

ARUN DISTRICT COUNCIL

- and -

LIMITED

[- and -]

[and]

mortgagee

DEED OF RELEASE

under Section 52 Town and Country Planning Act 1971 S135 Local
Government Act 1972 and Section 106A of the Town & Country Planning Act
1990 relating to Land at Red Ridges Kings Parade Aldwick PO21 2TS

Arun District Council
Arun Civic Centre
Maltravers Road
LITTLEHAMPTON
West Sussex
BN17 5LF
[☎ 01903 737737]
Ref: AW/267/13/po AW/94/87

THIS DEED OF RELEASE is made the _____ day of _____ 2014

BETWEEN:

- (1) "the Council" Arun District Council of the Arun Civic Centre Maltravers Road
Littlehampton West Sussex BN17 5LF and
- (2) "the Owners" Co reg no 02754644 whose registered office
is at
- (3) " Lessees "

[4] "the Mortgagee "

NOW THIS DEED WITNESSETH: as follows:-

1. Definitions

In this Deed:-

- 1.1. "the Property" means Red Ridges Kings Parade Aldwick PO21 2TS
- 1.2. "the Original Agreement" means an Agreement made pursuant to Section 52 Town & Country Planning Act 1971 on 13th October 1987 between the Council (1) and the then Owners being Ann Palmer Richard Michael Palmer Evelynne Merle Palmer (2) and Limited Oaklawn Trading Estates Limited (3) a copy of which is annexed

2. Recitals

- 2.1 This Deed is supplemental to the Original Agreement
- 2.2 The Owner is successor in title to the Owner specified in the Original Agreement and the Lessees are the Lessees of the Flats within the Property
- 2.2 The Council and the Owners and Lessees agree that there is no longer a need or useful purpose served by the Original Agreement and agree to join in this Deed of Release to free and discharge the property from the provisions of the Original Agreement

- 2.3 The Mortgagee holds a Legal Charge on the Property by virtue of a Deed made between the Owners and the Mortgagee and has agreed to join in this Deed to give effect to the agreement referred to at clause 2.2

3. Operative powers

The Council enters into this Deed under its powers contained in S52 /S106B Town and Country Planning Act 1971/ 1990 S111 and S135 Local Government Act 1972 and all other powers enabling

4. Release and Discharge

4.1 The Council and the Owner and the Lessees and Mortgagee AGREE that the Original Agreement shall be discharged so that the Property is freed and release from the effects of the Original agreement which shall from the date of this Deed no longer apply or affect the Property .

4.2 The Mortgagee joins herein to confirm its agreement with the contents of this Deed

4. Costs

The Owners and Lessees shall pay the Council's reasonable legal costs on completion of this Agreement.

5. Local Land Charge and Endorsement on original Agreement

5.1 The Original Agreement is a local land charge and this Deed shall be entered in the relevant register so as to record the variation

5.2 The completion and effect of this Deed shall be endorsed on the Original Agreement

IN WITNESS whereof the Council has hereunto caused its Common Seal to be affixed and the Owners have hereunto set their hands as a Deed the day and year first before written.

THE COMMON SEAL OF
Arun District Council was hereunto
affixed in the presence of:
AUTHORISED SIGNATORY:
SEAL BOOK NO

THE CORPORATE SEAL OF
LIMITED was hereunto
affixed in the presence of:
AUTHORISED SIGNATORY:
SEAL BOOK NO

THE CORPORATE SEAL OF
LIMITED was hereunto
affixed in the presence of:
AUTHORISED SIGNATORY:
SEAL BOOK NO

SIGNED by the said _____
as his Deed in the presence of:

SIGNED by the said _____
as her Deed in the presence of: