

Date:	Case Name:	Case Number:
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500. **PROPERTY DIVISION ORDERS** (FC§§65, 130, 760-853, 2500-2660):

501. The following PROPERTY, whether community or separate, is awarded and confirmed to the PETITIONER as the separate property of the petitioner, along with any and all encumbrances thereon, and petitioner shall hold respondent harmless from such encumbrances:

502. The following PROPERTY, whether community or separate, is awarded and confirmed to the RESPONDENT as the separate property of the respondent, along with any and all encumbrances thereon, and respondent shall hold petitioner harmless from such encumbrances:

503. The following DEBTS (FC§§2620-23), whether community or separate, are awarded and confirmed to the PETITIONER as petitioner's separate debts, and petitioner shall hold respondent harmless from these obligations:

504. The following DEBTS (FC§§2620-23), whether community or separate, are awarded and confirmed to the RESPONDENT as respondent's separate debts, and respondent shall hold petitioner harmless from these obligations:

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505. SALE OF PROPERTY ORDERS:

The following property shall be offered for sale and sold for the fair market value as soon as a willing buyer can be found, and the net proceeds therefrom shall be divided equally unless a different division is specified herein:

506. EQUALIZATION OF DIVISION OF PROPERTY AND DEBT ORDERS:

To equalize the division of the community property assets and obligations the Petitioner Respondent shall pay to the other party the sum of \$ _____ payable as follows: _____

507. ORDERS FOR DEFERRED SALE OF FAMILY HOME (FC§§3800-3810) OR OTHER PROPERTY:

508. The parties own undivided interests in the following property which they shall continue to hold in equal shares as tenants in common unless otherwise specified herein. The parties, by signing this agreement, hereby terminate any joint tenancy interests or other survivorship interests in the following property:

509. Petitioner Respondent shall have the exclusive use and possession of the above property on the following conditions:

- a. That party shall pay all payments due on encumbrances and property taxes and shall have the right to claim such expenses as deductions for all income tax purposes;
- b. That party shall maintain reasonable amounts of fire and liability insurance on the property;
- c. That party shall pay all costs of ordinary maintenance and repair of the property. Extraordinary maintenance and repair may be shared between the parties only with the written consent of the other party or further court order.

The above property shall be offered for sale and sold for the fair market value thereof as soon as a willing buyer can be found upon demand of either party at any time after the happening of the first of the conditions checked below:

- The date of _____.
- That party no longer using the property as the principal residence of said party and a minor child of the parties.
- The failure of that party to comply with conditions a. or b. above.
- Other:

Upon sale of the above property, after payment of broker's commissions, encumbrances, and other costs of sale, the net proceeds shall be divided equally between the parties except that any lien or encumbrance incurred by either party alone, which is not a community obligation, shall be charged only to that party's share of the proceeds.

The parties shall cooperate in the sale and listing for sale of said property including signing and delivering necessary documents and making the property reasonably available for prospective buyers and brokers.

510. This court retains jurisdiction to make any orders necessary to resolve any disputes concerning the maintenance, listing, sale and disposition of proceeds from any property ordered sold and the tax consequences thereof, and to modify the provisions hereof relating to any deferred sale, including the date of sale thereof, as provided in FC§§3807-8.

511. OTHER ORDERS:

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550. **PENSION, RETIREMENT, EMPLOYEE BENEFIT PLAN ORDERS** (FC§§80, 2060-2074, 2610):
 The parties own interests in the following pension, retirement and other employee benefit plans (FC§80):
 Include the name, address, and description of each plan and the administrator thereof, or if the name of the plan or administrator is not known list the name and address of each employer, where either party worked or earned benefits at any time during marriage.

1. _____
2. _____
3. _____
4. _____

551. **TO THE EMPLOYER/PLAN ADMINISTRATOR OF EACH PLAN IDENTIFIED ABOVE:**
Each party identified above is provisionally awarded without prejudice, and subject to adjustment by a later domestic relations order, a separate interest equal to one-half of all benefits accrued or to be accrued under any retirement plan in which one party has accrued a benefit, including but not limited to the plans listed below, as a result of employment of the other party during the marriage or domestic partnership and before the date of separation. In addition, pending further notice, the plan must, as allowed by law, or as allowed by the terms of the plan in the case of a governmental plan, continue to treat the parties as married persons or domestic partners for purposes of any survivor rights and benefits available under the plan to the extent necessary to provide for payment to the surviving spouse or domestic partner of an amount equal to that separate interest or of all of the survivor benefits if at the time of death of the participant there is no other eligible recipient of the survivor benefit.

552. Each party is awarded one half of the community property interests in the above plans and benefits unless a different division is specified by written agreement of the parties. The community interest is that portion of the total plan or benefit determined by a fraction with the numerator representing the period of participation (or length of service) in the plan during marriage before separation and the denominator representing the total period of participation in the plan (or total length of service).

553. Each party who is a participant in a plan listed above must join that plan as a party to this case when joinder is required by law. (See Retirement Plan Joinder—Information Sheet [form FL-318-INFO].) A copy of this order should promptly be delivered to the plan or administrator thereof to help preserve your rights pending further orders or proceedings.

The parties are advised that further court orders may be required to enforce the division of these plans and benefits and to otherwise protect either party's rights to such plans and benefits. A Qualified Domestic Relations Order ("QDRO") or other order may be required under federal or state law. Each party should seek legal advice on this matter as soon as possible to help prevent loss of rights or benefits.

The court reserves and retains jurisdiction to make further orders necessary or appropriate to divide such plans and benefits including orders under FC§2610.

554. The attorney for the Petitioner Respondent (or that party if unrepresented) shall prepare any QDRO or other court orders necessary to divide the above plans (OR plan numbers _____ above) and benefits and shall submit such proposed orders to the other party or attorney for approval before submitting such orders to the court.

555. The attorney for the Petitioner Respondent (or that party if unrepresented) shall apply for an order joining the above plans (OR plan numbers _____ above) as parties hereto under the provisions of FC§§2060-2065.
