Electronically Filed - ST LOUIS COUNTY - September 22, 2023 - 05:42 PM

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY
FAMILY COURT DIVISION
ST. LOUIS, MISSOURI

FILED
09/25/23
JOAN M. GILMER
CIRCUIT CLERK
ST. LOUIS COUNTY, MO

SARAH G. O'GRADY	)	
	)	
Petitioner,	)	
vs.	)	**Cause Number: 22SL-DR01621**
	)	
	)	**Division Number: 65**
MATTHEW P. O'GRADY,	)	
	)	
Respondent.	)	

MOTION TO AMEND JUDGMENT NUNC PRO TUNC

COMES NOW the Petitioner, by and through her counsel, David G. Waltrip, L.L.C., and more specifically, David G. Waltrip, Nicole A. Hahn, and Justin M. Hicks and files with the Court her Motion to Amend Judgment Nunc Pro Tunc under Rule 74.06(a) of the Missouri Rules of Civil Procedure. In support thereof, the Petitioner states to the Court as follows:

1. A Judgment of Dissolution of Marriage (hereinafter referred to as the "Judgment"), was entered in this matter on September 7, 2023. Incorporated in that Judgment, was a Marital Settlement and Separation Agreement, (hereinafter referred to as the "MSSA") which was marked as Exhibit 1 and was incorporated into the Judgment.

2. Paragraph 3.2 A) of the MSSA includes the legal description of the real property that is owned by the parties to the Dissolution proceeding. The legal description in the MSSA for the property located at 12141 Point Oak Road, Des Peres, Missouri 63131 is as follows:

> Lot 124 of Berkley Manor Plat 8, according to the Plat thereof recorded in Plat Book 132 page(s) 196 of the St. Louis County Records.

Electronically Filed - ST LOUIS COUNTY - September 22, 2023 - 05:42 PM

Subject to: deed restrictions, easements, rights of way of record, and zoning regulations.
Locator Number: 21O620470

3. In actuality, the legal description of the property is set forth below with the corrected legal description being set forth in bold print that is underlined:

Lot 124 of Berkley Manor Plat 8, according to the Plat thereof recorded in Plat Book 132 **Page(s) 96** of the St. Louis County Records.

Subject to: deed restrictions, easements, rights of way of record, and zoning regulations.
Locator Number: 21O620470

4. Such an error in the original Judgment is a clerical mistake in nature and that error can be amended by this Court with an amendment to the Judgment, Nunc Pro Tunc.

WHEREFORE, Petitioner respectfully request that this Court Amend the Judgment Nunc Pro Tunc to indicate that the legal description of the property reflected in paragraph 3.2 A) as set forth in the MSSA be amended as reflected below:

Lot 124 of Berkley Manor Plat 8, according to the Plat thereof recorded in Plat Book 132 Page 96 of the St. Louis County Records.

Subject to: deed restrictions, easements, rights of way of record, and zoning regulations.
Locator Number: 21O620470

and for such other and further orders of relief that this Court deems just, proper and appropriate in these premises.

CONTINUED ON SUBSEQUENT PAGE FOR SIGNATURES

SO ORDERED:

Mary Dreaves

Commissioner Division 65

September 25, 2023

Electronically Filed - ST LOUIS COUNTY - September 22, 2023 - 05:42 PM

Respectfully submitted,

DAVID G. WALTRIP, LLC

/S/ DAVID G. WALTRIP
DAVID G. WALTRIP #35000
NICOLE A. HAHN #58275
JUSTIN M. HICKS #73387
Attorneys for Petitioner
8151 Clayton Rd., Suite 200
St. Louis, Missouri 63117
(314) 727-7755 (Phone)
(314) 880-7755 (Facsimile)
david.waltrip@waltrip.com
nicole.hahn@waltrip.com
justin.hicks@waltrip.com

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing was filed and served via the Missouri Efiling System to all counsel of record on this 22nd day of September, 2023.

/S/ DAVID G. WALTRIP
DAVID G. WALTRIP