

STATE OF INDIANA )  
 )  
COUNTY OF ELKHART )

IN THE ELKHART SUPERIOR COURT 6

CASE NO: \_\_\_\_\_

**IN RE THE MARRIAGE OF:**

\_\_\_\_\_  
Name of Filing Spouse  
Select One:  Husband  Wife

And

\_\_\_\_\_  
Name of Responding Spouse  
Select One:  Husband  Wife

**SETTLEMENT AGREEMENT AND DECREE OF DISSOLUTION OF MARRIAGE**

The parties having submitted a Settlement Agreement and the Court having seen and considered the Petition for Dissolution of Marriage and Waiver of Final Hearing submitted by the parties now approves the following:

1.  **Filing Spouse**  **Responding Spouse** has been a continuous resident of Elkhart County for the last three (3) months and the State of Indiana for the last six (6) months immediately preceding the filing of this Petition.
2. Parties were married on \_\_\_\_\_ and separated on \_\_\_\_\_.
3. There are NO unemancipated children born of the marriage.
4. \_\_\_\_\_  is /  is not pregnant.
5. There has been an irretrievable breakdown of the marriage.
6. The bonds of matrimony existing between parties are dissolved, and the parties are now returned to the state of single persons.

**Name Restoration**

7.  Neither party requests a name change.

**-OR-**

\_\_\_\_\_ would like the following former name restored and is not a lifetime sex or violent offender or has complied with I.C. 31-15-2-19; and shall hereinafter be known as:

\_\_\_\_\_

\_\_\_\_\_ would like the following former name restored and is not a lifetime sex or violent offender or has complied with I.C. 31-15-2-19; and shall hereinafter be known as:

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### Personal Property

8.  Parties have divided all of their personal property and the property in each spouse's possession is their property free and clear of any claim by the other spouse.

9. **Filing Spouse** is given, granted, and awarded their sole property free and clear of any and all claims which Responding Spouse may have therein, the following personal property:

All items of tangible personal property (*physical, movable items owned by individuals, such as furniture, jewelry, vehicles, and electronics*) in the possession of Filing Spouse, including:

The following items of tangible personal property presently in the possession of Responding Spouse:

**These items of personal property shall be transferred to the physical possession of Filing Spouse within 30 days.**

All checking accounts, saving accounts, and other intangible property or assets which are in the sole name of the Filing Spouse.

All employment benefits held in Filing Spouse's name, through employment, whether vested or non-vested, including but not limited to group life insurance, all pension plans, profit sharing plans, medical plans, stock and/or bond purchases or savings plans.

**The Parties shall, within 30 days, execute all necessary and appropriate legal documents transferring all right, title, and interest in and to this property.**

10. **Responding Spouse** is given, granted, and awarded their sole property free and clear of any and all claims which Filing Spouse may have therein, the following personal property:

All items of tangible personal property (*physical, movable items owned by individuals, such as furniture, jewelry, vehicles, and electronics*) in the possession of Responding Spouse, including:

The following items of tangible personal property presently in the possession of Filing Spouse:

**These items of personal property shall be transferred to the physical possession of Responding Spouse within 30 days.**

- All checking accounts, saving accounts, and other intangible property or assets which are in the sole name of the Responding Spouse.
- All employment benefits held in Responding Spouse's name, through employment, whether vested or non-vested, including but not limited to group life insurance, all pension plans, profit sharing plans, medical plans, stock and/or bond purchases or savings plans.

**The Parties shall, within 30 days, execute all necessary and appropriate legal documents transferring all right, title, and interest in and to this property.**

**Marital Residence**

11.  There is no marital residence.

**-OR-**

The parties own real estate located at, and commonly known as:

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The real estate shall now be the sole and separate property of  **Filing Spouse**  **Responding Spouse** and:

Parties shall execute a Quitclaim Deed and all necessary documents transferring all right, title, and interest in and to this real estate to  **Filing Spouse**  **Responding Spouse** there by extinguishing the interest of  **Filing Spouse**  **Responding Spouse** therein.

**-OR-**

**Filing Spouse**  **Responding Spouse** will refinance the mortgage debt related to the marital residence and make good faith effort to obtain a release of the other party on said debt on the earliest possible date. Upon release of the other party from mortgage debt, the other party shall transfer, by Quitclaim deed, his/her interest in said real estate. The party assuming responsibility for mortgage agrees to hold the other party harmless from all liability, expense, attorney fees, loss, or damages which may be a result of failure to make payments on said mortgage debt.

**-OR-**

Other (*explain*):

**Debts**

The division of **debts** shall be as follows:

12.  Parties have no joint outstanding debts for which they are responsible.

**-OR-**

**Filing Spouse** shall be solely responsible for any debts in their individual name and the following debts:

**Name of Creditor**

**Amount of Debt**

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Responding Spouse** shall be solely responsible for any debts in their individual name and the following debts:

**Name of Creditor**

**Amount of Debt**

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**-OR-**

**Filing Spouse** shall be responsible for the following debts:

**Name of Creditor**

**Amount of Debt**

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Responding Spouse** shall be responsible for the following debts:

**Name of Creditor**

**Amount of Debt**

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

**Each party shall pay indebtedness incurred in their own separate name after the separation date listed above. Filing Spouse shall hold Responding Spouse harmless for all debt assigned to Filing Spouse herein, and Responding Spouse shall hold Filing Spouse harmless for all debt assigned to Responding Spouse herein.**

13. The parties mutually represent and acknowledge that the division of property and payment of debts is fair and equitable, and each is satisfied with such division.

**I affirm under the penalties of perjury that the foregoing representations are true.**

*(Signatures must be made in front of a Notary.)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Email Address

STATE OF INDIANA

COUNTY OF \_\_\_\_\_

Before me \_\_\_\_\_, a notary public \_\_\_\_\_ County, State of Indiana, personally appeared \_\_\_\_\_ and being duly sworn upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Date \_\_\_\_\_

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**I affirm under the penalties of perjury that the foregoing representations are true.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Email Address

STATE OF INDIANA

COUNTY OF \_\_\_\_\_

Before me \_\_\_\_\_, a notary public \_\_\_\_\_ County, State of Indiana, personally appeared \_\_\_\_\_ and being duly sworn upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Date \_\_\_\_\_

Notary Public \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**This document represents an agreement submitted by the parties for approval by the Court. The parties have submitted a waiver of final hearing and have agreed that the property distribution provisions of this agreement represent a just and reasonable division of the marital estate and debts.**

SO ORDERED \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer  
Elkhart Superior Court 6

Distribution:

Filing Spouse \_\_\_\_\_

Responding Spouse \_\_\_\_\_

Address:

Address: