

T H I S R E L E A S E is made the *Fifteenth* day of *January* One Thousand Nine Hundred and Ninety-*two*

BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Thorpe St. Andrew in the County of Norfolk (hereinafter called "the Council") of the first part DENCORA RETIREMENT HOMES LIMITED whose Registered Office is situate at Dencora House Blyburgate Beccles in the County of Suffolk (hereinafter called "the Owner") of the second part and NATIONAL WESTMINSTER BANK PLC whose Registered Office is at 41 Lothbury London EC2P 2BP (hereinafter called "the Bank") of the third part

W H E R E A S:-

(1) By an Agreement (hereinafter called "the Agreement") dated the Twenty-eighth day of March One Thousand Nine Hundred and Ninety and made between the Council of the first part the Owner of the second part and the Bank of the third part pursuant to Section 52 of the Town and Country Planning Act 1971 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 the Owner and the Bank covenanted with the Council that the piece or parcel of freehold land fronting The Street Acle in the County of Norfolk shown edged red on the plan annexed to the Agreement ("the Property") should permanently thereafter be subject to the conditions restricting or regulating the development or use of the property specified therein

(2) Spaulding and Holmes Limited (hereinafter called "the Applicants") have applied for planning permission under application number 91.0104 for development to be carried out

on the Property which does not accord with the conditions specified in the Agreement

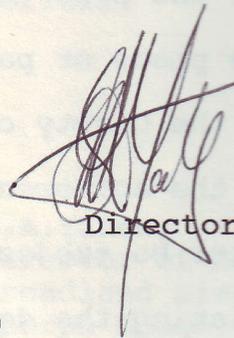
(3) As circumstances particularly the nature of the development have changed materially since the date of the Agreement the Owner and the Bank have requested the Council to release the Owner the Bank and the Property from the conditions contained in the Agreement

NOW THIS DEED WITNESSETH as follows:-

1. IN pursuance of its powers under Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991 and all powers in that behalf it enabling the Council hereby releases the Owner and the Bank and their respective successors in title and assigns and the Property and every part thereof from the conditions contained in the Agreement

2. THIS document is executed as a Deed and is delivered on the date stated at the beginning of this Deed

THE COMMON SEAL of BROADLAND)
DISTRICT COUNCIL was hereunto)
affixed in the presence of:-)



Director of Administration



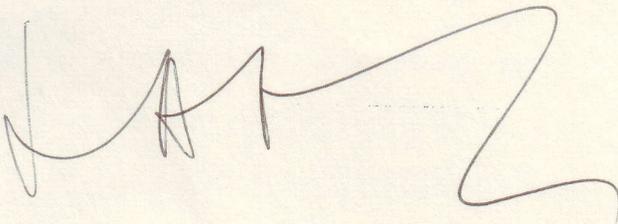
THE COMMON SEAL OF DENCORA)
RETIREMENT HOMES was hereunto)
affixed in the presence of:-)

Director

Secretary



SIGNED AS A DEED by
LESLIE HOWARD HEWSON
as the Attorney and on behalf
of National Westminster Bank
PLC

)
)
)
)
)


In the presence of:

~~MARION JANET BAKER~~
Bank Official
National Westminster Bank Plc
Legal Services
Securities Department
Kings Cross House
200 Pentonville Road
London N1 9PL

DATED

15th January

1992

BROADLAND DISTRICT COUNCIL

and

DENCORA RETIREMENT HOMES LIMITED

and

NATIONAL WESTMINSTER BANK PLC

DEED OF RELEASE

Re: Section 52 Agreement dated
28th March, 1990 relating to
Land fronting The Street, Acle,
Norfolk.

B.A.Yates,
Director of Administration,
Broadland District Council,
Thorpe Lodge, Yarmouth Road,
Thorpe St. Andrew,
Norwich, NR7 ODU.

RELEASE.DEL