

DIVORCE FINDINGS - PERSONAL SERVICE

THE STATE OF WISCONSIN }
CIRCUIT COURT, } ss.
Milwaukee County, }

Family Court
Domestic Relations Section

Case No. 460-882

ELVA A. COATS,

Plaintiff

vs.

GEORGE T. COATS,

Defendant

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

The above entitled action having been duly noticed for trial, and the same having been duly placed upon the April, 19 79 Term Calendar of said court, and the same having come on to be heard on May 23, 19 79, before the court, the Honorable John F. Foley, Circuit Judge presiding;

And due separate service of the summons and of the complaint upon the defendant personally having been made, as appears by the returns of the sheriff endorsed respectively on said summons and complaint on file herein;

And it further appearing that within twenty (20) days after service on the defendant, a copy of said summons and of said complaint were duly served on the Honorable Sol T. Goodsitt the Family Court Commissioner for said Milwaukee County, as appears by the admission of such service endorsed upon the original summons and original complaint which were filed herein respectively on January 19, 1978, and on January 7, 1978;

And it further appearing that twenty days have elapsed since the date of the service of the complaint upon said defendant and that said defendant has ~~failed to answer or demur to~~ ^{ed} on May 23, 1979, and that said defendant has ~~in no manner~~ appeared herein, and is now in default, as more fully appears by the affidavit of Esq. the Attorney for the plaintiff on file herein;

And it further appearing that a report has been made by the family court commissioner to the court showing the result of a conciliation effort and 60 days have expired after the filing of the complaint; ~~and the court ordered an immediate trial after consideration of the recommendation of the family court commissioner, (strike out the inapplicable alternatives)~~

And the plaintiff appearing in person and by Christy Ann Brooks, von Briesen & Redmond, s.c. Attorneys, and the State of Wisconsin appearing by none ~~Esq. Assistant Family Court Commissioner in and for said Milwaukee County,~~ and the Defendant _____ appearing in person and by Attorney George Affeldt

~~_____ failing to appear either in person or by attorney,~~ and after hearing the testimony and proofs submitted by the plaintiff, ~~the said~~ _____, ~~Esq. Assistant Family Court Commissioner having appeared in open court and on behalf of the public made a fair and impartial presentation to the court and fully advised the Court as to the merits of the case and the rights and interests of the parties and of the public and the efforts made towards reconciliation of the parties or the reason such reconciliation attempt has not been made,~~ and being fully advised in the premises, and the judge having informed the parties hereto appearing in court that the judgment to be entered herein so far as it affects ^{immediately except for the parties' ability to remarry no earlier than} the status of the parties, will ~~not~~ become effective ^{until} six months from the date of the granting thereof, I, John F. Foley, the Judge before whom this action was tried, do make these findings of fact and conclusions of law, as follows, to wit:

FINDINGS OF FACT

First. That for more than six months next preceding the commencement of this action, the _____ plaintiff _____ has been a continuous and bona fide resident of the State of Wisconsin as well as of said County at least 30 days next preceding such commencement.

Second. That on the 5th day of December, 1953, at the City of Milwaukee, in the State of Wisconsin, the plaintiff and defendant intermarried and since that time have been and now are husband and wife.

Third. That the names and ^{ages} ~~dates of birth~~ of the ~~minor~~ children of the parties are as follows:
~~(Also indicate if any are presently emancipated and if any illegitimate children have been born during the marriage)~~

Linda Phillips	31 years of age
Ernie Coats	23 years of age

Fourth. That the social security number of the wife is 394-16-4269; that she is 56 years of age, resides at 8741 West Herbert Avenue Milwaukee, Wisconsin, is retired ~~employed as~~ and currently receiving ~~xxx~~ \$ 250.00 per month before deductions and ~~as pension plan pay out;~~ after the following deductions:

~~and has the cost of a baby while employed in the approximate amount of \$~~
~~xxx~~

Fifth. That the social security number of the husband is 392-12-9805; that he is 61 years of age, resides at 6069 West Appleton Avenue Milwaukee, Wisconsin, is now employed as president at Coats Business Services, Inc., earns ~~approximately~~ ~~xxx~~ \$1,100 per month before deductions and \$ 600 after the following deductions: state and federal taxes and social security

Sixth. That the assets of the parties, their respective interests therein, values thereof, and the incumbrances therein and other debts, are as follows:

Jointly Owned Property:

- Property located at 6069 West Appleton Avenue, Milwaukee, Wisconsin, more fully described as:
Lots 4 and 5 in Block 11, in Lenox Heights, being a Subdivision of a part of the Northeast One-quarter (NE 1/4) of Section numbered Fifteen (15) in Township numbered Seven (7) North of Range numbered Twenty-one (21) East in the City of Milwaukee.
- The parties' wooded property and cabin located thereon in Westfield, Wisconsin, more fully described as:
The South half of the Northeast quarter of the Southwest quarter (S 1/2 N 1/4 SW 1/4), and the South half of the Northwest quarter of the Southwest quarter (S 1/2 NW 1/4 SW 1/4) of Section thirty-five (35), Township sixteen (16) North, Range eight (8) East, Marquette County, Wisconsin.
- The parties' unimproved property located in Cape Coral, Florida, and more fully described as:
Cape Coral Unit 30 Blk. 1614 PB 16 PG 31
Lots 3 + 4, Lee County, Florida.
- The parties' property located at 8741-43 West Herbert Avenue, Milwaukee, Wisconsin, more fully described as follows:
Grantosa Highlands etc. in NW 1/4 Sec. 4-7-21
Vol. 76 Pg. 33-34 Block 2 Lot 13.

5. The parties' jointly held one-half interest in the 172.15 acres of property located in Plainfield, Wisconsin, more fully described as follows:

58 T OA 1 SEC 6 20 9 N FRI/2 OF NE FRI/4
108.08 A. V-139 P-142 LESS V-164 P-592
98.58 A.

60 T OA SEC 6 20 9 SE1/4 OF NE1/4
40 A. V-139 P-142

61 T OA SEC 6 20 9 N FRI/2 OF NW FRI/4
67.87 A. V-139 P-142 LESS V-164 P-592
33.57 A

6. The parties' jointly held shares of Lutheran Brotherhood Income Fund, currently totaling 328.495 shares, valued at approximately \$2,826.
7. The parties' jointly held crypts, No. 308-E(2) located at Wisconsin Memorial Park, Garden Mausoleum, "Last Supper," "L" East, valuing approximately \$1,500.
8. The parties' jointly held certificate of deposit No. 18688, Park State Bank, \$15,000.
9. The parties' jointly held furniture, valued at approximately \$2,000.
10. One trailer, value unknown.

Wife's Property:

1. Certificate of deposit No. 19121, Park State Bank, \$6,500.
2. Certificate of deposit No. 20625, Park State Bank, \$6,500.
3. Certificate of deposit No. 4702, Midtown State Bank, \$10,000.
4. Certificate of deposit account No. 37001056.2, Badger Federal Savings & Loan, \$5,000.
5. Savings account No. 5181-0001431, Mutual Savings & Loan, \$555.
6. Savings account No. 09-541122B, Security Savings & Loan, \$79.
7. Checking account No. 436-8-2093, Park State Bank, \$290.
8. Life insurance policy No. 341275, Mutual Trust, cash value \$1,000.
9. Life insurance policy No. 85763, National Guardian Life, cash value \$6,680.
10. Life insurance policy No. 979074, Franklin Life, cash value \$5,000.
11. Medical insurance policy, Realtor's Group Insurance Trust, Boston, Massachusetts: control No. 23394-43-0503.
12. 1970 Chevrolet automobile, approximately \$500.
13. Helwig Carbon Products, Inc., profit sharing retirement plan, approximately \$23,571.39.

Husband's Property:

1. 180 shares Coats's Business Services, Inc. stock, valued at approximately \$21,727.
2. 1978 Plymouth Volare' automobile, \$3,500.
3. Checking account, Greater Milwaukee Bank, approximately \$200.
4. Wisconsin Savings & Loan Association, savings account, \$11,406.12.
5. Bell & Howell pension and profit sharing plan, approximately \$2,500.
6. Veteran's Administration term life insurance policy, no cash value.
7. Wisconsin life insurance policies, face value \$5,500, loan of \$4,863.59, policy Nos. 72311.

and I find as

CONCLUSIONS OF LAW

First. That the plaintiff is entitled to judgment ^{pursuant to Sec. 247.07(4), Wis. Stats., 1973,} wholly dissolving the bonds of matrimony heretofore subsisting between the plaintiff and the defendant and forever freeing the plaintiff and defendant from the obligations thereof; providing, however, that said judgment so far as it affects the marital status of the parties shall ~~not~~ ^{immediately} be effective ~~until the expiration of six months from the date of the granting of said judgment;~~ excepting that it shall immediately bar the parties from cohabitation together and that it may be reviewed on appeal, if any, during said period. But in case either party dies within said period, such judgment, unless vacated or reversed, shall be deemed to have entirely severed the marriage relation immediately before such death.

Second. That neither of the parties to this action shall marry again until six months after the granting of said judgment on 23rd day of May, 1979, and the marriage of either of the parties to this action solemnized before the expiration of six months from the date of the granting of this judgment shall be null and void.

~~Third. That the plaintiff/defendant being obligated herein or by other judgment or court order to support any minor child or children of the marriage not in his (her) custody, is hereby prohibited by ss 25c b9 from marrying again in this state or elsewhere after such judgment becomes effective (final) and shall not marry again unless permission to marry is granted by order of either the court of this state which granted such judgment or support order or the court having divorce jurisdiction in the county of this state where such minor child or children resides, or where the marriage license application is made.~~

~~Fourth. That the minor child or children are not to be removed from the State of Wisconsin without permission of the Court~~

~~Fifth. That the plaintiff/defendant pay to the Clerk of Circuit Court an annual sum of \$10 commencing January 1 next pursuant to ss 59.49 (10) of the Wis. Stats. Clerk of Circuit Court is ordered to deduct the sum received after January 1 next, apply according to assessment and disbursement tax.~~

Third. That, as a full, fair and final property division, the parties shall trade their real properties as an equal exchange of real estate and divide their marital assets as follow:

To Wife:

1. Property located at 6069 West Appleton Avenue, Milwaukee, Wisconsin, more fully described as:

Lots 4 and 5 in Block 11, in Lenox Heights, being a Subdivision of a part of the Northeast One-quarter (NE 1/4) of Section numbered Fifteen (15) in Township numbered Seven (7) North of Range numbered Twenty-one (21) East in the City of Milwaukee.

2. The parties' wooded property and cabin located thereon in Westfield, Wisconsin, more fully described as:

The South half of the Northeast quarter of the Southwest quarter (S 1/2 N 1/4 SW 1/4), and the South half of the Northwest quarter of the Southwest quarter (S 1/2 NW 1/4 SW 1/4) of Section thirty-five (35), Township sixteen (16) North, Range eight (8) East, Marquette County, Wisconsin.

3. The parties' unimproved property located in Cape Coral, Florida, and more fully described as:

Cape Coral Unit 30 Blk. 1614 PB 16 PG 31
Lots 3 + 4, Lee County, Florida.

4. \$1,000 worth of furniture, presently in her possession.

5. Certificate of deposit No. 19121, Park State Bank, \$6,500.

6. Certificate of deposit No. 20625, Park State Bank, \$6,500.

7. Certificate of deposit No. 4702, Midtown State Bank, \$10,000.

8. Certificate of deposit account No. 37001056.2, Badger Federal Savings & Loan, \$5,000.

9. Savings account No. 5181-0001431, Mutual Savings & Loan, \$555.
10. Savings account No. 09-541122B, Security Savings & Loan, \$79.
11. Checking account No. 436-8-2093, Park State Bank, \$290.
12. Life insurance policy No. 341275, Mutual Trust, cash value \$1,000.
13. Life insurance policy No. 85763, National Guardian Life, cash value \$6,680.
14. Life insurance policy No. 979074, Franklin Life, cash value \$5,000.
15. Medical insurance policy, Realtor's Group Insurance Trust, Boston, Massachusetts: control No. 23394-43-0503.
16. 1970 Chevrolet automobile, approximately \$500.
17. Helwig Carbon Products, Inc., profit sharing retirement plan, approximately \$23,571.39.
18. One of the two crypts located at Wisconsin Memorial Park, Garden Mausoleum, "Last Supper," "L" East, No. 308-E
19. The parties' certificate of deposit No. 18688, Park State Bank, \$15,000.

To Husband:

1. The parties' property located at 8741-43 West Herbert Avenue, Milwaukee, Wisconsin, more fully described as follows:

Grantosa Highlands etc. in NW 1/4 Sec. 4-7-21
Vol. 76 Pg. 33-34 Block 2 Lot 13.

(Continued on Attached Rider Page 2)

~~All payments of alimony, support money and attorney's fees provided for herein shall be made on the office of the Clerk of this Court at the Court House in the City and County of Milwaukee, Wisconsin. Said payments shall be recorded in an account established by the Clerk of Circuit Court of the County of Milwaukee, the clerk shall charge the account with the monthly amount of alimony and support money as herein ordered. Disobedience of the Court order with respect to compliance is punishable as contempt of Court, and as a punishment of alimony or other allowances for the husband (wife) or child(ren) is punishable under Sec. 895.03 of the Wisconsin Statutes by commitment to the county jail or house of correction until such judgment is complied with and the costs and expenses of the proceedings are paid on behalf of the party committed is otherwise discharged according to law. Let judgment be entered accordingly.~~

Dated Milwaukee, Wisconsin, this _____ day of JUL 30 1979, 1979.

_____ by the Court,

Findings approved this 10th day of July, 1979. Judge.
[Signature] Attorney for Defendants, George T. Coats
 Findings approved this _____ day of _____, 1979.

Assistant Family Court Commissioner.

Case No. 460-882

THE STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY
FAMILY COURT
Domestic Relations Section

ELVA A. COATS,

Plaintiff

vs.

GEORGE T. COATS,

Defendant

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

DIVORCE -- PERSONAL SERVICE

WISCONSIN STATE
COURT CLERK