

REPUBLIC OF TRINIDAD AND TOBAGO

IN THE HIGH COURT OF JUSTICE
(Family Court Division)

No. FH00263 - 2014

Between

MARY HELEN McPHERSON

Petitioner

And

RENISON EUGENE McPHERSON

Respondent

(Order After Trial)

In Chambers

Before the Honourable Mr. Justice J. Tam
Thursday the 24th day of March 2016

The trial of the petitioner's **Application for Financial Relief** filed on the 28th January 2015 having come on for hearing, and the court having reserved its decision

UPON READING the application and the affidavits and documents filed on behalf of the parties

AND UPON HEARING attorney-at-law for the petitioner and attorney-at-law for the respondent (*the petitioner having died on the 19th May 2016 and the respondent being present*)


THIS COURT ORDERS that -

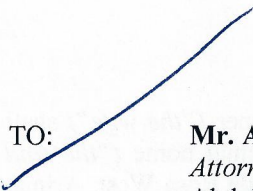
1. A declaration shall hereby be granted that the estate of the petitioner (*"the wife"*) shall hereby be entitled to a share and interest of 83% in the matrimonial home (*"the said property"*) situated at, and known as, Unit 216, The Crossings, Santa Rosa West, Arima, in the island of Trinidad (and which is more particularly described in the Third Part of the First Schedule to the Deed of Lease registered as number DE200700814365D001 in the Protocol of Deeds for the year 2007 and the respondent (*"the husband"*) shall hereby be entitled to a share and interest of 17% in the said property;
2. Based on a value of **One Point Three Million dollars (\$1.3 million)**, either party shall hereby be granted the option to purchase the share of the other party in the said property within three months from the date of this order and, in default, the said property shall be put up for sale by private treaty for a price of no less than **One Point Three Million dollars (\$1.3 million)**, and the net proceeds divided between the parties in accordance with their declared entitlement; **provided that** in computing the net proceeds, only the husband shall be liable for the payment of any outstanding utility bills, charges and similar expenses related to his use and occupation of the said property;

3. The wife's attorney-at-law shall have the conduct of any such sale and shall give a strict account to the husband's attorney-at-law;
4. The husband shall permit the wife's representatives and all prospective purchasers to have full and free access to the said property for the purpose of viewing and inspecting the same if required prior to entering an appropriate agreement for sale which shall be signed by the parties or their representatives;
5. In the event of a purchase by one of the parties of the share of the other, or in the event of a sale to a third party, should either party to the action fail for a period of 14 days to execute any document that is necessary to carry into effect the terms of this order after being called upon to do so, the Registrar of the Supreme Court shall hereby be authorized to execute the said document on behalf of the defaulting party;
6. The parties shall have liberty to apply; and
7. Each party shall bear their own costs.

By the court,


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Assistant Registrar
Family Court of Trinidad & Tobago

 **Nirala Bansee-Sookhai**
Deputy Registrar and Marshal
Family Court of Trinidad and Tobago

TO:  **Mr. Abdul Hafeez Ali**
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