

THIS DEED OF VARIATION is made the *second* day of *March* One Thousand Nine Hundred and Ninety Five between **NORFOLK COUNTY COUNCIL** of County Hall, Martineau Lane, Norwich, Norfolk (hereinafter called "the County Council") of the first part **BROADLAND DISTRICT COUNCIL** of Thorpe Lodge, Yarmouth Road, Thorpe St Andrew, Norwich, Norfolk (hereinafter called "the District Council") of the second part and **J SAINSBURY plc** whose Registered Office is situate at Stamford House, Stamford Street, London SE1 (hereinafter called "Sainsburys") of the third part

WHEREAS:-

- (1) This Deed is supplemental to a Deed (hereinafter called "the 1988 Deed") dated the 29th day of March One Thousand Nine Hundred and Eighty Eight as varied by three Deeds of Variation dated respectively the 21st day of October One Thousand Nine Hundred and Eighty Eight the 9th day of June One Thousand Nine Hundred and Eighty Nine and the 24th Day of October One Thousand Nine Hundred and Ninety One each made between the same parties as this Deed and in the same order.
- (2) Sainsburys have requested a relaxation of clauses 4.6.4 and 4.6.6 of the 1988 Deed for three of the small shops as defined in Clause 1 of the 1988 Deed as varied by the aforementioned three Deeds of Variation being the premises (hereinafter called "the Three Units") on the land shown edged red on the plan annexed hereto
- (3) An application has been made to the District Council for planning permission for development at the Three Units. The said application (hereinafter called "Application 940508") has been given the reference 940508.
- (4) The County Council the District Council and Sainsburys have agreed subject to planning permission being granted in consequence of application number 940508 to vary the 1988 Deed in the manner hereinafter appearing.



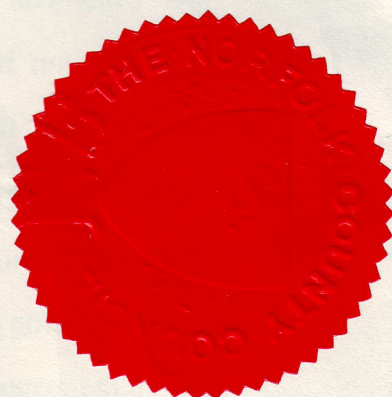
NOW THIS DEED WITNESSETH as follows:-

1. Subject to planning permission being granted in consequence of Application 940508 the County Council the District Council and Sainsburys **AGREE** that from the date hereof clauses 4.6.4 and 4.6.6 of the 1988 Deed shall be construed as though they did not apply to the Three Units **PROVIDED THAT** neither of the two small shops on the land shown edged green on the said plan are occupied by any occupier of any part of the Three Units by himself or through any partnership in which he has an interest or (if he is a company) by an associated or subsidiary company or any other company in the same group of companies of which he forms part
2. Varied as aforesaid, the 1988 Deed and every clause thereof shall continue to be of full effect and to be binding on the respective parties thereto
3. This document is executed as a Deed and is delivered on the date at the beginning of this Deed

IN WITNESS whereof the parties hereto have caused their Common Seals to be hereunto affixed the day and year first before written

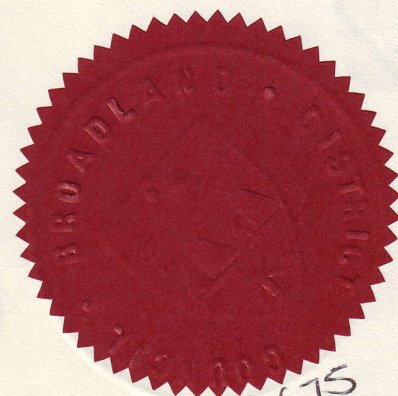
THE COMMON SEAL of)
NORFOLK COUNTY)
COUNCIL was hereunto)
affixed in the presence of:-)


Assistant Chief Executive and
Corporate Solicitor



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


Assistant Chief Executive and
Solicitor to the Council





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Nursing Home

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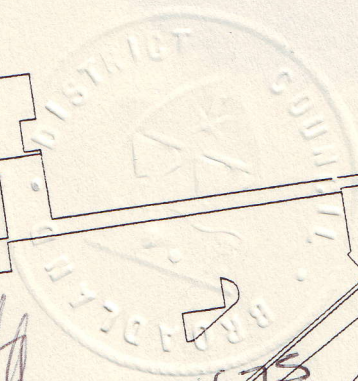
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THE COMMON SEAL of)
J SAINSBURY plc was)
hereunto affixed in the)
presence of:-)

Director: ~~AUTHORISED SIGNATORY~~

[Handwritten signature]

Secretary:

ASSISTANT COMPANY SECRETARY

[Handwritten signature: W Hamilton]



DATED

2nd March

1995

NORFOLK COUNTY COUNCIL

and

BROADLAND DISTRICT COUNCIL

and

J SAINSBURY PLC

DEED OF VARIATION

**Supplemental to Section 52 Agreement
under the Town and Country Planning Act, 1971
relating to Land at Pound Lane,
Thorpe St. Andrew, Norfolk**

Steele & Co
2 The Norwich Business Park
Whiting Road
Norwich
Norfolk
NR4 6DJ

Ref: GBW