

General Order

In the	
<b>SOUTHAMPTON</b>	
County Court	
Case No. <small>Always quote this</small>	SO99D01278
Petitioner	James Colton
Respondent	Mrs Sheelagh Winifred Colton
Co-Respondent	



Before District Judge Cooper sitting at Southampton County Court, London Road, Southampton, SO15 2XQ on 1st August 2000

Upon the Petitioner and the Respondent agreeing that the provisions of this order are accepted in full and final satisfaction of all financial claims and claims in respect of any property whatsoever which either may be entitled to bring against the other in any jurisdiction howsoever arising

And Upon the Petitioner and the Respondent agreeing that the terms of the agreement reached between them contained herein shall be binding upon them only in the event of an order of the Court being made in such terms

And Upon the Petitioner and the Respondent agreeing that the contents of the former matrimonial home 40 Stokewood Road, Bournemouth, Dorset shall remain in the absolute property of the party in whose possession they now are

And Upon the Petitioner and the Respondent agreeing that neither of them has any legal or equitable interest in property or assets owned by the other save as provided for in this order

And Upon the Respondent undertaking to the Court promptly to discharge for the benefit of the Petitioner from the date hereof:-

(a) all mortgage interest and monthly capital repayments due in respect of the mortgage in favour of Cheltenham & Gloucester PLC secured on the former matrimonial home 40 Stokewood Road, Bournemouth, Dorset registered at HM Land Registry under Title Number DT169652;

(b) the gas electricity and telephone accounts, the house and contents insurance premiums and the Council Tax and water charge on the said property;

And to indemnify the Petitioner in respect thereof

And Upon the Respondent undertaking to the Court to indemnify the Petitioner against the following liabilities:-

(a) In respect of the overdraft with National Westminster Bank Account Number 54048885

(b) Arrears of rent and any liability arising from the parties former lease of premises at 998 Wimborne Road, Bournemouth

(c) Any costs payable arising out of the litigation between the Petitioner and the Respondent (as Next Friend

for their son James Colton) and Dorset County Council

And Upon the Respondent undertaking to use her best endeavours to procure the release of the Petitioner from any liability under the mortgage secured upon 40 Stokewood Road, Bournemouth in favour of Cheltenham & Gloucester Plc and to indemnify the Petitioner against all such liability

BY CONSENT

IT IS ORDERED THAT

1. The Respondent do pay or cause to be paid to the Petitioner a lump sum of £2,500 on or before the 29 August 2000 or on grant of Decree Absolute whichever is the later
2. The Petitioner do transfer t the Respondent upon payment of the lump sum referred to in paragraph 1 above all his legal estate and beneficial interest in the freehold property 40 Stokewood Road, Bournemouth registered at HM Land Registry under Title Number DT169652 subject to the mortgage secured thereon in favour of Cheltenham & Gloucester Plc
3. Save as aforesaid the claims of both the Petitioner and the Respondent for Financial Provision and Property Adjustment Orders do stand dismissed and neither the Petitioner nor the Respondent shall be entitled to make any such further application in relation to their marriage under the Matrimonial Causes Act 1973 Section 23(1)(a) or (b)
4. Pursuant to the Inheritance (Provision for Family and Dependants) Act 1975 Section 15, the Court considering it just so to order, neither the Petitioner nor the Respondent shall be entitled on the death of the other to apply for an order under Section 2 of that Act
5. There be no order a s to costs insofar as this application and the negotiations ancillary thereto are concerned save that the costs of the Petitioner and the Respondent be assessed pursuant to Civil Procedure Rules 1998 Part 47. In that regard it is certified that the case was fit for Counsel