

THIS AGREEMENT is made the 22nd day of August one thousand nine hundred and ninety BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the first part DEREK GEORGE PEARCE and NANCY BARBARA PEARCE his wife both of Oaks Farm Kerdiston in the parish of Reepham in the said County (hereinafter together called "the Owners") of the second part and THE AGRICULTURAL MORTGAGE CORPORATION PLC whose registered office is at AMC House Chantry Street London SP10 1DD (hereinafter called "the Mortgagee") of the third part

WHEREAS

(1) The Council is the local planning authority for the purposes of this Agreement

(2) The Owners are seized in fee simple absolute in possession of the land and buildings (hereinafter called "the Property") shown and edged respectively red and blue on the plan annexed hereto and known as Kerdiston Farm or Kerdiston House Farm and Oaks Farm Kerdiston Reepham aforesaid subject to the legal charge next hereinafter recited but otherwise free of incumbrances

(3) By a legal charge made the twenty-ninth day of July one thousand nine hundred and eighty-eight the Owners charged the Property by way of legal mortgage in favour of the Mortgagee the Property to secure repayment of the monies mentioned therein

(4) The Owners have applied to the Council under reference number 90.0372 for outline planning permission for the construction of a farmhouse and garage on that part of the Property shown coloured green upon the said plan (hereinafter called "the Green Land")

(5) The Council the Owners and the Mortgagee have agreed subject to planning permission being granted in consequence of that application to enter into this Agreement pursuant to Section 52 of the Town and Country Planning Act 1971

NOW THIS DEED WITNESSETH as follows:-

1. Subject to planning permission being granted in consequence of application number 90.0372 and pursuant to the said Section 52 the Owners hereby jointly and severally agree declare and covenant with the Council that from the date upon

which that planning permission shall be granted the Green Land shall be permanently subject to the conditions restricting regulating the development or use of it specified in the Schedule hereto

2. Likewise subject to the grant of the said planning permission and pursuant to the said Section 52 the Mortgagee hereby agrees and declares and covenants with the Council that at any time after the date of the grant of the said planning permission the Mortgagee is in possession of the Green Land it shall observe the conditions restricting or regulating the development or use of the Green Land specified in the Schedule hereto and in any Conveyance by the Mortgagee pursuant to its power of sale it shall ensure that the Purchaser from it shall covenant so as to bind himself and his successors in title that at all times thereafter the conditions set out in the Schedule hereto shall be observed and performed by that Purchaser and his successors in title

3. The expressions "the Council" "the Owners" and "the Mortgagee" shall where the context so admits include their respective successors in title and assigns
IN WITNESS whereof the Council and the Mortgage have caused their respective common seals to be fixed hereunto and the Owners have set hereunto their respective hands and seals the day and year first before written

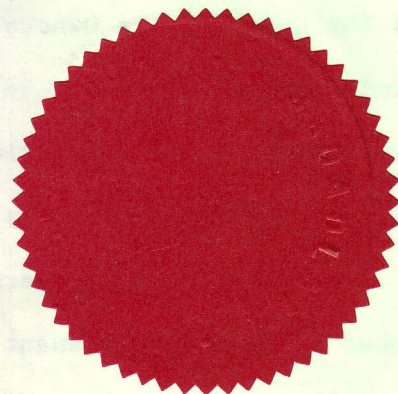
THE SCHEDULE

Any dwelling on the Green Land shall be occupied only by a person solely or principally employed in agriculture on that part of the Property shown edged red on the plan together with members of his or her family or the widow or widower of such a person and members of her or his family

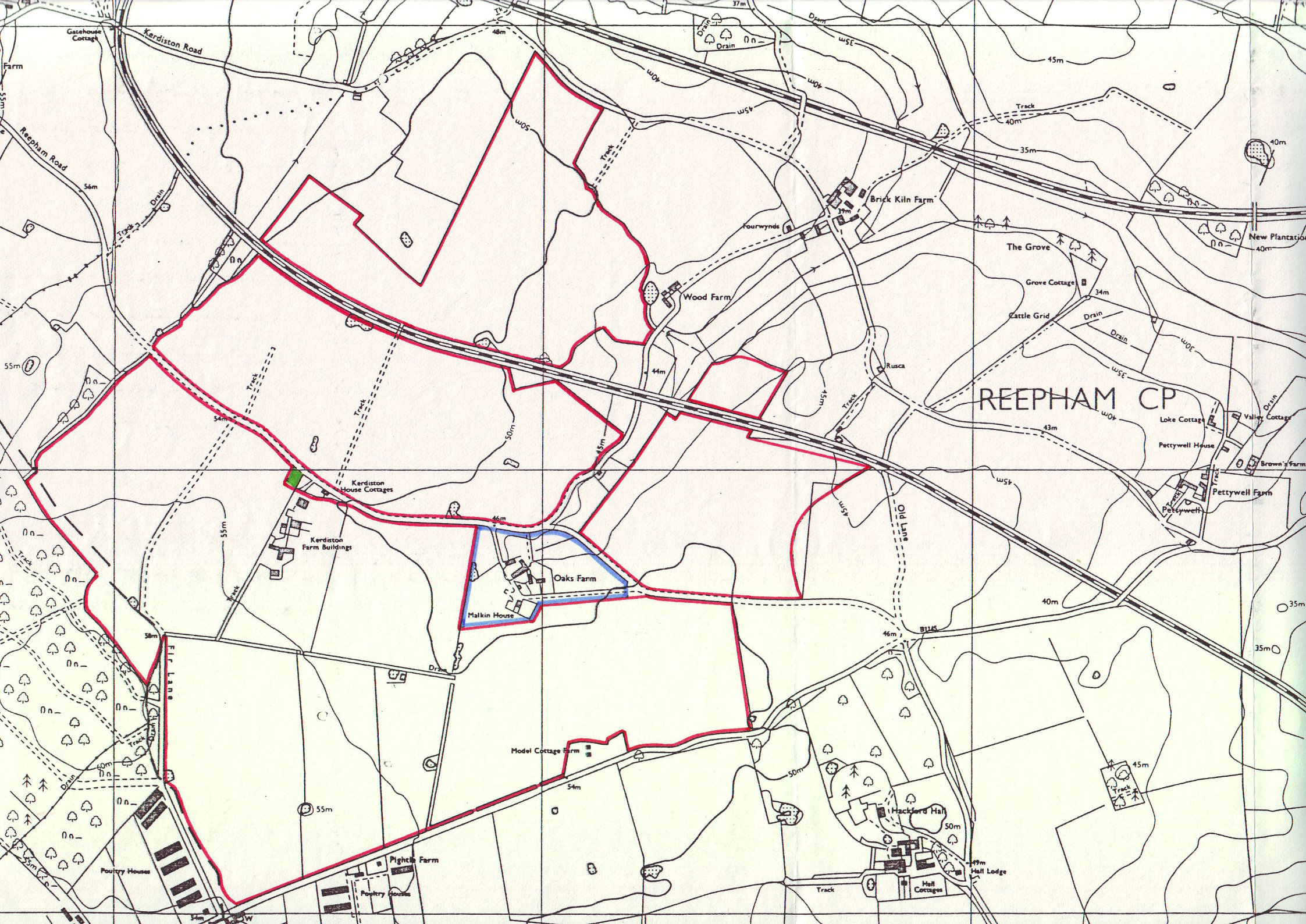
THE COMMON SEAL of BROADLAND)

DISTRICT COUNCIL was hereunto)

affixed in the presence of:)



42 28



SIGNED SEALED AND DELIVERED by)
the said DEREK GEORGE PEARCE)
in the presence of:)

D. G. Pearce.



Malcolm Howard James Dorey Sealence

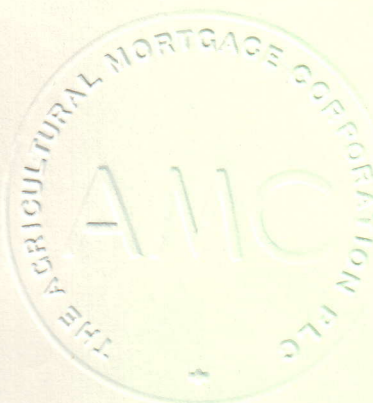
SIGNED SEALED AND DELIVERED by)
the said NANCY BARBARA PEARCE)
in the presence of:)

Nancy B. Pearce.



Malcolm Howard James Dorey Sealence

THE COMMON SEAL of THE AGRICULTURAL
MORTGAGE CORPORATION PLC was)
hereunto affixed by all of the)
Board of Directors in the presence)
of:)



[Signature]
[Signature]

Authorised Sealing Officers

115369.

DATED 22nd August 1990

BROADLAND DISTRICT COUNCIL

and

DEREK GEORGE PEARCE and

NANCY BARBARA PEARCE

and

THE AGRICULTURAL MORTGAGE
CORPORATION PLC

SECTION 52 AGREEMENT

relating to Kerdiston House Farm
Kerdiston Reepham

B.A. Yates,
Director of Administration,
Broadland District Council,
Thorpe Lodge,
Yarmouth Road,
Norwich, NR7 0DU.

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