

THIS AGREEMENT is made the 23rd day of April 1987

BETWEEN BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the first part TYPARK LIMITED whose registered office is at 4 6 and 8 Cathedral Street Norwich aforesaid and NORFOLK DEVELOPMENTS LIMITED whose registered office is at Phoenix House 353 Hall Road Norwich aforesaid (hereinafter together called "the Owners") of the second part and MIDLAND BANK PLC of 18 London Street Norwich aforesaid (hereinafter called "the Mortgagee") of the third 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 First Schedule hereto (hereinafter called "the blue land") subject as hereinafter recited but otherwise free from incumbrances

(3) By virtue of a Legal Charge dated the 16th day of October 1984 and made between the Owners of the one part and the Mortgagee of the other part the blue land is inter alia charged to the Mortgagee to secure the repayment of the principal monies and interest mentioned in the said Legal Charge

(4) The Owners have applied to the Council under reference number 86.0454 for outline Planning Permission for development comprising construction of light industrial units having an area of approximately 16,000 square feet offices/studios having an area of approximately 3,000 square feet and a security officer's dwelling on the property described in the Second Schedule hereto

(5) The Council has granted outline planning permission under reference number 84.2032 for the construction of a security officer's/site manager's dwelling on the blue land on the 4th day of December 1984

(6) The Council the Owners and the Mortgagee have agreed subject to Planning Permission being granted in consequence of the aforesaid application to enter in 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 86.0454 and pursuant to Section 52 of the said Act each of the Owners and the Mortgagee hereby jointly and severally covenants with the Council that from the date on which the aforesaid Planning Permission shall be granted no action whatsoever shall at any time thereafter be taken to implement on the blue land any part or parts or the whole of the development authorised by the said Planning Permission reference number 84.2032

2. THE expressions "the Council" "the Owners" and "the Mortgagee" shall where the context so admits include their respective successors in title and assigns

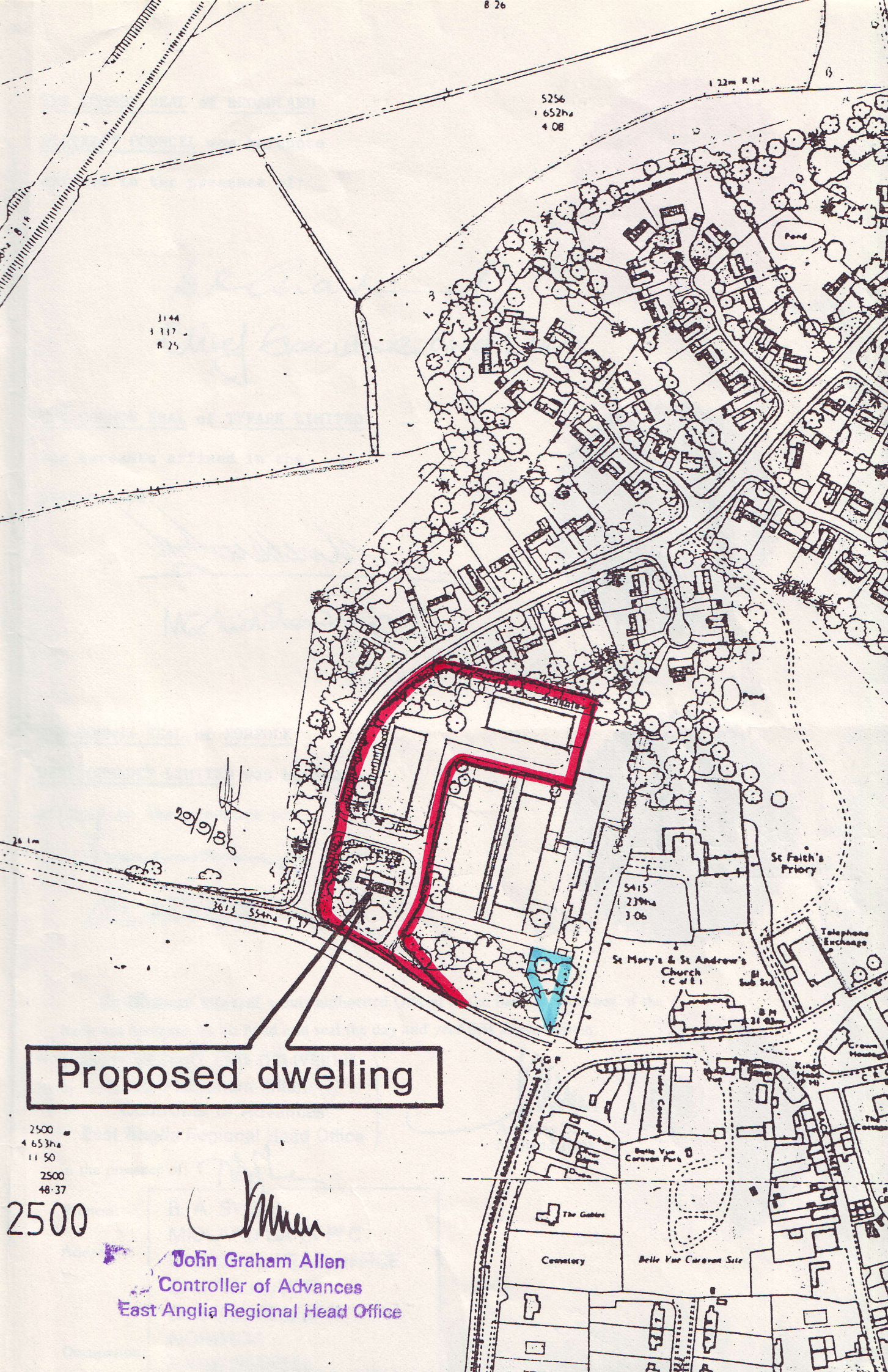
IN WITNESS whereof the Parties hereto have caused their respective Common Seals to be affixed hereunto the day and year first before written

THE FIRST SCHEDULE

ALL THAT piece or parcel of freehold land comprising part of Abbey Farm Horsham St. Faith in the said County and shown edged blue on the plan annexed hereto

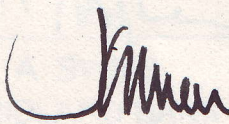
THE SECOND SCHEDULE

ALL THAT piece or parcel of freehold land comprising part of Abbey Farm Horsham St. Faith in the said County and shown edged red on the plan annexed hereto



Proposed dwelling

2500
4 653ha
11 50
2500
48-37
2500


John Graham Allen
Controller of Advances
East Anglia Regional Head Office

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

[Signature]
Chief Executive and Clerk



3037

THE COMMON SEAL of TYPARK LIMITED
was hereunto affixed in the
presence of:

[Signature]
McIndermott



THE COMMON SEAL of NORFOLK
DEVELOPMENTS LIMITED was hereunto
affixed in the presence of:

[Signature]
Anne Phillips



In Witness whereof a duly authorised Official of the Bank as Attorney of the
Bank has hereunto set his hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED
by John Graham Allen
Controller of Advances
East Anglia Regional Head Office

[Signature]

Attorney of
Midland Bank plc



in the presence of: *[Signature]*

Witness: R. A. SYKES
Address: MIDLAND BANK PLC
REGIONAL HEAD OFFICE
CASTLE HOUSE
CASTLE MEADOW
NORWICH
Occupation: BANK OFFICIAL

Dated 23rd April 1987

BROADLAND DISTRICT COUNCIL

and

TYPARK LIMITED

and

NORFOLK DEVELOPMENTS LIMITED

AGREEMENT

relating to land at Abbey Farm,
Horsham St. Faith, Norfolk

S.52. Town and Country
Planning Act 1971.

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