

THIS AGREEMENT is made the 7th day of November Two thousand and six BETWEEN NORTH WILTSHIRE DISTRICT COUNCIL of Monkton Park Chippenham Wiltshire ("the Council") of the first part KAY STEWART and GARRY STEWART both of Prospect Cottage 79 The Green Lyneham Chippenham Wiltshire SN15 4PD (together "the Owner") of the second part and NATIONAL WESTMINSTER HOME LOANS LIMITED (Co Regn No 1449354) of Mortgage Centre PO Box 12201 Brindley Place Birmingham B2 2AG ("the Mortgagee") of the third part

WHEREAS

- (1) The Council is local planning authority within the meaning of the Town and Country Planning Act 1990 for the area within which the relevant land is situate
- (2) The Owner is registered proprietor with title absolute under Title Number WT182423 of land at 79 The Green Lyneham Wiltshire shown for the purposes of identification hatched on the plan herein ("the Land")
- (3) The Mortgagee is registered proprietor of a registered charge dated 2 November 2004 that affects the Land
- (4) An application numbered 06.01113.FUL has been made for planning permission to develop the Land by the erection thereon of a parsonage/vicarage as more particularly described in the said application and plans deposited therewith ("the Parsonage")
- (5) The Council has indicated its willingness to approve the said application and to grant planning permission in respect thereof provided that the Parsonage shall be used only as a parsonage for occupation by a person employed or appointed as a minister of religion in the Parish of Lyneham with Bradenstoke and the family of such a person and pursuant to the covenants herein

NOW THIS DEED WITNESSES as follows

- 1 THIS Agreement is made in pursuance of section 106 of the Town and Country Planning Act 1990 and of all other enabling powers and the covenants herein are a planning obligation for the purposes of the said section 106 which is enforceable by the Council as local planning authority
- 2 CONDITIONAL upon the grant of planning permission in pursuance of the said application the Owner hereby covenants with the Council to the intent that this Agreement shall be enforceable against the Owner and the Owner's successors in title lessees and assigns of the Land or any part thereof howsoever arising not to cause or permit the Parsonage to be used except as a parsonage for occupation by a person employed or

S106 Agreement

SIGNED AS A DEED BY:

in the presence of

MANAGER/ASSISTANT

THE ATTORNEY FOR
BEHALF OF NATIONAL
STMINSTER HOME LOANS
LIMITED

COMPANY OFFICIAL
NATIONAL WESTMINSTER
HOME LOANS LIMITED
PO BOX 136
7 BRIDLEY PLACE
BIRMINGHAM B2 2BN

SUZANNE MASON
TEAM MANAGER

125.5m

Solitaire
Place

Garage

Garage

Lynham

THE GREEN

128.8m

St Andrews
Church

BM
128.55m

Ladywell

El Sub Sta

179336

North
Wiltshire
District
Council

Land adj to 79 The Green, Lynham, Chippenham, Wilts

SCALE: 1:1250

Grid Ref SU0210 7955 06/01113/FUL

S106.504
Planning Services

29.9.06

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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2006

appointed as a minister of religion in the Parish of Lyneham with Bradenstoke and the family of such a person

4 THE Mortgagee has consented to the Owner entering into this agreement and acknowledges that the Land shall henceforth be bound by the covenants herein

3 WHERE the expression "the Owner" as used in this Agreement includes two or more persons a reference to the Owner shall be deemed to be a reference to each and every such person both jointly and severally

IN WITNESS whereof the Council and the Mortgagee have caused their Common Seals to be hereunto affixed and the Owner has signed this Agreement as a deed the day and year first before written

THE COMMON SEAL of the **NORTH**
WILTSHIRE DISTRICT COUNCIL was
hereunto affixed in the presence of

)
)
)



156372

AUTHORISED OFFICER

SIGNED as a deed by the said

KAY STEWART

in the presence of

)
)
)

C. J. Yates
Wood Awdry & Ford
3 St. Mary Street
Chippénham
Wilts. SN15 3JL

SIGNED as a deed by the said

GARRY STEWART

in the presence of

)
)
)

C. J. Yates
Wood Awdry & Ford
3 St. Mary Street
Chippenham
Wilts. SN15 3JL

THE COMMON SEAL of

NATIONAL WESTMINSTER HOME LOANS LIMITED

was hereunto affixed in the presence of

)
)
)

| | |
|---|--|
| SIGNED AS A DEED BY: | in the presence of |
| MANAGER/ASSISTANT | |
| AS THE ATTORNEY FOR | COMPANY OFFICIAL |
| ON BEHALF OF NATIONAL WESTMINSTER HOME LOANS LIMITED | NATIONAL WESTMINSTER HOME LOANS LIMITED |
| | PO BOX 156 |
| | 7 BRINDLEY PLACE |
| | BIRMINGHAM B2 2BN |

SUZANNE MASON
TEAM MANAGER

Power of Attorney

By this Deed National Westminster Home Loans Limited, a company incorporated in England and Wales and having its registered office at 135 Bishopsgate, London, EC2M 3UR (the "Company") does hereby constitute and appoint all Manager and all Assistant Managers for the time being and : Johann White, Jane Kerr, Julie Brown, Margaret Clarke, Pete Jenks, Alyson Day, Jackie Lee, Ewan Ogilvie and Penny Warner of National Westminster Home Loans Limited and Les Beale, Keith Orton, Jerry Orchard, Simon Bailey, Sue Jones, Martin Davies, Julie Green, Rebecca Latham, Jennifer Dulson and Sara Hughes of the Royal Bank of Scotland Group plc, as Attorneys of the Company to act severally for and on behalf of the Company and in its name to execute any deed or sign any document required to discharge, release, surrender, disclaim, convey, reconvey, transfer, assign, reassign, vary, amend, consent, declare, grant, affirm, assure, postpone, defer or otherwise regulate the priority of any mortgage, charge or other type of security relating to any real or personal property (whether a legal estate, equitable interest or otherwise) or other incorporeal hereditament comprised in any mortgage, charge or other type of security held by the Company and execute transfers or conveyances in exercise of the power of sale contained in any such mortgage, charge or other security and generally for all or any of the purposes aforesaid to act as the National Westminster Home Loans Attorney.

This Power of Attorney shall remain in force for a period of one year from 12th March 2006, when it shall cease to have effect.

This Power of Attorney shall be governed by and construed in accordance with the laws of England.

AND THE COMPANY HEREBY RATIFIES AND CONFIRMS and agrees to ratify and confirm all the said Attorneys shall do or cause to be done by virtue hereof and indemnifies and agrees to indemnify the said Attorneys against any damages, liabilities, losses, costs or expenses which may arise in connection herewith.

IN WITNESS WHEREOF this Power of Attorney has been executed by the Company as its Deed this 10th day of March 2006.

The Common Seal of
National Westminster Home Loans Limited
was hereunto affixed in accordance
with the regulations of the Company
in the presence of

Authorised Sealing Officer

I hereby certify that this is a true and complete
copy of the original

M.M. ROSSER
SOLICITOR

S106 Agreement

SIGNED AS A DEED BY:

in the presence of

MANAGER/ASSISTANT

THE ATTORNEY FOR
BEHALF OF NATIONAL
STIMINSTER HOME LOANS
LIMITED

COMPANY OFFICIAL
NATIONAL WESTMINSTER
LOANS LIMITED
800136
7 BRIDLEY PLACE
BIRMINGHAM B1 2BN

SUZANNE MASON
TEAM MANAGER

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SCALE: 1:1250

Grid Ref SU0210 7955 06/01113/FUL

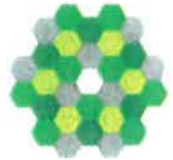
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Planning Services

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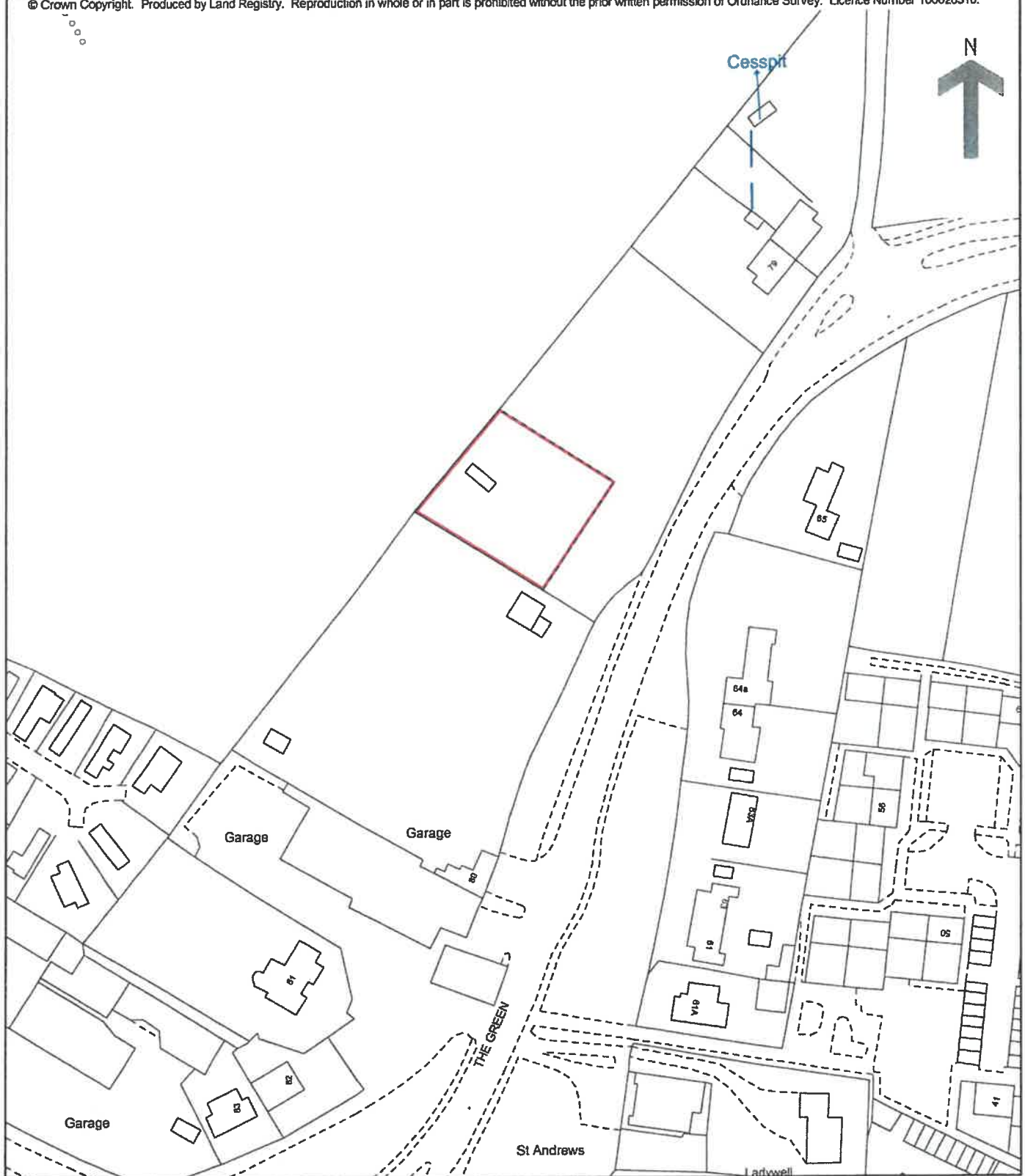
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NORTH WILTSHIRE DISTRICT COUNCIL - 100017933 2006

Land Registry
Official copy of
title plan

Title number **WT258064**
Ordnance Survey map reference **SU0279SW**
Scale **1:1250** enlarged from 1:2500
Administrative area **Wiltshire: North Wiltshire**



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This official copy issued on 11 April 2007 shows the state of this title plan on 11 April 2007 at 10:26:49. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).

This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 7 - Title Plans.

This title is dealt with by Land Registry, Weymouth Office.