracurricular activities for	\$ 0
children	
Education (children)	\$ 0
Education (self)	\$ 0
Health care insurance	\$ 0
Health care expenses	\$ 0
(excluding insurance listed	
above)	
Other	\$ 0
insurance	
Entertainment	\$ 100
Laundry and dry cleaning	\$ 10
Donations	\$ 0
Gifts	\$ 50
Union and other Dues	\$ 0
Garnishment or income	\$ 0
withholding order	
Retirement deposits	\$ 0
(including pensions, 401(k),	
IRA, etc.)	
Other	\$ 0
Other	\$ 0
Total current monthly expenses	\$1295

14. **Cynthia Diane Johnston's** marital monthly expenses (expended during the marriage) are as follows:

Rent or Mortgage	\$ 650
Real estate taxes (if not included in mortgage)	\$ 175
Real estate insurance (if not included in mortgage)	\$ 120
Real estate maintenance	\$ 50
Food and household supplies	\$ 300
Clothing	\$ 50
Automobile payments	\$ 250
Automobile insurance	\$ 200
Automobile fuel	\$ 150
Automobile maintenance	\$ 150
Other transportation costs (public transportation, parking, etc.)	\$ 0
Utilities (such as electricity, gas, water, sewer, garbage)	\$ 0
Telephone	\$ 0
Paid television, cable, satellite	\$ 0
Internet	\$ 0
Credit card payments	\$ 250
Loans and other debt payments	\$ 150
Alimony from previous marriages	\$ 0
Child support	\$ 0
Child care	\$ 0
Extracurricular activities for children	\$ 0
Education (children)	\$ 0

Education (self)	\$ 0
Health care insurance	\$ 0
Health care expenses (excluding insurance listed above)	\$ 0
Other insurance	\$ 0
Entertainment	\$ 400
Laundry and dry cleaning	\$ 20
Donations	\$ 0
Gifts	\$ 100
Union and other Dues	\$ 0
Garnishment or income withholding order	\$ 0
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$ 0
Other	\$ 0
Other	\$ 0
Total marital monthly expenses	\$3015

15. The difference between **Cynthia Diane Johnston's** monthly net income (including child support) and monthly expenses is **\$375.00** based on **current** expenses. This is **Cynthia Diane Johnston's** monthly financial need.

Gary Von Johnston's Ability To Pay

16. **Gary Von Johnston's** net income (after taxes) is **\$2,475.00** per month. This amount is based on these sources of income.

Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime)	\$ 0
Rental income	\$ 0
Business income	\$ 0

Interest	\$ 0
Dividends	\$ 0
Retirement income (including pensions, 401(k), IRA, etc.)	\$ 0
Worker's Compensation	\$ 0
Social Security Disability (SSDI)	\$ 0
Supplemental Security Income (SSI)	\$ 2475
Social Security (Other than SSDI or SSI)	\$ 0
Private Disability Insurance	\$ 0
Unemployment benefits	\$ 0
Education benefits (Including grants, loans, cash scholarships, etc.)	\$ 0
Veteran's Benefits	\$ 0
Alimony (from a prior marriage)	\$ 0
Child Support (from a prior order)	\$ 0
Payments from civil litigation	\$ 0
Victim restitution	\$ 0
Utah Cash Assistance	\$ 0
Federal Cash Assistance	\$ 0
Financial support from household members	\$ 0
Financial support from non- household members	\$ 0
Trust income	\$ 0
Annuity income	\$ 0
	\$ 0
	\$ 0

Total Gross Monthly Income

\$ 2475

Monthly Tax Deductions

Type of Deductions

Amount

Federal Income Tax

\$ 0

State Income Tax

\$ 0

Municipal Income Tax

\$ 0

FICA

\$ 0

Medicare

\$ 0

17. **Gary Von Johnston's** current reasonable monthly expenses are as follows:

Rent or Mortgage\$ 400

Real estate taxes (if not\$ 175
included in mortgage)

Real estate insurance (if not\$ 100
included in mortgage)

Real estate maintenance\$ 100

Food and household\$ 200
supplies

Clothing\$ 25

Automobile payments\$ 250

Automobile insurance\$ 200

Automobile fuel\$ 150

Automobile maintenance\$ 100

Other transportation costs\$ 0
(public transportation,
parking, etc.)

Utilities (such as electricity,\$ 250
gas, water, sewer, garbage)

Telephone\$ 0

Paid television, cable,\$ 0

satellite

Internet\$ 80

Credit card payments	\$ 400
Loans and other debt payments	\$ 0
Alimony from previous marriages	\$ 0
Child support	\$ 0
Child care	\$ 0
Extracurricular activities for children	\$ 0
Education (children)	\$ 0
Education (self)	\$ 0
Health care insurance	\$ 0
Health care expenses (excluding insurance listed above)	\$ 125
Other insurance	\$ 0
Entertainment	\$ 50
Laundry and dry cleaning	\$ 10
Donations	\$ 0
Gifts	\$ 20
Union and other Dues	\$ 0
Garnishment or income withholding order	\$ 0
Retirement deposits (including pensions, 401(k), IRA, etc.)	\$ 0
Other	\$ 0
Other	\$ 0
Total marital monthly expenses	\$2635

18. The difference between **Gary Von Johnston's** monthly net income and monthly expenses (including child support) is **\$0.00**. This is **Gary Von Johnston's** ability to pay alimony each month.

19. **Gary Von Johnston** and **Cynthia Diane Johnston** have been married for **44** years

and 11 months.

20. The value of real property during the marriage is **\$230,000.00**

21. The value of personal property during the marriage is **\$19,200.00**.

Alimony Payment

22. **Gary Von Johnston** will pay **Cynthia Diane Johnston** **\$0.00** in alimony each month.

23. These are the reasons for this amount: **Alimony per Spusal Support -Vehicle Insurance Provsions**

24. Alimony will start the month immediately following entry of the divorce decree.

25. The payment schedule will be:

a. **Spousal Support - Vehicle Insurance Provision a. In lieu of any direct alimony or spousal support payments, and by mutual agreement of the parties for the purpose of preserving Wife's eligibility for needs-based government benefits, Husband shall provide the following in-kind support: Husband shall maintain and pay for automobile liability and full coverage insurance on the 2019 Lincoln MKT transferred to Wife by making payments directly to the insurance carrier. At no time shall Husband make cash payments to Wife in satisfaction of this obligation. b. The estimated monthly cost of this obligation is \$100 to \$125 per month, which the parties agree is within the range of alimony a court of competent jurisdiction would be likely to award given the parties' respective financial circumstances, including but not limited to: Husband's fixed Social Security retirement income of approximately \$2,475 per month; Wife's anticipated divorced spousal Social Security benefit of approximately \$1,325 per month; Wife's substantially lower monthly living expenses; and Husband's inability to pay direct spousal support while maintaining his own financial independence. c. Husband shall have no obligation to maintain, repair, or replace the vehicle after transfer of possession to Wife. Wife is solely responsible for all vehicle maintenance, repair, and operational costs following transfer. This vehicle insurance obligation shall terminate upon the first to occur of any of the following events: a. The death of either party; b. Wife's remarriage; c. Wife's cohabitation with another person in a marriage-like relationship, as defined under Utah Code Section 81-4-505; d. Wife's written waiver of this benefit. In the event Husband's monthly income falls below \$2,000 (as adjusted for Social Security cost-of-living increases), the insurance obligation shall be suspended until Husband's income recovers above said threshold. Wife shall be responsible for maintaining her own insurance during any suspension period. Except as provided in this Section, neither party shall be entitled to alimony or spousal support from the other, and each party forever waives any claim to alimony not set forth herein.**

26. **Gary Von Johnston's** alimony obligation will end the earliest of the following:

- 44 years and 11 months.
- If Cynthia Diane Johnston dies.
- If Cynthia Diane Johnston remarries.

Retirement money

27. The parties do not need a court order about retirement money.

Additional provisions

28. The parties will adhere to the following additional provisions:

a.

Additional Provision: **LIFE INSURANCE** Husband is the owner of a life insurance policy (Policy No. AB02458560) with a current death benefit of approximately \$120,000 and a cash surrender value of approximately \$5,000. Wife hereby relinquishes any and all claims to the cash surrender value of said policy. Husband shall retain full ownership of the policy and all rights therein, including the right to designate beneficiaries of his choosing after entry of the Decree of Divorce. For the duration of the vehicle insurance obligation described above, Husband shall maintain a minimum of \$25,000 in life insurance coverage and shall designate Wife as beneficiary of at least that amount, to secure the vehicle insurance obligation in the event of Husband's death. This obligation is satisfied by the existing policy. Upon termination of the vehicle insurance obligation, Husband's obligation to maintain Wife as a life insurance beneficiary shall also terminate, and Husband shall have full discretion over beneficiary designations thereafter. **VEHICLE WARRANTY** Husband currently maintains an extended warranty on the 2019 Lincoln MKT at a cost of approximately \$185 per month. Husband shall make all remaining warranty payments at his expense through October 2, 2026 (Wife's sixty-seventh birthday), at which time all warranty payments will be completed in full. Husband shall have no further financial obligation related to the warranty after said date. Upon completion of Husband's final warranty payment, the extended warranty shall remain active and shall continue to provide coverage on the 2019 Lincoln MKT for the remainder of its term and/or mileage limit as specified in the warranty contract. Wife shall receive the benefit of said remaining warranty coverage at no additional cost. Husband shall provide Wife with all warranty documentation, including the warranty contract, provider contact information, and any claim procedures, at the time the vehicle is transferred. For the avoidance of doubt, Husband's obligation to pay the warranty is separate from and in addition to the vehicle insurance obligation. Husband's warranty payment obligation terminates on October 2, 2026, regardless of whether the vehicle insurance obligation continues.

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Duty to sign documents

29. The parties will sign all documents necessary to comply with the divorce decree within 60 days from entry of the decree. If a party fails to sign a document within 60 days, the other party may ask the court to appoint someone to sign the document. (Utah Rule of Civil Procedure 70)

Judge's signature may instead appear at the top of the first page of this document.

Date 8/18/26 Signature 
Judge PETER J. PETERSON
Signature
Date Commissioner

Approved as to Form.

Other Party
Signature ▶

Gary V Johnston

Other Party Name Gary Von Johnston

Certificate of Service

I certify that I filed with the court and am serving a copy of this Divorce Decree on the following people.

a.

Name: **Gary Johnston**
Method of service: **Postal Mail**
Address: **PO Box 228 East Carbon UT 84520**
Date of Service: **Jul 29, 2026**

07/27/2026

Date

Signature ▶

Cynthia Johnston

Printed
Name

Cynthia Johnston

