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HM Land Registry

Official copy of register of title

Title number SYK248819 | Edition date 09.12.2016

This official copy shows the entries on the register of title on 08 APR 2019 at 12:30:00.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 08 Apr 2019.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Nottingham Office.

A: Property Register

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

SOUTH YORKSHIRE : BARNSLEY

1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the West side of High Street, Silkstone.

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

3 (06.09.1989) The land edged and lettered A in red on the filed plan on the filed plan added to the title on 6 September 1989.

4 The mines and minerals together with ancillary powers of working are excepted.

5 The land has the benefit of the rights granted by but is subject as mentioned in a Conveyance of the land in this title and other land dated 2 September 1939 made between (1) Mary Gace Fullerton (2) Durham Simpson Matthews and Alfred Octavius Elmshire and (3) Herbert Howard in the following terms:-

TOGETHER with and subject to all such rights of road way water sewers support light and other easements and privileges as are respectively now enjoyed in connection with or otherwise affect the said property.

6 The land has the benefit of the rights granted by but is subject as mentioned in a Conveyance of the land in this title and other land dated 27 April 1974 made between (1) Herbert Howard and (2) Thomas Gerald Wade in the following terms:-

"TOGETHER with and SUBJECT to all such rights of road way water sewerage support light and other easements and privileges as are now respectively enjoyed in connection with or otherwise affect the property hereby conveyed EXCEPT AND RESERVING to the Vendor in fee simple full and free right of way over any roadway constructed by the Purchaser within eighty years from the date hereof between the points marked 'B' on the said plan and the highway".

NOTE: The point B referred to has been re-produced on the filed plan.

7 The land has the benefit of the following rights reserved by but is

A: Property Register continued

subject to the following rights granted by a Conveyance which included the land tinted blue on the filed plan and other land adjoining the northern boundaries of the land tinted pink and the land edged and lettered A in red on the filed plan dated 25 January 1980 made between (1) Wade Construction Limited (Vendor) and (2) Northern Ideal Homes Limited (Purchaser):-

"TOGETHER ALSO with the right for the Purchaser and its successors in title (in common with the Vendor and its successors in title) to construct and lay a drain and when laid to use the said drain over the adjoining or neighbouring land of the Vendor on the south side of the land hereby conveyed for the purpose of taking top or surface water from the land hereby conveyed and to connect the said drain into the existing culvert on the south east corner of the said adjoining or neighbouring land of the Vendor the Purchaser making good any damage occasioned thereby and paying a fair proportion according to user of the expense of maintaining repairing and renewing the same EXCEPT AND RESERVING unto the Vendor and its successors in title being the owners or occupiers of the adjoining or neighbouring land of the Vendor (in common with the Purchaser and its successors in title) the following rights:-

(a) of road and way at all times and for all purposes over and along the estate road to be constructed by the Purchaser on the development of the land hereby conveyed.

(b) of drainage and passage of water and soil through the drains and sewers now laid or to be laid within eighty years from the date hereof under the land hereby conveyed including the right to make connection with any sewers drains pipes and channels for the purpose of exercising the said right of passage and drainage for water and soil.

(c) of free and uninterrupted running of gas and electric pipes wires and cables and water pipes now laid or to be laid within eighty years from the date hereof under over or through the land hereby conveyed including the right to make connections with any such pipes wires cables and water pipes and

(d) to enter upon the land hereby conveyed for the purpose of maintaining cleansing and repairing the said gas and electric pipes wires and cables and water pipes and drains and sewers doing as little damage as may be and making good all such damage done.

(e) to light or other easements over or in respect of the land hereby conveyed as may be occasioned by other buildings or erections now or hereafter to be erected on any part of the adjoining or neighbouring land of the Vendor or the conversion or appropriation at any time hereafter of such land for building or other purposes obstructive or otherwise."

8 The land tinted yellow on the filed plan has the benefit of the following rights granted by but is subject to the following rights reserved by a Deed dated 9 March 1982 made between (1) Northern Ideal Homes Limited and (2) Thomas Gerald Wade:-

"TOGETHER with the rights set out in Part 1 of the First Schedule hereto BUT EXCEPT AND RESERVING the rights set out in Part 2 of the First Schedule hereto.

THE FIRST SCHEDULE REFERRED TO

PART 1

1. The full right for Mr Wade and his successors in title in common with all others entitled thereto for the benefit of the red land and also the remainder of the land comprised in the said Conveyance dated the Twenty seven day of April One thousand nine hundred and seventy four or any part thereof.

(a) at all times and for all normal purposes to pass and repass over the roads and footways thereto and comprised within title number SYK108159.

A: Property Register continued

(b) to the free passage and running of water soil gas electricity and other services from and to the red land through and along the soil and surface water sewers and drains ditches watercourses gas and electricity and other pipes wires cables and mains now or within eighty years hereafter laid in on or over the land comprised within title number SYK108159 TOGETHER with the right to enter upon the land comprised within title number SYK108159 for the purpose of laying inspecting repairing maintaining and renewing the said soil and surface water sewer and drains ditches and water courses gas and electricity and other pipes wires and cables and mains and making connections thereto the person or persons exercising such rights making good all damage occasioned thereby.

PART 2

1. The full right for the Company and its successors in title the owners and occupiers for the time being of the remainder of the land comprised in title Number SYK108159 and all persons authorised by it or them including in particular South Yorkshire County Council and Barnsley Metropolitan Borough Council and any other local or statutory authority or body concerned therewith to the free passage and running of water soil gas electricity or other services from and to the remainder of the land comprised in Title Number SYK108159 through and along the soil and surface water sewers and drains ditches watercourses gas and electricity and other pipes wires and cables and mains now or within eighty years hereafter laid in on under or over the red land TOGETHER with the right to enter upon the land for the purpose of laying inspecting repairing maintaining and renewing the said soil and surface water sewers and drains ditches watercourses gas and electricity and other pipes wires and cables and mains and making connections thereto the person or persons exercising such rights making good all damage occasioned thereby.

2. The right for the Company and its successors in title and those authorised by it or them to enter upon the red land for the purpose of complying with any lawful requirement of the Local Planning authority including the laying inspection maintenance and renewal of the emergency access road loading from Martin Croft aforesaid to High Street Silkstone the person or persons exercising such rights making good all damage occasioned thereby.

3. There is hereby excepted and reserved unto the Company or other the owner or owners for the time being of any land now or formerly owned by the company and adjoining or adjacent to or neighbouring the red land easements rights and privileges over along and through the red land equivalent to those set out in paragraphs one and two of Part 2 of this Schedule

THE SECOND SCHEDULE REFERRED TO

1. The full right for Mr Wades and his successors in title the owners and occupiers for the time being of the remainder of the land comprised in the said Conveyance dated the Twenty Seventh day of April One thousand nine hundred and seventy four free passage and running of water soil gas electric and other services from and to the said land comprised in the said Conveyance through and along the soil and surface water sewers and drains ditches watercourses gas and electricity and other pipes wires cables and mains now or within eighty years hereafter laid in on under or over the green land TOGETHER with the right to enter upon the green land for the purpose of laying inspecting repairing maintaining and renewing the said soil and surface water sewers and drains ditches watercourses gas and electricity and other pipes wires and cables and mains and making connections thereto the person or persons exercising such rights making good all damage occasioned thereby".

¬NOTE: Copy Deed plan filed.

9 The land tinted yellow on the filed plan has the benefit of the following rights reserved by a Transfer of the land adjoining the north western corner thereof dated 20 May 1987 made between (1) Thomas Gerald Wade (Transferor) (2) Barnsley Metropolitan Council and (3) Silkstone Parish Council:-

A: Property Register continued

"EXCEPT AND RESERVING unto the Transfer the free passage and running of water soil gas electricity and other services as are now or hereafter to be used and enjoyed from or to other buildings and land of the Transferor and his successors in title through the mains pipes sewers drains cables and similar works in or under the land hereby transferred with the right for the Transferor and his successors in title and all others lawfully authorised at all reasonable times to enter on the land hereby transferred or any part thereof with all necessary materials and appliances for the purpose of laying constructing inspecting maintaining repairing and renewing any main pipe sewer drain cable or similar works the Transferor or such other persons as aforesaid making good all damage caused to the said land by reason of the carrying out of any such works"

10 The Transfer dated 20 May 1987 referred to above contains the following provision:-

"Any right of light air or eavesdrop not hereby expressly granted which would in any way restrict or interfere with the free use of the adjoining or neighbouring land of the Transferor on the South-Easterly side of the land hereby transferred for building or any other purpose shall not be deemed to be included in this Transfer"

11 Where the parts edged and numbered in green on the filed plan include parts of private paths drives or access areas rights of way are reserved thereover.

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 (20.02.2002) PROPRIETOR: SILKSTONE PARISH COUNCIL care of 15 Blackhorse Drive, Silkstone Common, Barnsley, S Yorkshire S75 4SD.

C: Charges Register

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

1 The estate roads and paths and the private paths drives roads and access areas included in the title are subject to rights of way.

2 The land is subject to rights of drainage and rights in respect of water, gas, electricity and other supply services.

3 The parts of the land respectively affected thereby which adjoin the parts edged and numbered in green on the filed plan are subject to rights of entry for the purposes of inspecting maintaining repairing and decorating any part of the dwellinghouses or garages erected on the parts so edged and numbered.

4 The parts of the land respectively affected thereby which adjoin the parts edged and numbered in green on the filed plan are subject to rights for the foundations and eaves of the dwellinghouses or garages erected on the parts so edged and numered to project thereunder or into the air space thereof.

5 The parts of the land respectively affected thereby which adjoin the parts edged and numbered in green on the filed plan are subject to lateral support.

6 The parts of the land affected thereby are subject to the following rights granted by a Transfer of the land edged and numbered SYK271877 in green on the filed plan dated 4 May 1989 made between (1) Jack Lunn (Homes) Limited (Transferor) and (2) The Yorkshire Electricity Board:-

"FULL AND FREE RIGHTS to the intent that the same shall be appurtenant

C: Charges Register continued

to the said land at all times and for all purposes with or without vehicles to pass and repass over (a) the estate roads until the same are adopted in common with the Transferor and all others entitled to the like right from the adjoining public highway to the said land and (b) on foot only over the land shown coloured brown on the said plan and key plan (hereinafter called "the access land").

THE Board FURTHER COVENANTS with the Transferor with intent and so as to bind the rights hereby granted into whosesoever hands the same may come and to benefit and protect the access land and the land of the Transferor adjoining it to make good to the reasonable satisfaction of the Transferor any damage done to the access land and the land adjoining it in the exercise of the aforesaid rights PROVIDED THAT if for any reason any such damage cannot be made good they will compensate the Transferor therefor.

THE Transferor FURTHER COVENANTS with the Board to the responsible for the construction repair and maintenance of all roads and pathways for which the Board as owners of the said land could be held to be responsible until the same shall be adopted as public highways and taken over by the Highway Authority and to indemnify the Board against all costs charges and expenses in any way relating to the said roads and pathways until such adoption and taking over as aforesaid.

IF any dispute question or difference of opinion shall arise between the parties hereto touching these presents or anything herein contained or the construction or operation thereof or anything to be done hereunder and not being a difference for the determination of which provision is made in the Electricity (Supply) Acts 1882 to 1936 as modified by the Electricity Acts 1947 and 1957 the matter in difference shall be referred for settlement to an Arbitrator to be agreed upon by the parties hereto or in default of such agreement to the President for the time being of the Royal Institution of Chartered Surveyors or his nominee and in either case in accordance with and subject to the provisions of the Arbitration Act 1950 or any subsisting statutory modification or re-enactment thereof".

NOTE: The land coloured brown referred to above is hatched blue on the filed plan.

7 By a Further Guarantee and Debenture dated 6 November 1985 made between (1) Jack Lunn (Homes) Limited and Jack Lunn (Developments) Limited (2) Jack Lunn & Company Limited and others and (3) Barclays Bank PLC the land is charged as security for the moneys therein mentioned.
The charge is expressed to be by way of floating security but not so as to permit the creation of charges in priority thereto or pari-passu therewith except as therein mentioned.

¬NOTE: Copy filed. Copy Guarantee and Debenture dated 1 May 1980 referred to therein filed.

End of register