STATE OF INDIANA

STATE OF INDIANA) 016397

COUNTY OF LAKE)

2003 HAR -8 FH 1: 28

IN THE LAKE SUPERIOR COURT CIVIL DIVISION, ROOM TWO

EAST CHICAGO, INDIANCE IN UPON COLL

IN RE: THE MARRIAGE OF:

JOAN KOLODZIEJ,

and

Petitioner

DEC 07 1999

CAUSE NO. 45D02-9804

BARRY KOLODZIEJ,

Respondent

The above entitled Cause came on to be heard on Petitioner's Petition for Dissolution of Marriage, and sixty (60) days having passed; the Court hearing testimony, receiving evidence, reviewing the statutory and case law, and hearing argument of Counsel;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED That:

- 1. This Court has subject matter and personal jurisdiction in this Cause.
- 2. There is an irretrievable breakdown of the marriage of the parties hereto, their marriage is dissolved, and the parties hereto are restored to the status of unmarried individuals.
- 3. That the Parties shall have joint legal custody of the three (3) children of the marriage; Daniel, born September 18, 1985, Lindsey, born August 26, 1990, and Kristie, born July 18, 1987, with physical custody awarded to Joan.
- That Barry shall have liberal, unsupervised visitation upon twenty-four (24) hours notice to Joan, but no less than that described in the Lake County Visitation Guidelines, attached hereto and incorporated as if fully set forth herein, as Exhibit "A".

BARRY KOLODZIES :336 ONO AVE Hommoud IN 46323

- That Barry shall be required to pay child support in the amount of Two Hundred Twenty-Eight and 22/100 (\$228.22) Dollars each week by Wage Withholding Order into the Clerk of the Court. (See attached Worksheet). Said support will be paid at the rate of Four Hundred Fifty-Six and 44/100 (\$456.44) Dollars each two (2) weeks. Barry is to have state and federal tax deductions for two (2) children, Daniel and Lindsey. Joan is to have the other child's deduction. Parties are directed to sign IRS Waiver forms by February 15th of each year.
- 6. There is no reason to deviate from the presumptive equal division of the marital estate. Although Joan's base salary is less than Barry's, she can work part time as a typist at Twelve and 50/100 (\$12.50) Dollars per hour. Document is the property of
- 7. Joan is awarded the marital residence in fee simple. Barry is awarded a \$70,500.00 lien against said real estate for his equity therein, upon which he will earn eight (8%) percent per year Judgment Interest until paid in full. Joan is to be responsible for paying the mortgage, taxes and insurance on same. Execution on Barry's Judgment is withheld until July 1, 2009, unless the real estate is sold prior to that date.
- 8. Barry is awarded the 1988 Aero Star, the kitchen table and chairs, the 27" TV and VCR, the 19" TV, the porch furniture, ping pong table, gas grill, aquarium and aquarium paraphernalia, camcorder with tripod, artificial hanging plant, aluminum ladder, black file cabinet, ½ value of the furniture in the children's rooms, and ½ the value of his 401K Plan earned during the marriage which will be distributed by a Qualified Domestic Relations Order to be prepared by Petitioner's attorney, or Transfer Order if the Plan Administrator requires one. Finally, Barry is to have \$3,007.50 of the cash value of the life insurance policy to balance out the difference in values between the Parties awards of personalty. Joan is to receive ½ the value of Barry's pension as set

out above, her '92 Taurus, all other property on Respondent's Exhibit A, and \$1,209.93 of the cash surrender value of the life insurance policy.

- 9. That Barry shall pay \$2,000.00, and Joan shall pay \$2,000.00 on the NIPSCO VISA account.
 - 10. That Barry shall maintain all of the children on his health insurance policy.
- 11. That Joan shall be responsible for the first Seven Hundred Twelve and 05/100 (\$712.05) Dollars per year of uninsured medical, hospital, orthodontic, optical, dental and pharmaceutical expense of the children considered jointly. Any other uninsured medical, hospital, optical, orthodontic, pharmaceutical or dental expenses are to be shared, with Barry paying sixty-two (62%) percent, and Joan paying thirty-eight (38%) percent of same.
- 12. That each party hereto shall execute any and all necessary deeds, releases, titles and other paperwork to effect the terms and conditions of this Decree of Dissolution within thirty (30) days of the date of this Decree.
- 13. That Barry shall be responsible for \$1,800.00 of Joan's attorney fees in this Cause.

 Joan has a Judgment for \$1,800.00.

SO ORDERED THIS 7TH DAY OF DECEMBER, 1999.

WILLIAM E. DAVIS, JUDGE

LAKE SUPERIOR COURT, CIVIL DIVISION

ROOM NUMBER TWO