

Registry



Official copy of register of title

Title number LA573927

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- This title is dealt with by Land Registry Fylde Office.

A: Property register

This register describes the land and estate comprised in the title.

LANCASHIRE : WEST LANCASHIRE

- 1 (07.03.1988) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land and buildings at Crossens and Banks.
- 2 The land tinted green on the title plan is not included in this title.
- 3 There are excluded from the land edged red any drains ditches and watercourses maintained by the National Rivers Authority.
- 4 The land edged yellow on the title plan has the benefit of the following rights granted by but is subject to the following reservations contained in a Deed of Partition dated 25 October 1926 made between (1) Charles Ewald Scarisbrick and others (2) Charles Ewald Scarisbrick (3) Sir Tom Talbot Leyland Scarisbrick (4) Robert Edwin Smalley and others (5) Sir Albert Edward Herbert Naylor Leyland and (6) Right Honourable George Viscount Cave and Percy Alfred Leyland Laming:-

TOGETHER with the right (in common with the said Sir Albert Edward Herbert Naylor Leyland and his successors in title the owner or owners of the property described in the Third Schedule hereto) to use the water main laid in or under New Lane Pace shewn on the said plan the said Charles Ewald Scarisbrick and Sir Albert Edward Herbert Naylor Leyland and their respective successors in title contributing fair proportions of the costs of maintenance of such water main AND TOGETHER ALSO with full rights of way at all times and for all purposes over that part of the said New Lane Pace which is not included in the property hereby conveyed to the said Charles Ewald Scarisbrick

.....

THERE shall also be reserved out of the Conveyance made by Clause 1 hereof

A: Property register continued

in favour of the said Albert Edward Herbert Naylor Leyland and his successors in title (a) the right to use the said water main in New Lane Pace and (b) full rights of way at all times and for all purposes over that part of New Lane Pace as is included in the property thereby conveyed

REMARK:-New Lane Pace is indicated by the letters A-B on the filed plan. The property described in the Third Schedule to the Deed includes the eastern moiety of New Lane Pace and adjoining land to the east.

- 5 The land has the benefit of the following rights reserved by a Conveyance of 82 and 84 Station Road Banks dated 20 February 1948 made between (1) Sir Everard Talbot Scarisbrick and Dennis Humbert Fox-Male (Vendors) and (2) The Lancashire County Council:-

Except and Reserving to the Vendors the right to lay and maintain a line of drain pipes from their adjoining land on the Westerly side across the said land hereby conveyed (at a point to be agreed or failing agreement to be settled by arbitration) to tie into the said nine inch drain making good nevertheless all damage or disturbance occasioned thereby

REMARK:-The nine inch drain referred to was a proposed drain leading from the land conveyed in an easterly direction to a piped in watercourse near 78 Station Road.

- 6 The land has the benefit of the following rights reserved by a Conveyance of 78 and 80 Station Road Banks dated 5 March 1948 made between (1) Sir Everard Talbot Scarisbrick and Dennis Humbert Fox-Male (Vendors) and (2) John Sharrock:-

EXCEPT AND RESERVING unto the Vendors and their successors in title owners of the land on the West side of the plot of land hereby conveyed the right to enter upon the said plot of land hereby conveyed for the purpose of laying and thereafter maintaining a nine inch drain to the watercourse on the Easterly boundary of the said plot of land hereby conveyed the Vendors or their successors in title making good all damage or disturbance caused thereby.

- 7 The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.

- 8 (29.05.1997) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered LA799073 in green on the filed plan dated 15 May 1997 made between (1) Southport Land and Property Company Limited and (2) Scottish Equitable PLC.

NOTE: Original filed under LA799073

- 9 (30.07.2002) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered LA916469 in green on the filed plan dated 2 July 2002 made between (1) Southport Land and Property Company Limited and (2) Gail Hesketh.

NOTE: Copy filed under LA916469.

- 10 (30.07.2002) The edged and numbered 1 in brown on the title plan is no longer of any significance and should be ignored since the entry in the register which gave rise to this reference has been cancelled.

- 11 (27.05.2003) The land has the benefit of the following rights reserved by the Transfer dated 30 April 2003 referred to in the Charges Register:-

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Property register continued

"Rights Reserved to the Transferor over the Property hereby transferred

(a) A right of way at all times and for domestic purposes over the track or roadway shown hatched blue on the Plan the Transferor or other person exercising such rights bearing one half of the cost of maintenance upkeep repair and renewal of the said track or roadway."

B: Proprietorship register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (27.11.1990) PROPRIETOR: SOUTHPORT LAND AND PROPERTY COMPANY LIMITED (Co. Regn. No. 2255758) of 166 Garstang Road, Fulwood, Preston, PR2 4NB.
- 2 The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 3 (28.07.2003) A Transfer of the land edged and numbered LA940396 in green on the filed plan dated 11 March 2003 made between (1) Southport Land and Property Co.Ltd (Transferor) and Richard Taylor Owen and Judith Ann Owen (Transferees) contains Transferors personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

Schedule of personal covenants

- 1 "The Transferor hereby covenants with the Transferees that the Transferor and their successors in title shall maintain the ditch running between the Property and Smithy Lane and ensure it is cleaned out and free flowing PROVIDED THAT in default the Transferees and their successors in title shall have a right of entry upon the Transferors retained land to carry out all necessary remedial work to the said ditch such work to be at the cost of the Transferor. In the event of there being a dispute as to whether remedial or repair work is necessary to the ditch the matter is to be referred to the drainage offices at the Farming & Rural Conservation Agency for determination the costs of such appointment to be paid equally by the Transferor and the Transferee"

C: Charges register

This register contains any charges and other matters that affect the land.

- 1 The land is subject to the following rights granted by a Conveyance of land on the north side of Station Road Banks adjoining the land in this title dated 6 November 1974 made between (1) Dennis Humbert Fox-Male and David Drummond and (2) The Lancashire County Council:-

Full right and liberty to lay a foul water drain along the line marked 'A' - 'B' and coloured green on the said plan annexed hereto for the drainage of any houses or buildings hereafter (but within the period of eighty years from the date hereof which shall be the perpetuity period applicable hereto) to be erected upon any part of the said land hereby conveyed and for the purpose of inspecting cleansing repairing and maintaining any such drains to enter upon the adjoining land immediately adjacent to the land

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C: Charges register continued

coloured green doing thereby as little damage as possible and making compensation for all damage done

NOTE: The line marked A-B and coloured green on the Conveyance plan has been shown by a blue line between the points G-H on the filed plan.

- 2 The land is subject to the rights granted by a Deed of Grant dated 23 December 1975 made between (1) Dannis Humbert Fox-Male and David Drummond and (2) North West Water Authority

NOTE 1: The Deed contains Grantor's restrictive covenants

NOTE 2: The strip of land coloured green on the plan to the Deed is tinted pink and tinted blue on the filed plan

NOTE 3: Duplicate filed.

- 3 The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 16 August 1978 made between (1) Dennis Humbert Fox-Male and Malcolm Spencer Humbert Ring (Vendors) (2) David Arthur Blair and others and (3) The Royal Bank of Scotland PLC:-

"EXCEPT and RESERVING UNTO THE Vendors and their successors in title the owners and occupiers for the time being of Banks Marsh Foreshore shown on the said plan and all others authorised by them (in common with all others entitled to like rights)

(a) Full rights of way at all times and for all purposes over such part of the track now or formerly known as New Lane Pace between the points marked A and B on the said plan as is hereby conveyed and (b) full rights of way at all times for agricultural purposes only over the tracks now or formerly known as Bank Pace leading to Sutton's Pace and over Charnley's Lane Pace between the points marked C and D and E and F on the said plan."

NOTE 1: Banks Marsh Foreshore adjoins the North Western boundary of the land in this title

NOTE 2: The points lettered A, B, C, D, E and F have been reproduced in blue on the filed plan.

- 4 The land is subject to the rights granted by a Deed of Grant dated 12 January 1987 made between (1) The Royal Bank of Scotland PLC and (2) North West Water Authority

NOTE 1: The Deed contains Grantor's restrictive covenants

NOTE 2: The ten metre wide strip of land coloured blue on the Deed plan has been tinted pink on the filed plan

NOTE 3: Original filed under LA573926.

- 5 The land is subject to the following rights granted by a Transfer of the land edged and numbered LA602761 in green on the filed plan dated 29 November 1988 made between (1) Leigh Estates (U.K.) Limited (Vendor) (2) Mountleigh Investments Limited (Trustee) and (3) Colin James (Purchaser):-

"The Vendors grant to the Purchaser a right of way at all times for agricultural purposes only over points A to B shown on the plan of the track forming part of the Retained Land and which is known as Bank Pace

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Charges register continued

subject to the Purchaser contributing to the cost of maintaining the said track such contribution to be determined according to user."

NOTE: The points A and B referred to are shown as points E and J respectively on the filed plan.

- 6 (25.09.1998) The land is subject to the following rights granted by a Transfer of the land edged and numbered ~~LA828879~~ in green on the filed plan dated 16 September 1998 made between (1) Southport Land and Property Company Limited and (2) ~~Victor Albert Bishop:-~~

"together with rights set out in the First Schedule

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FIRST SCHEDULE

The Appurtenant Rights

A right to drain surface water from the property into the adjoining ditches of the Retained Land"

- 7 (28.01.2000) The land is subject to the following right granted by a Transfer of the land edged and numbered LA858758 in green on the filed plan dated 9 November 1999 made between (1) Southport Land and Property Company Limited and (2) Ann Elisabeth Ives:-

"TOGETHER WITH a right to drain surface water from the Property into adjoining ditches"

- 8 (13.11.2000) The land is subject to the following rights granted by a Transfer of the land edged and numbered LA877059 in green on the filed plan dated 28 March 2000 made between (1) Southport Land and Property Company Limited (Transferor) and (2) David Ernest Marsden and Norrie Ann Marsden (Transferee):-

"Rights granted for the benefit of the Property

A right for the Transferee to drain surface water from the property to the adjoining ditches on land retained by the Transferor"

- 9 (20.01.2003) The land is subject to the following rights granted by a Transfer of the land edged and numbered LA927795 in green on the filed plan dated 19 November 2002 made between (1) Southport Land and Property Company Limited (Transferor) and (2) Paul Joseph Garton and Kirsty Jane Garton (Transferees):

"The following rights are also granted for the benefit of the Property over the land remaining in the ownership of the Transferor within the above mentioned title (the Retained Land);

(i) The right to drain surface water from the Property into the adjacent ditches located now or in the future on the Retained Land;

(ii) The right to enter upon the Retained Land with any necessary equipment in order to carry out any works required under the covenants contained within this Transfer

(iii) The right to connect into any drains, pipes, wires and cables (Service Medium) or other conduits on the Retained Land and also the right to lay drains pipes, wires and cables on the Retained Land and thereafter the right to use the same together with a right of access on the Retained

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C: Charges register continued

Land to repair, maintain, replace, inspect and renew such Service Media, the Transferees making good any damage caused."

- 10 (27.05.2003) The land is subject to the following rights granted by a Transfer of the land edged and numbered LA935921 in green on the filed plan dated 30 April 2003 made between (1) Southport Land and Property Company Limited (Transferor) and (2) Michael Mark Walton and Paula Walton (Transferees):-

"Rights Granted to the Transferees by the Transferor over the Retained Land

(a) The right to drain surface water from the Property hereby transferred into the adjacent ditches located now or in the future on the Retained Land.

(b) The right (in common with the Transferor and all others entitled to a like right) to the free flow of effluent and soil through the pipes and into the tank and outfalls situate on the Retained Land in the approximate position shown on the Plan subject to the Transferees paying a fair proportion according to the number of dwellings using the same of the cost of maintenance and upkeep repair renewal and cleansing of the said tanks and drains.

(c) The right to enter onto the Retained Land (with any necessary equipment) to inspect maintain or renew any part of the Property hereby transferred or the said pipes tank and outfalls."

NOTE 1: The Retained Land referred to above is the land edged green on the copy plan to Transfer

NOTE 2: Original Transfer filed under LA935921.

- 11 (03.10.2003) The land is subject to the rights granted by a Transfer of the land edged and numbered LA944778 in green on the title plan made between (1) Southport Land & Property Company Limited and (2) Orchard Developments (North West) Limited.

NOTE: Original filed under LA944778.

- 12 (25.05.2004) A Transfer of the land edged and numbered LA916469 in green on the title plan and other land dated 6 May 2004 made between (1) Southport Land and Property Company Limited and (2) John Stuart Elliott and Margaret Ann Elliott contains Transferors restrictive covenants.

NOTE: Copy filed under LA916469.

- 13 (25.10.2005) The land in this title is subject to the rights granted by a Transfer of the land edged and numbered LAN21116 in green on the title plan dated 14 July 2004 made between (1) Southport Land and Property Company Limited and (2) Andrew Mark Cunningham.

NOTE: Copy filed under LAN21116.

End of register