

MONTserrat

THE REGISTERED LAND ACT (CAP. 8.01)

ORDER, *ex parte*

REMOVAL OF CAUTION

REGISTRATION SECTION	BLOCK	PARCEL
RENDEZVOUS	15/03	020
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WHEREAS by Order dated the 20th day of July 2001, Catherine Weekes of Gerald’s Montserrat as Administratrix of the Estate of Peter Ryan, deceased was registered as proprietor with absolute title of that piece or parcel of land known as Rendezvous Section Block 15/03 Parcel 20 comprising approximately Eight Point Zero Nine Acres (8.09a);

AND WHEREAS a Restriction by Instrument Number 156/2002 dated the 20th day of July 2002 was placed on Rendezvous Section Block 15/03 Parcel 20 prohibiting any dealings in the said parcel for a period of two (2) years (“the said Restriction”).

AND WHEREAS Catherine Weekes, the registered proprietor of Rendezvous Section Block 15/03 Parcel 20 died on the 8th day of December 2005 at the Glendon Hospital, St. John’s Montserrat;

AND WHEREAS a Grant of Letters of Administration was issued on the 7th day of December 2006 to Patrick Weekes of Gerald’s Montserrat, as Legal Personal Representative of the Estate of Catherine Weekes, deceased

AND WHEREAS a Caution (“the said Caution”), by Instrument Number 441/2013, was lodged in the Land Registry on the 4th day of June 2013 by Kathleen Kirnon (“the Cautioner) of C/o Lady Eudora Fergus, Olveston Montserrat in respect of Block 15/03 Parcel 020 in the Rendezvous Registration Section (“the property”);

AND WHEREAS the Cautioner claimed an interest in the property and sought to forbid the registration of dealings and the making of entries in the Land Register relating to the property without her consent or until the Caution was withdrawn by the Cautioner or removed by Order of the Court or by Order of the Registrar;

AND WHEREAS Patrick Weekes as Legal Personal Representative of the Estate of Catherine Weekes applied through his attorneys by letter dated the 4th day of December 2017 and filed on the 11th day of December 2017 for the removal of the said Caution;

AND WHEREAS the Registrar of Lands issued a Warning dated the 11th day of January 2018 giving the Cautioner Notice of the application for the removal of the Caution on the property.

AND WHEREAS by letter dated the 2nd day of February 2018, the Cautioner filed an objection to the removal of the said Caution on the property

AND WHEREAS Patrick Weekes as Legal Personal Representative of the Estate of Catherine Weekes, by letter dated the 9th day of April 2018 through his attorneys, filed an

application for a Hearing for the removal of the said Caution on the property through his attorneys.

AND WHEREAS the Cautioner and Patrick Weekes, Legal Personal Representative of the Estate of Catherine Weekes were given Notice of Hearing for the removal of the Caution fixed for the 11th day of January 2018 but the Cautioner did not attend in person or by representation and the hearing was adjourned to a date to be fixed.

AND WHEREAS the Cautioner and Patrick Weekes, Legal Personal Representative of the Estate of Catherine Weekes were given Notice of Hearing re-scheduled to the 27th day of May 2019 and the 28th day of May, 2019 but the Cautioner did not attend either in person or by representation and the hearing was again adjourned to a date to be fixed.

AND WHEREAS the Cautioner and Patrick Weekes, Legal Personal Representative of the Estate of Catherine Weekes were given Notice of Hearing re-scheduled to the 8th day of January 2024 but the Cautioner did not attend either in person or by representation and the Registrar proceeded to hear the matter *ex parte*.

AND UPON HEARING Patrick Weekes in person on the 8th day of January, 2024, the Cautioner not being present and without representation for a 3rd time.

IT IS HEREBY ORDERED that:

1. The Caution placed on the property known as Rendezvous Section, Block 15/03 Parcel 20 by the Cautioner shall be removed after a period of no less than thirty-one days from the date herein;
2. The Cautioner to give Notice of Intention to Appeal to the Registrar of Lands within thirty (30) days from the date herein;
3. A copy of this Order shall be sent by pre-paid registered post to Dr. Kathleen Kirnon, M.D. 7652 Renee Street, La Salle Quebec, Canada H8N1W3.
4. A copy of this Order shall be served on the Cautioner’s Agent for service noted on the Land Register.

GIVEN UNDER my hand and the Seal of the Land Registry Department
this 18th day of January 2024

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Anderson T. Sooparlie
Registrar of Lands