

These are the notes referred to on the following official copy

Title Number CL179737

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Please note that this is the only official copy we will issue. We will not issue a paper official copy.

THIS DEED is made the 30TH day of MAY 2001

- 249766
- (1) **M BAKER (PROPERTY SERVICES) LIMITED** (Company Number 1701350) whose registered office is situate at Baring House 6 Baring Crescent Exeter Devon EX1 1TL ("M Baker")
 - (2) **COFTON LIMITED** (Company Number 2064506) whose registered office is situate at Cofton House Firwood Road Garretts Green Birmingham B33 OST ("Cofton")
 - (3) **BARRATT HOMES LIMITED** (Company Number 3108173) whose registered office is situate at Wingrove House Ponteland Road Newcastle Upon Tyne NE5 3DP
PERSIMMON HOMES (SOUTH WEST) LIMITED (Company Number 929585) whose registered office is situate at Persimmon House Fulford York YO1 4RL
~~GEORGE WIMPEY U.K.~~
~~WIMPEY HOMES HOLDINGS~~ **LIMITED** (Company Number 1392762) whose registered office is at 3 Shortlands Road, London W6 8EZ ("the Builders")
 - (4) **THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND** incorporated by Act of Parliament and having its head office at The Mount Edinburgh ("the Bank")

1. **Interpretation**

In this Deed the following words and phrases shall have the following meanings:-

"the Transfer" means the Transfer dated 2nd May 2000 made between M Baker

7

not noted -

(1) Westgrove Projects Limited (2) Jacqueline Mary Du Plessis
(3) Christopher Bernard Harrison and Jennifer Harrison (4) Derek John Batten and Muriel Hilda Batten (5) Cofton Limited
(6)

"the Deed of Covenant



CL49766



SEQ83

1

and Grant of Easements"

CL159783
CL49766
CL160160

means the Deed of Covenant and Grant of Easements dated 2nd May 2000 and made between M Baker (1) Barratt Homes Limited (2) Cofton (3) Persimmon Homes (South West) Limited (4) Wimpey Homes Holdings Limited (5)

"Baker Land"

means the land at Gilston Road Saltash contained in title number CL49766

"Cofton Land"

means the land at Pillmere Saltash contained in title number CL159783

"Joint Land"

means the land at Pillmere, Saltash contained in title number CL159734

"Builders Land"

means the land at Pillmere Saltash contained in title number CL160160

"Roadway Land"

means the land edged red on the plan annexed hereto and marked "Roadway Plan"

2. Recitals

2.1 By the Transfer M Baker transferred certain land at Pillmere Saltash to Cofton. The parties acknowledge that the boundary between the Baker Land and the Cofton Land was incorrectly delineated on the plans attached to the Transfer

2.2 By the Deed of Covenant and Grant of Easements the parties entered into covenants in favour of each other and M Baker granted certain rights for the benefit of the Builders Land, the Cofton Land and the Joint Land to Cofton and the Builders over part of the Baker Land. The parties have agreed to release certain of those covenants and rights in the manner hereinafter appearing

3. Variation Of The Transfer

3.1 M Baker and Cofton hereby agree that the definition of "Green Land" contained in the Transfer shall be varied to read as follows:-

referred to
in AS of
CL49766

"Green Land" means all that land registered with title absolute under title number CL49766 at Plymouth District Land Registry shown edged red on the New Plan the northern edge of which shall be more particularly delineated by the back edge of the roadway footpath constructed or to be constructed between the points A and C on the New Plan"

3.2 The parties further agree that there shall be deemed to have been inserted in the Transfer a plan in the form of the plan annexed to this Deed and marked "New Plan" and that there was inserted in the Transfer a definition of the "New Plan" in the following form:

"New Plan" means the plan annexed hereto and marked "New Plan"

3.3 Cofton and M Baker hereby apply to the Chief Land Registrar at HM Land Registry to rectify their respective titles to show the boundary between the Cofton Land and the Baker Land as described in the definition of "Green Land" set out above and the parties hereby covenant with each other that they shall if required by HM Land Registry enter into confirmatory transfers in favour of each other in order to procure the rectification of the boundary between the Cofton Land and the Baker Land

plans?

4 Variation Of The Deed Of Covenant And Grant Of Easements

4.1 Cofton the Builders and M Baker hereby agree that the Deed of Covenant and Grant of Easements shall be varied by substituting the plan annexed hereto and marked "Roadway Plan" for the plan annexed to the Deed of Covenant and Grant of Easements which is also marked "Roadway Plan"

4.2 The Builders and Cofton hereby consent to the removal of the restriction contained in the register of the Baker Land at HM Land Registry imposed pursuant to clause 6.2 of the Deed of Covenant and Grant of Easements and the parties hereby apply to the Chief Land Registrar at HM Land Registry to register the following restriction against the title to the Baker Land:-

“Except under an order of the Registrar or of the Court no disposition of the Roadway Land (other than a disposal of an individual dwelling or dwellings or land for use as public space or the site of a gas governor station electricity sub station) is to be registered unless the application to register the same is accompanied by a certificate from the disponent's solicitors to the effect that the provisions of clause 6.2 of the Deed of Covenant and Grant of Easements dated 2nd May 2000 made between Cofton Limited (1) Persimmon Homes (South West) Limited (2) Wimpey Homes Holdings Limited (3) Barratt Homes Limited (4) M Baker (Property Services) Limited (5) have been complied with”

4.3 Cofton as the registered proprietors of the Cofton Land and the Builders as registered proprietors of the Builders Land and the Builders and Cofton together as registered proprietors of the Joint Land hereby release with full title guarantee the Baker Land from the rights contained and referred to in paragraph 2 of Schedule 4 (being the second of the two paragraphs contained in the said Schedule 4 but incorrectly numbered “1”) of the Deed of Covenant and Grant of Easements

5 Further Covenants

5.1 Cofton hereby covenant with M Baker to carry out the following works to M Baker's reasonable satisfaction and complete the same within three months of the date hereof:

5.1.1 To kerb the back edge of the car park on the Baker Land at the top of bank between points A and B on the New Plan

5.1.2 To erect a new security fence on the outside of the new car park kerb referred to in Clause 5.1.1 above in accordance with the Specification attached hereto

5.1.3 In the event that M Baker have not commenced construction of a Cornish hedge/retaining wall below the said car park by the time that the works referred to in Clause 5.1.1 and 5.1.2 are carried out then Cofton shall rake back the bank between the back edge of the roadway footpath and the line of the new fence erected in accordance with Clause 5.1.2 above.

6 Bank's Consent

The Bank enters into this Deed as mortgagee of the Cofton Land for the purpose of consenting to the terms of this Deed in so far as it affects the Cofton Land

IN WITNESS WHEREOF this Deed is executed by the parties hereto the day and year first above written

Executed as a Deed by
COFTON LIMITED
acting by:-

Director

Director/Secretary

The image shows two handwritten signatures. The top signature is a large, stylized cursive signature, likely of the Director, with a large 'X' to its left and right. The bottom signature is a smaller, more legible signature, likely of the Director/Secretary, with a large 'X' to its right. The signatures are written in black ink on a white background.

Executed as a Deed by
**M BAKER (PROPERTY SERVICES)
LIMITED**
Acting by:-

Director

Director/Secretary

Shah
Executed as a Deed by on behalf of
BARRATT HOMES LIMITED in exercise of the powers conferred on them
by a Power of Attorney made 18 January 2001
Acting by:- the presence of

~~Director~~

Director/Secretary

Executed as a Deed by
**PERSIMMON HOMES
(SOUTH WEST) LIMITED**
Acting by:-

Director

Director/Secretary

The Common Seal of
Executed as a Deed by

~~**WIMPEY HOMES LIMITED**~~

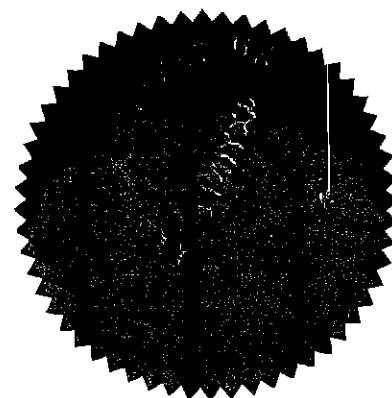
Acting by:- **GEORGE WIMPEY UK LIMITED**

was hereto affixed in
the presence of:-

Director

Director/Secretary

*Authorised
Signatory*

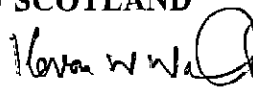


GWUK/WB/01/0174

Executed as a Deed by

as attorney for and on behalf of
**THE GOVERNOR AND COMPANY
OF THE BANK OF SCOTLAND**

in the presence of:-


KEVAN WALKER.

Authorised Signatory



cofton land & property

cofton house, firswood road, garretts green, birmingham B33 0ST

telephone: 0121 628 4000 : fax: 0121 628 1399

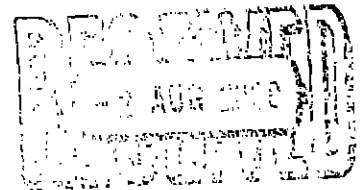
e-mail: admin@cofton.co.uk

website: www.cofton.co.uk

Our Ref: LASB/PA

1st August 2000

Mr J Pragnell
Michael Baker Properties
Baring House
6 Baring Crescent
Exeter EX1 1TL



Dear Sir

Re: Pillmere, Saltash

Further to our previous telephone conversation, please find enclosed our proposal for the permanent security fence to the vehicle compound at Tamar Car Auctions. This security fence is the equivalent of the existing and fulfills our obligations under Clause 22 of the Contract.

I look forward to receiving your earliest confirmation.

Yours faithfully
for Cofton Land & Property

**L A S BONNER
DEVELOPMENT MANAGER**

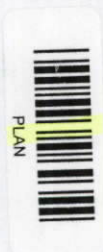
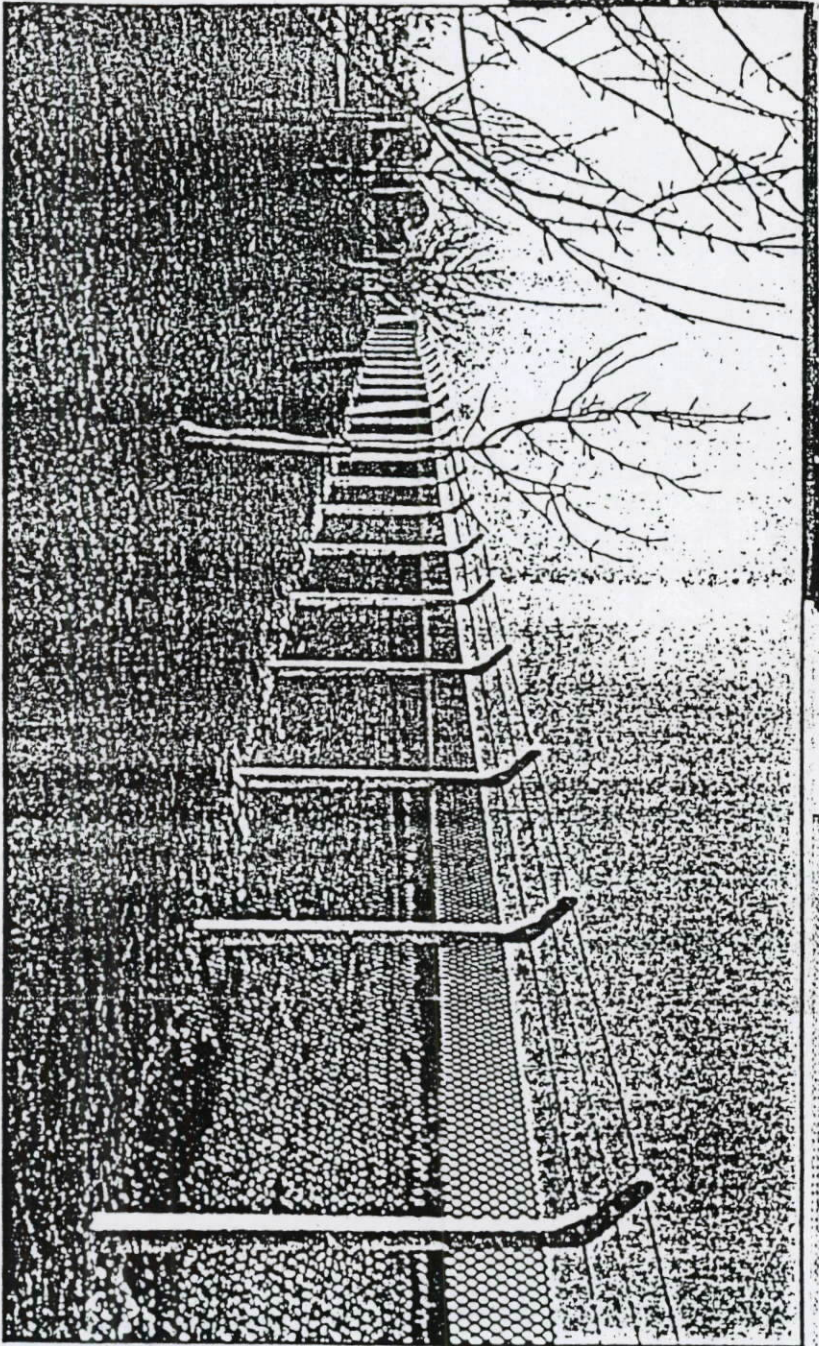
Enc.

cc. TT, JN, ND



A division of cofton ltd. reg. no. 206 4506 England.
A cofton group ltd. company



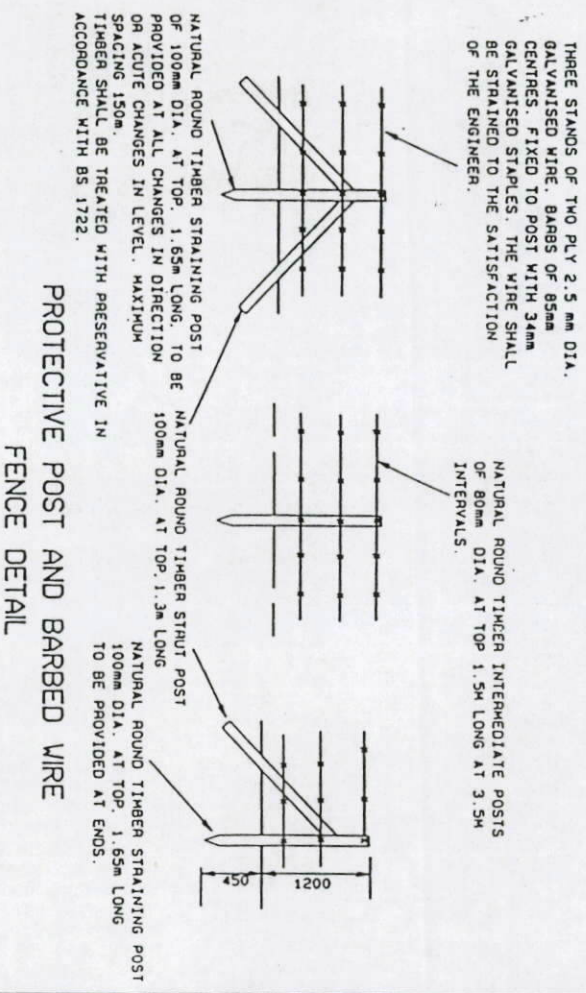
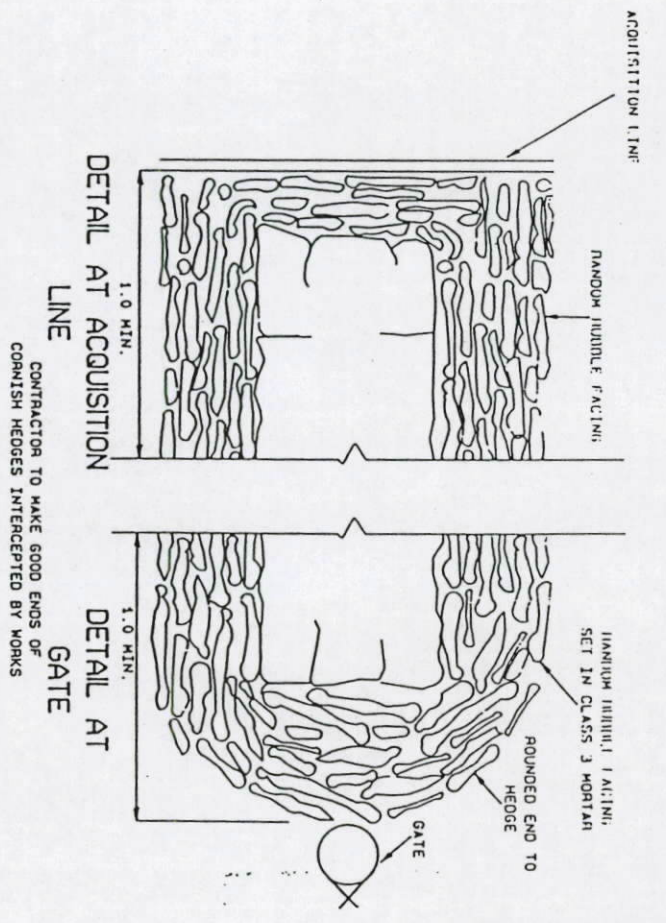
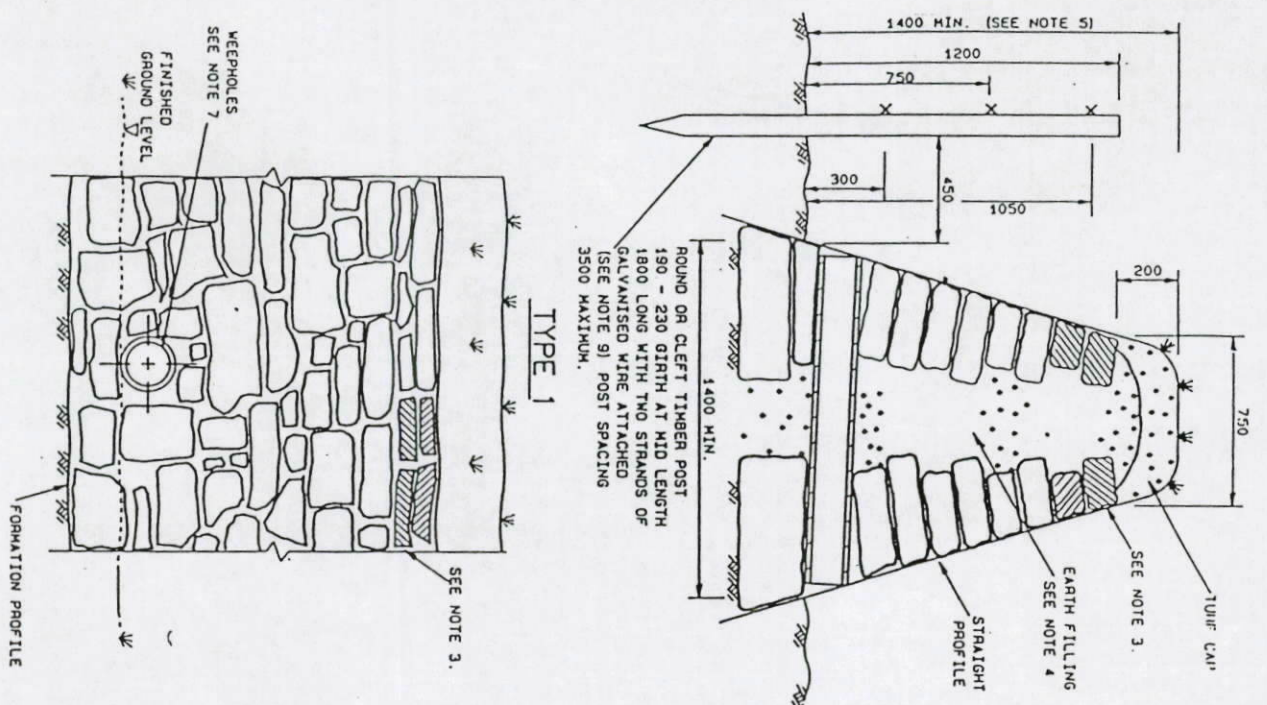


A very popular type of chain link security fencing. The chain link may be either galvanised or PVC-coated, and posts may be concrete, steel or timber, including a cranked top for barbed wire if necessary.





CORNISH HEDGE TYPE 1



PROTECTIVE POST AND BARBED WIRE
FENCE DETAIL

NOTES

1. APPROVED DUNGALL STONE SHALL BE USED
2. INDIVIDUAL STRECHEN STONE SIZES SHALL BE:
MAX. 600mm x 150mm ON THE FACE, AS LAID BY 300mm WIDTH.
MIN. 150mm x 50mm ON THE FACE, AS LAID BY 150mm WIDTH.
THE STONES SHALL BE LAID WITH BEDDING PLANES (WHERE SUCH PLANES EXIST) HORIZONTAL, AND WITH ALL STONES LOAD BEARING, PERPENDICULAR JOINTS IN ADJACENT COURSES ARE TO BE STAGGERED BY AT LEAST 50mm, WITH LARGER STONES IN THE LOWER COURSES.
3. BONDING STONES, OF MINIMUM SIZE 150mm x 150mm ON THE EXPOSED FACE, 450mm IN LENGTH SHALL BE LAID TO EVERY 1.0 SO. METRE OF HEDGE.
FOOTINGS FOR THE BASE COURSES OF EACH FACE SHALL BE EXCAVATED TO A DEPTH OF AT LEAST 150mm, THE BED BEING SLOPED TO THE CORRECT ANGLE TO ENABLE THE FACES OF THE HEDGE TO BE BUILT TO THE PROFILE SPECIFIED.
4. JACK AND JILL WHEN SPECIFIED INDIVIDUAL STONE SIZES SHALL BE:
MAX. ON FACE 200mm x 40mm.
MIN. ON FACE 150mm x 40mm.
MAX. DEPTH 300mm, MIN DEPTH 200mm, IN 150mm LAYERS.
5. HEDGES TO FOLLOW THE GENERAL GROUND PROFILE WITH SMALL ADJUSTMENT TO HEIGHT AS NECESSARY TO OBTAIN A FLOWING ALIGNMENT.
6. HEDGES EXCEEDING 1.4m IN HEIGHT BUT NOT 2.0m ARE TO BE CONSTRUCTED TO THE ABOVE PATTERN.
7. WEEP-HOLE TO BE PROVIDED AT ALL LOW POINTS AND WHERE SHOWN ON DRAWINGS OR WHERE DIRECTED BY ENGINEER, NOMINAL SPACING 10m CENTRES, PIPE DIA TO BE 150mm DIA, CONCRETE PIPE TO BS 5911 PART 1 CLASS 1 LAID TO FALL.
8. STOP ENDS AT GATEWAYS AND STILES TO BE IN ACCORDANCE WITH STONED OFF HEDGEBANK DETAIL.
9. ALL DIMENSIONS ARE SHOWN IN MILLIMETRES

DATE	REVISION	BY	CHKD
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NOT TO SCALE

1. APPROVED DURABLE STONE SHALL BE USED.

2. INDIVIDUAL STITCHED STONE SIZES SHALL BE:

MAX. 600mm x 150mm ON THE FACE. AS LAID BY 300mm WIDTH.

MIN. 150mm x 50mm ON THE FACE. AS LAID BY 150mm WIDTH.

THE STONES SHALL BE LAID WITH BEDDING PLANES (WHERE SUCH PLANES EXIST) HORIZONTAL. AND WITH ALL STONES LOAD BEARING. PERPENDICULAR JOINTS IN ADJACENT COURSES ARE TO BE STAGGERED BY AT LEAST 50mm. WITH LARGER STONES IN THE LOWER COURSES.

BONDING STONES. OF MINIMUM SIZE 150mm x 150mm ON THE EXPOSED FACE.

450mm IN LENGTH SHALL BE LAID TO EVERY 1.050 METRE OF HEDGE.

FOOTINGS FOR THE BASE COURSES OF EACH FACE SHALL BE EXCAVATED TO A DEPTH OF AT LEAST 150mm. THE BED BEING SLOPED TO THE CORRECT ANGLE TO ENABLE THE FACES OF THE HEDGE TO BE BUILT TO THE PROFILE SPECIFIED-APPROX. 40-M-RAD-TONGUE EACH FACE.

3. JACK AND JILL WHERE SPECIFIED. INDIVIDUAL STONE SIZES SHALL BE:

MAX. ON FACE 200mm x 40mm.

MIN. ON FACE 150mm x 40mm.

MAX. DEPTH 300mm. MIN DEPTH 200mm.

4. GRANULAR EARTH FILLING (DAMP) COMPACTED IN 150mm LAYERS.

5. HEDGES TO FOLLOW THE GENERAL GROUND PROFILE WITH SMALL ADJUSTMENT TO HEIGHT AS NECESSARY TO OBTAIN A FLOWING ALIGNMENT.

6. HEDGES EXCEEDING 1.4m IN HEIGHT BUT NOT 2.0m ARE TO BE CONSTRUCTED TO THE ABOVE PATTERN WITH THE BASE WIDENED TO SUIT.

7. WEEP HOLE TO BE PROVIDED AT ALL LOW POINTS AND WHERE SHOWN ON DRAWINGS OR WHERE DIRECTED BY ENGINEER. NOMINAL SPACING 10m CENTRES. PIPE DIA TO BE 150mm DIA. CONCRETE PIPE TO BS 5911 PART 1 CLASS L LAID TO FALL.

8. STOP ENDS AT GATEWAYS AND STILES TO BE IN ACCORDANCE WITH STONED OFF HEDGEBANK DETAIL.

9. ALL DIMENSIONS ARE SHOWN IN MILLIMETRES.

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38. ALL DIMENSIONS ARE SHOWN IN MILLIMETRES.

TUNE CAP

2 NO. COURSES JACK AND JILL.

750

APPROX 40m RADIUS

300

200

900 MIN.

150

1050

450

300

750

1200

1400 MIN. SEE NOTE 5

FIELD SIDE.

EARTH FILLING SEE NOTE 4

1550 MIN.

POSITION OF PROTECTIVE POST AND BARBED WIRE FENCE TO BE AGREED WITH LANDOWNER.

DETAIL AT GATE

DETAIL AT ACQUISITION

CONTRACTOR TO MAKE GOOD ENDS OF CORNISH HEDGES INTERCEPTED BY WORKS

THREE STANDS OF TWO PLY 2.5 mm DIA. GALVANISED WIRE. BARS OF 85mm CENTRES. FIXED TO POST WITH 34mm GALVANISED STAPLES. THE WIRE SHALL BE STAINED TO THE SATISFACTION OF THE ENGINEER.

NATURAL ROUND TIMBER INTERMEDIATE POSTS OF 80mm DIA. AT TOP 1.5m LONG AT 3.5m INTERVALS.

NATURAL ROUND TIMBER STRUT POST 100mm DIA. AT TOP 1.3m LONG

NATURAL ROUND TIMBER STRAINING POST 100mm DIA. AT TOP 1.65m LONG

NATURAL ROUND TIMBER STRAINING POST 100mm DIA. AT TOP 1.65m LONG

NATURAL ROUND TIMBER STRAINING POST 100mm DIA. AT TOP 1.65m LONG

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NATURAL ROUND TIMBER STRAINING POST 100mm DIA. AT TOP 1.65m LONG

NATURAL ROUND TIMBER STRAINING POST 100mm DIA. AT TOP 1.65m LONG

ACQUISITION LINE

RANDOM RUBBLE FACING

RANDOM RUBBLE FACING SET IN CLASS 3 MORTAR

ROUNDED END TO HEDGE

GATE

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ACQUISITION LINE

RANDOM RUBBLE FACING

RANDOM RUBBLE FACING SET IN CLASS 3 MORTAR

ROUNDED END TO HEDGE

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ACQUISITION LINE

RANDOM RUBBLE FACING

RANDOM RUBBLE FACING SET IN CLASS 3 MORTAR

ROUNDED END TO HEDGE

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ACQUISITION LINE

RANDOM RUBBLE FACING

RANDOM RUBBLE FACING SET IN CLASS 3 MORTAR

ROUNDED END TO HEDGE

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ACQUISITION LINE

RANDOM RUBBLE FACING

RANDOM RUBBLE FACING SET IN CLASS 3 MORTAR

ROUNDED END TO HEDGE

GATE

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1.0 MIN.

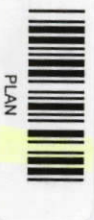
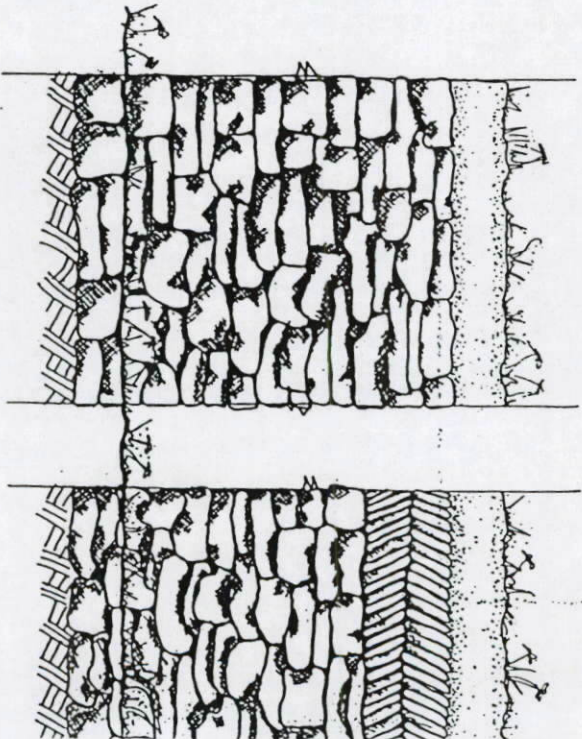
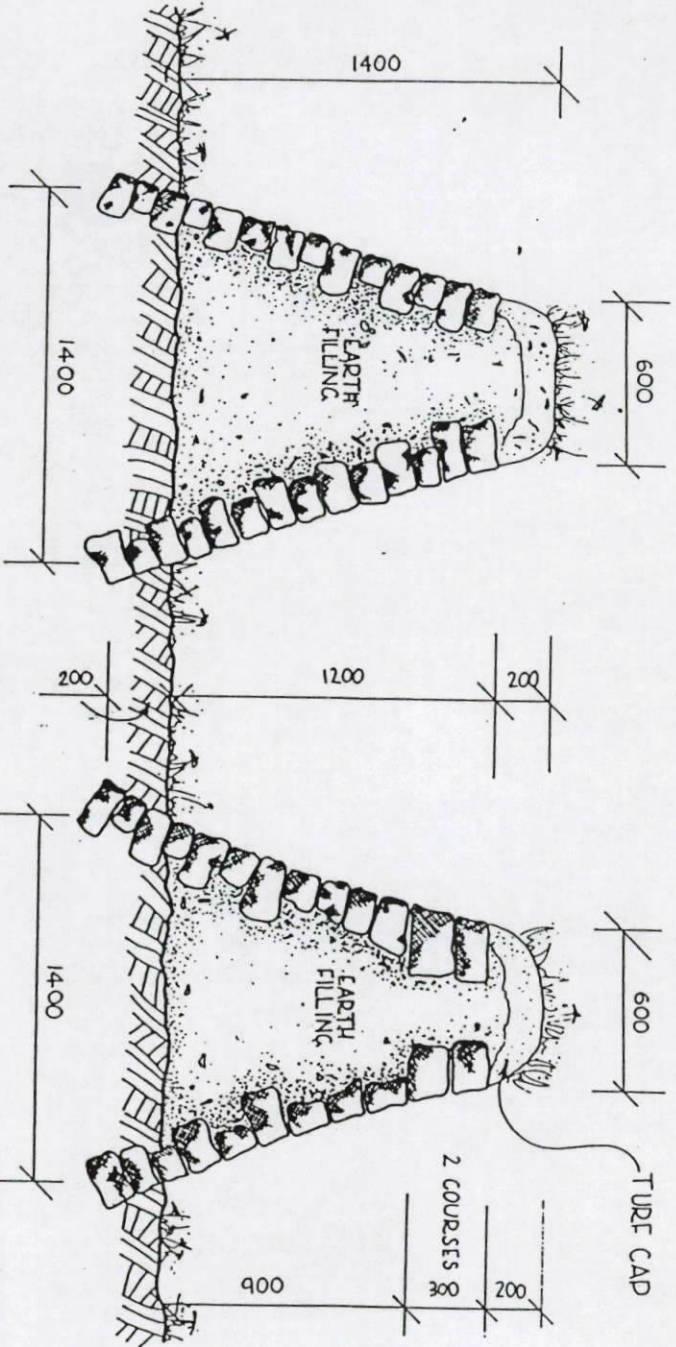
1.0 MIN.

STRETCHERS
610mm x 150mm to 150mm x 50mm
on face and 100mm to 250mm deep approx.

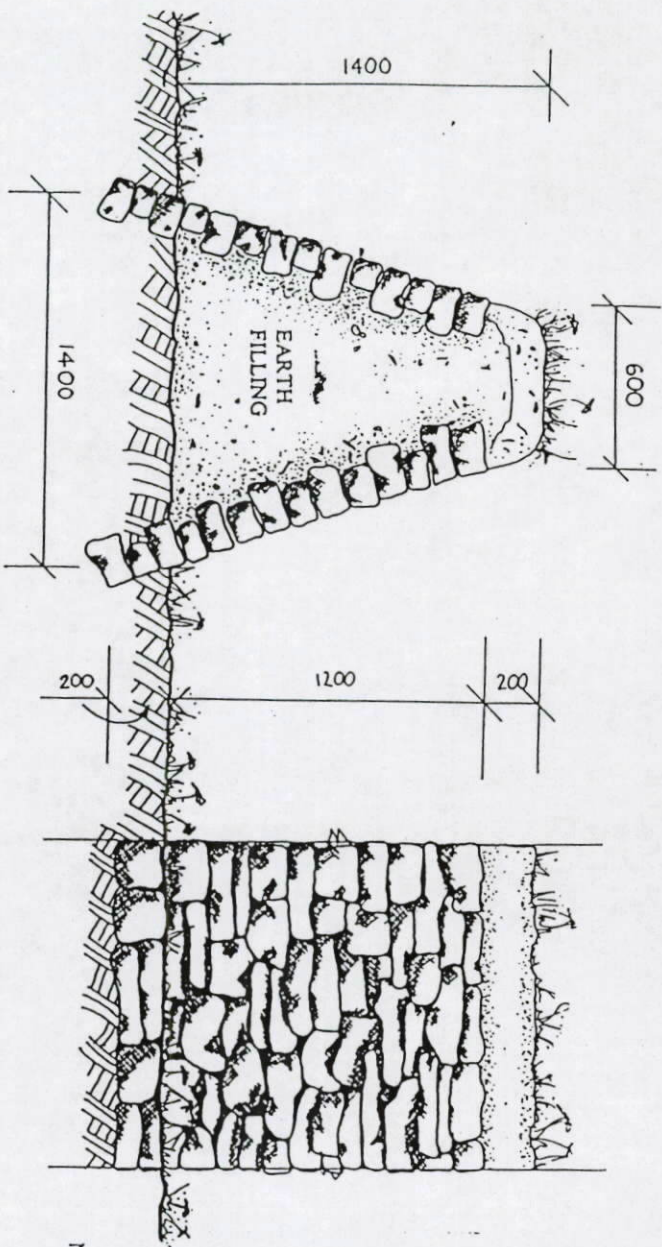
JACK AND JILL
200mm x 40mm to 150mm x 40mm
on face and 100mm to 150mm deep approx.

ALTERNATIVES

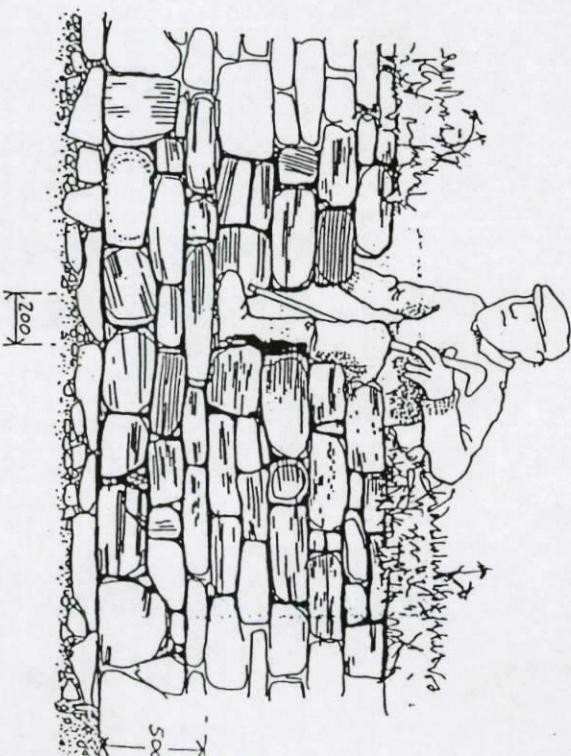
ALTERNATIVES



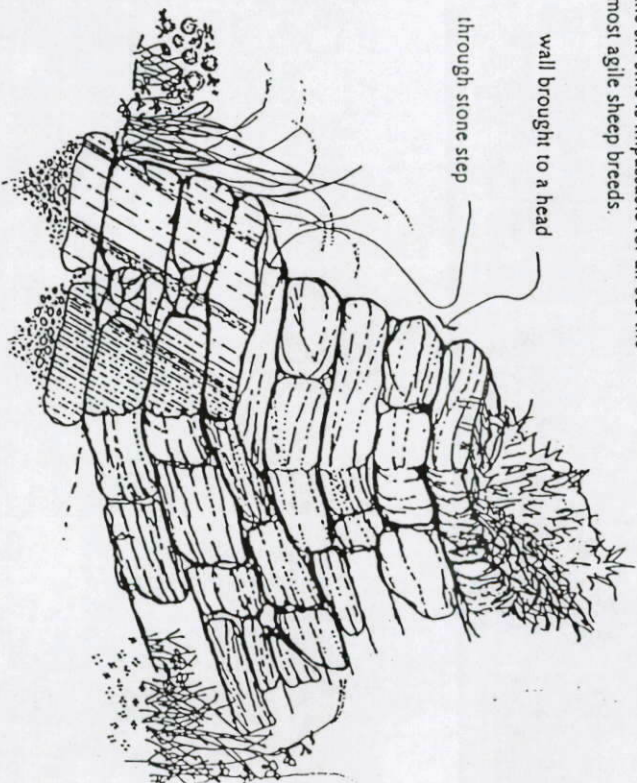
STRETCHERS
610 x 150mm to 150 x 50mm on face,
100 to 150mm deep approximately



Note: Height of step above ground and width of opening are crucial factors in ensuring the slit stile is impassable for all but the most agile sheep breeds.



wall brought to a head
through stone step



PLAN

CORNWALL
COUNTY
COUNCIL



HIGHWAYS
B W HANSELL, CEng, FICE,
FIMM, FIME, FASA
COUNTY SURVEYOR

STILES

GRANITE STILE
TYPE 1

Not to Scale

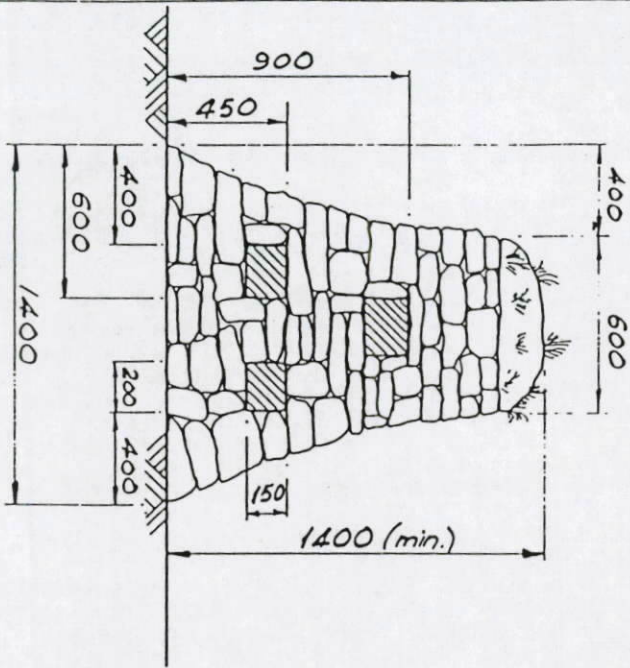
SCALE

No	Date	Description
AMENDMENTS		

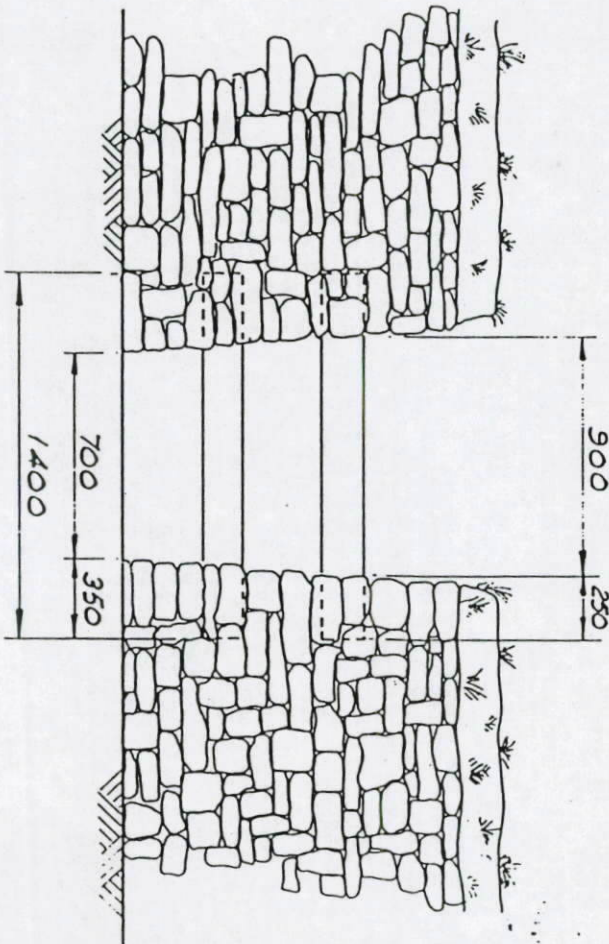
PLAN



SECTION



ELEVATION

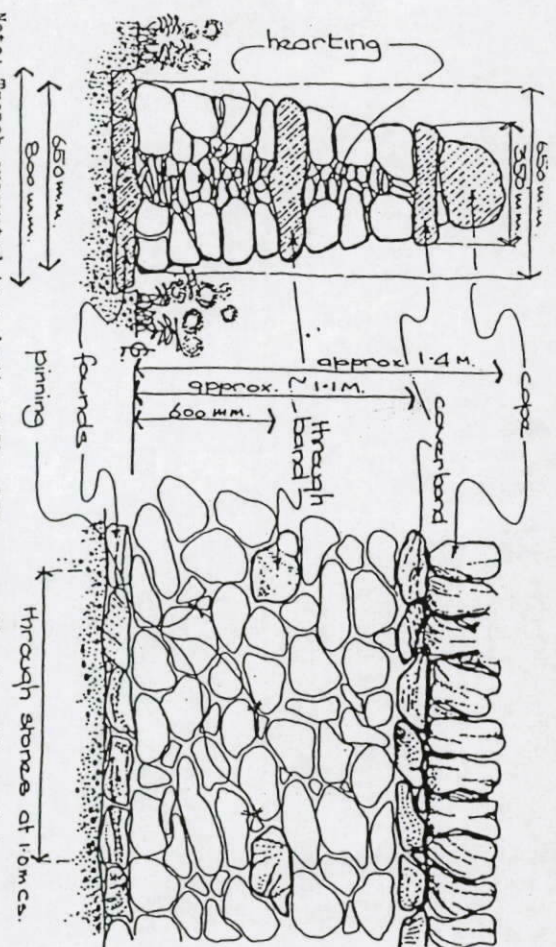


NOTES

1. Steps shall be dressed Natural Stone kerbs comply with B.S.435 1975.
2. Steps shall be granite 200 x 150 x 1400 finished in accordance with stender dressing C-410mm - 5mm 3. This drg. to be read in conjunction with Drg. No. SD29/8

DRAWING No

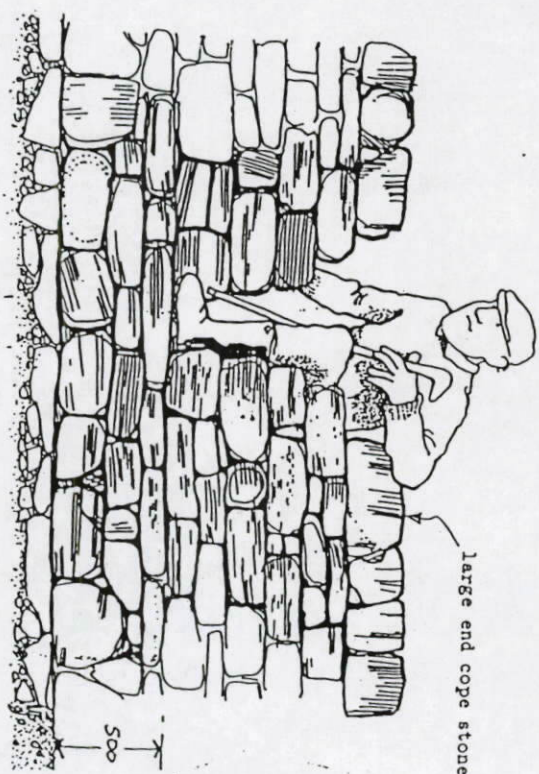
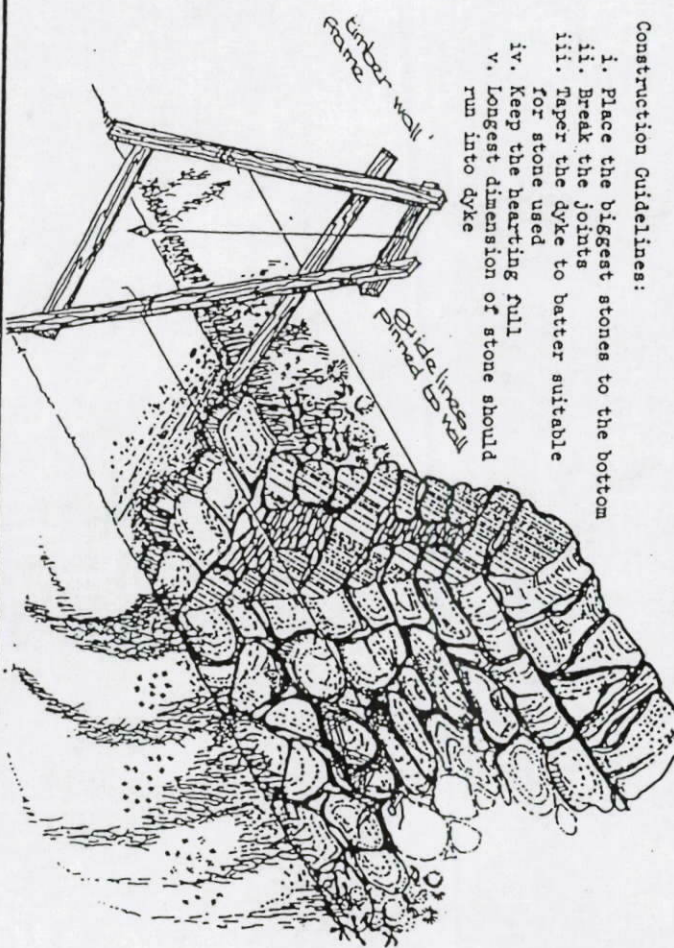
SD4/26



Note: Trench excavated to a depth of 50 - 150mm according to soil conditions and to a width allowing up to 50mm projection of founds (scarce) on either side of the base. A light timber wall frame may be used as a template for the cross sectional profile of the dyke. A plumb line is suspended from the top of the frame, lines from the frame are drawn taut and pinned to the wall so providing guides, dimensions are to the outer edges of the frame.

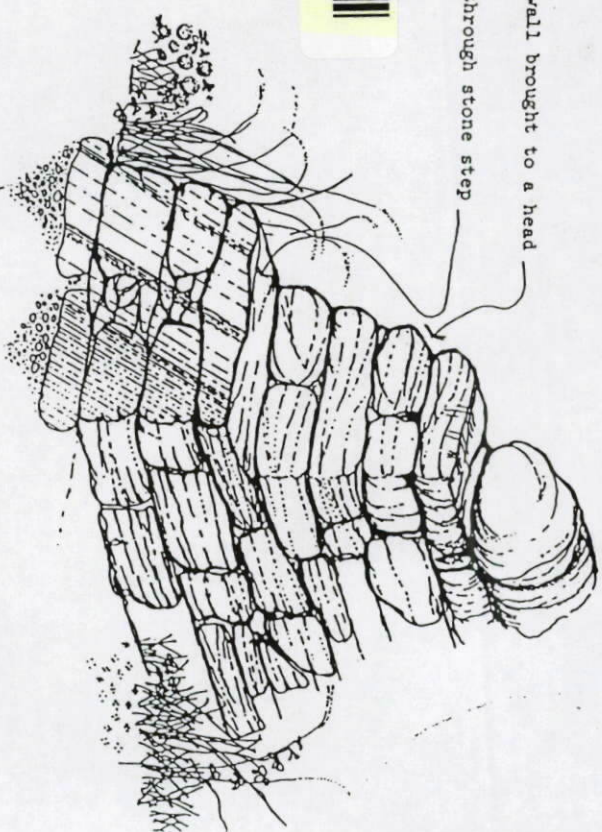
Construction Guidelines:

- i. Place the biggest stones to the bottom
- ii. Break the joints
- iii. Taper the dyke to better suitable for stone used
- iv. Keep the hearting full
- v. Longest dimension of stone should run into dyke



Note: Height of step above ground and width of opening are crucial factors in ensuring that the slit stile is impassable for all but the most agile sheep breeds.

wall brought to a head
through stone step

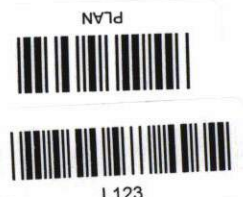


PLAN

As for
Amir

John

Julien
Char. N. Morge
P. Pottel



TAMAR CAR AUCTIONS

For details of drainage works associated with the roundabout see Jubb Consulting Engineers dwg no. P7484/H108.

Limit of Section 278 Works

The cover and frames of retained services to be adjusted to suit the proposed levels and replaced with a suitable grade if required.

Existing 225 dia. S.W.S. to be capped and abandoned once the proposed system has been approved.

New headwall to be constructed, invert level of outfall pipe to be 225mm min. above top water level.
Outfall headwall subject to Environment Agency approval.

NEW PLAN

Car
for
Speed

John
Penamery
John N. Morgan
P. Porttelle



TAMAR CAR AUCTIONS

For details of drainage works associated with the roundabout see Jubb Consulting Engineers dwg no. P7484/H108.

Limit of Section 278 Works
TAMAR CAR PARK

The cover and frames of retained services to be adjusted to suit the proposed levels and replaced with a suitable grade if required.

Existing 225 dia. S.W.S. to be capped and abandoned once the proposed system has been approved.

New headwall to be constructed, invert level of outfall pipe to be 225mm min. above top water level.
Outfall headwall subject to Environment Agency approval.

ROADWAY PLAN
N.B LAND EDGED RED
HAS WIDTH OF ONE METRE
ALONG ITS WHOLE LENGTH