

THIS AGREEMENT is made the 26th - day of November 1985 BETWEEN
BROADLAND DISTRICT of Thorpe Lodge Yarmouth Road Norwich in the
County of Norfolk (hereinafter called "the Council") of the first part
GEOFFREY CHARLES WHITING and OLIVE ETHEL WHITING both of 'New Dawn' Dog Lane
Horsford in the said County (hereinafter called "the Owners") of the second
part PETERBOROUGH BUILDING SOCIETY whose registered office is situate at
Manor House 57 Lincoln Road Peterborough in the County of Cambridgeshire
(hereinafter called "the First Mortgagee") of the third part and NATIONAL
WESTMINSTER BANK PLC whose registered office is situate at 41 Lothbury
London EC2P 2BP (hereinafter called "the Second Mortgagee") of the fourth
part

WHEREAS

- (1) The Council is the Local Planning Authority for the purpose of this agreement
- (2) The Owners are seised in fee simple absolute in possession of the property described in the Schedule hereto (hereinafter called "the property") subject to the two mortgages hereinafter recited but otherwise free from incumbrances
- (3) The property is subject to a Legal Mortgage dated the 14th day of February 1980 and made between the Owners of the one part and the Second Mortgagee of the other part to secure the monies therein mentioned
- (4) The property is also subject to a Legal Charge dated the 28th day of October 1980 and made between the Owners and Ethel May Stark of the one part and the First Mortgagee of the other part to secure the sum of £12,000 together with interest thereon which Legal Charge ranks in priority to the Legal Mortgage recited in paragraph (3) above by virtue of a Deed of Postponement dated 28th October 1980 and made between the Owners(1) the Second Mortgagee(2) and Ethel May Stark(3)
- (5) The Owners have applied to the Council under reference number 85.0523 for Planning Permission for development to be carried out on the land shown

edged blue on the plan annexed hereto

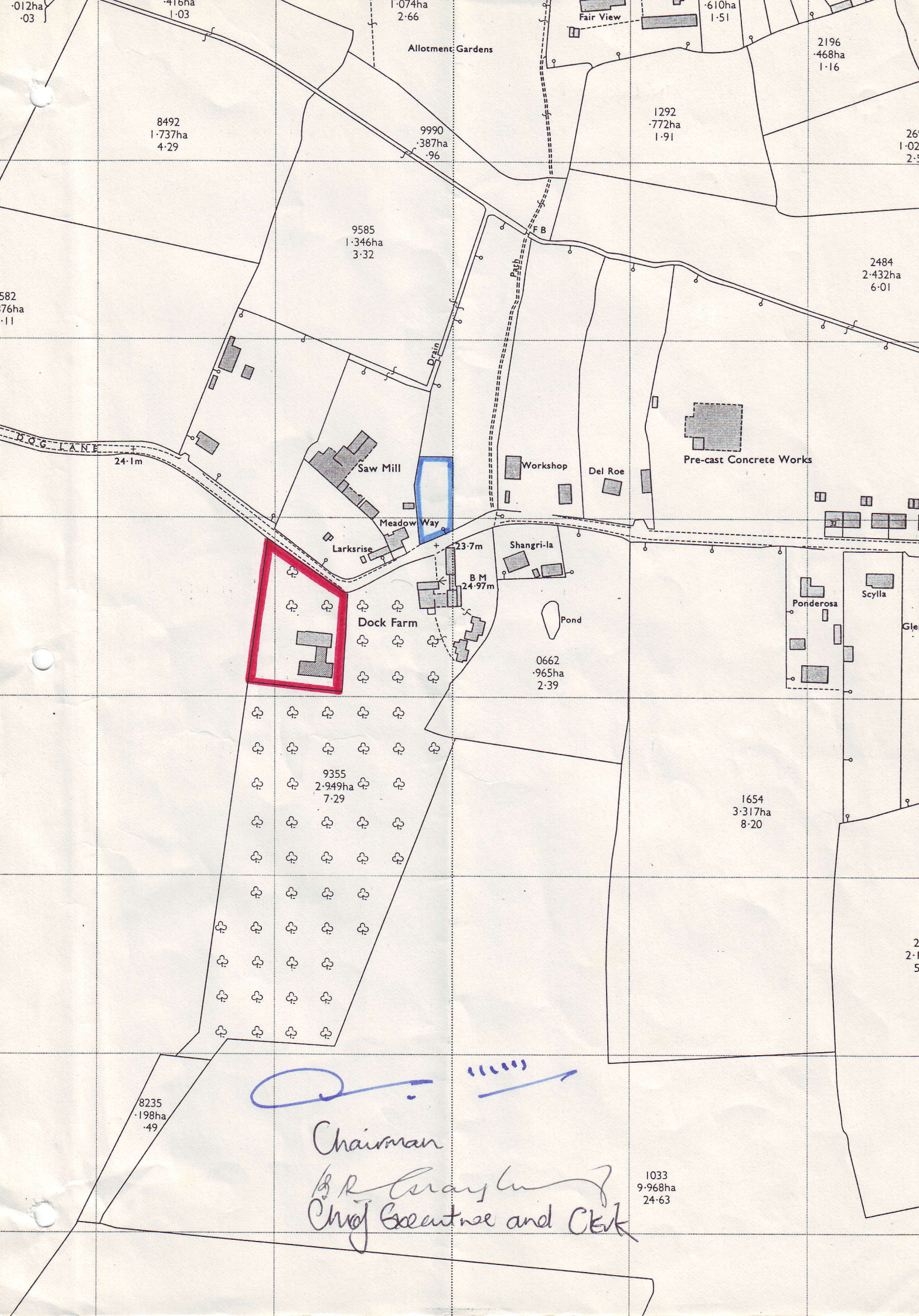
(6) The parties hereto have agreed subject to Planning Permission being granted in consequence of the aforesaid application to enter into this agreement pursuant to Section 52 of the Town and Country Planning Act 1971
NOW THIS DEED WITNESSETH as follows:

1. SUBJECT to Planning Permission being granted in consequence of application number 85.0523 and pursuant to the said Section 52 the Owners the First Mortgagee and the Second Mortgagee hereby jointly and severally agree declare and covenant with the Council that from the date on which the aforesaid Planning Permission shall be granted that part of the Planning Permission granted by the Council on the 16th day of February 1983 under reference number 82.2322 which relates to the provision of new warden's accommodation at the property shall not be implemented or carried out at any future time
2. THE expressions "the Council" "the Owners" "the First Mortgagee" and "the Second Mortgagee" shall where the context so admits include their respective successors in title and assigns

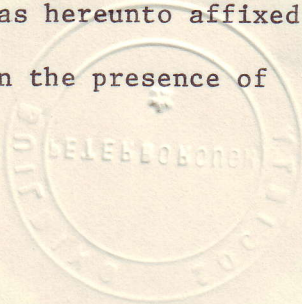
IN WITNESS whereof the Council the First Mortgagee and the Second Mortgagee have caused their respective Common Seals to be affixed hereunto and the Owners have set their hands and seals hereunto the day and year first before written

THE SCHEDULE

ALL THAT piece or parcel of freehold land having a frontage to Dog Lane Horsford aforesaid TOGETHER WITH the building erected thereon or on some part thereof and known as New Dawn Dog Lane aforesaid all which property is for the purpose of identification only delineated in the plan annexed hereto and thereon edged red



THE COMMON SEAL OF
BROADLAND DISTRICT COUNCIL
was hereunto affixed
in the presence of



[Signature]

Chairman



27 19

[Signature]

Chief Executive and Clerk

SIGNED SEALED AND DELIVERED by
the said GEOFFREY CHARLES WHITING
in the presence of:-

*Kenneth D Blunch
238 Sprowston Rd
Norwich
Norfolk.*

Coal Merchant

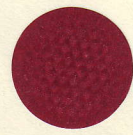
SIGNED SEALED AND DELIVERED by
the said OLIVE ETHEL WHITING in
the presence of:-

*Kenneth D Blanch
238 Sprowston Rd
Norwich
Norfolk*

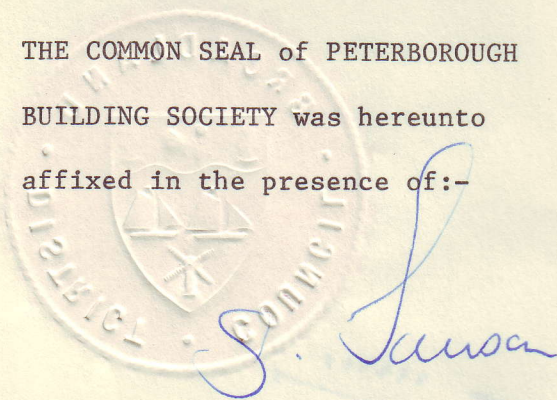
Coal Merchant

G. C. Whiting

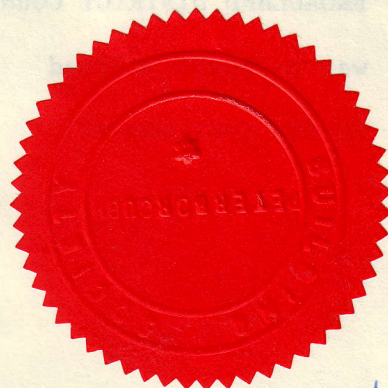
O. E. Whiting



THE COMMON SEAL of PETERBOROUGH)
)
BUILDING SOCIETY was hereunto)
)
affixed in the presence of:-)



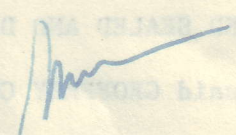
By AUTHORITY OF THE BOARD OF DIRECTORS



W194/85
f

THE COMMON SEAL OF NATIONAL)
)
WESTMINSTER BANK PLC was hereunto)
)
affixed in the presence of:-)




Authorized Sealing Officer

Dated 26th November 1985

BROADLAND DISTRICT COUNCIL

and

GEOFFREY CHARLES WHITING

and

OLIVE ETHEL WHITING

NATIONAL WESTMINSTER BANK PLC

PETERBOROUGH BUILDING SOCIETY

SECTION 52 AGREEMENT

B.A. Yates,
District Solicitor,
Broadland District Council,
Thorpe Lodge,
Yarmouth Road,
Norwich, NR7 ODU.