

DATED 19TH NOVEMBER 1986

THE NORFOLK COUNTY COUNCIL

-and-

RETIREMENT APPRECIATION LIMITED

-and-

HILL SAMUEL & CO. LIMITED

A G R E E M E N T

under Section 52 of the Town and Country Planning Act
1971 relating to land at Old Catton

Mills & Reeve
Norwich (MA)
XRLCATAJD

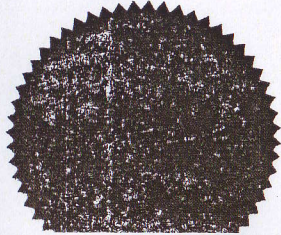
T H I S A G R E E M E N T is made the 19TH
day of NOVEMBER One thousand nine hundred and eighty-six
B E T W E E N THE NORFOLK COUNTY COUNCIL ("the County Council")
of County Hall Martineau Lane Norwich of the first part
RETIREMENT APPRECIATION LIMITED ("the Owners") whose registered
office is situate at Clement Court Redwell Street Norwich of
the second part and HILL SAMUEL & CO. LIMITED ("the Bank")
whose registered office is situate at 100 Wood Street London
EC2P 2AJ of the third part

W H E R E A S :-

(1) The County Council is the County Planning Authority within
the meaning of the Town and Country Planning Act 1971 (as
amended) and the Highway Authority within the meaning of the
Highways Act 1980 (as amended)

(2) The Owners are the estate owners in fee simple free from
incumbrances of the land shown edged red on the annexed plan
(hereinafter called "the said land")

(3) By a mortgage dated the 8th day of October 1986 and made
between the Owners of the one part and the Bank of the other
part the Owners charged the said land to the Bank upon the terms
and conditions therein contained



Heidi

RETIREMENT APPRECIATION LTD

43 RETIREMENT BUNGALOWS
RESIDENTS LOUNGE WARDENS HOUSE ETC
ST FAITHS ROAD
CATTON
REVISED LAYOUT 1-9-55
drawing no.
1952/2

(4) The Owners have made application to the Broadland District Council (reference 5/86/1581) dated the 8th July 1986 in accordance with the Town and Country Planning Act 1971 and the Orders and Regulations for the time being in force thereunder for planning permission for the development of the said land by the erection of 44 retirement bungalows (hereinafter called "the development")

(5) There is at present no suitable outfall for surface water drainage from the roads and footpaths to be provided on the said land

(6) To overcome the County Council's objection to the grant of planning permission for the development it is necessary that provision is made for a suitable highway surface water drainage system

(7) The County Council are satisfied that this agreement will be for the benefit of the public

N O W THIS DEED WITNESSETH as follows:-

1. This agreement is made in pursuance of Section 52 of the Town and Country Planning Act 1971 Section 111 of the Local Government Act 1972 Section 278 of the Highways Act 1980 Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 and all other enabling powers


2. In the event that planning permission is granted for the development of the said land the Owners and the Bank hereby jointly and severally covenant with the County Council that no work on the said land shall commence until they have contributed the sum of TEN THOUSAND THREE HUNDRED AND EIGHTY SEVEN POUNDS FIFTY PENCE towards the future costs to be incurred by the County Council of providing an off site surface water drainage system to serve the said land

3. In the event of a surface water drainage outfall not being available when the development commences it is hereby agreed that the on site surface water drainage system to be provided by the Owners shall incorporate linked soakaways the connecting lengths of pipe to be laid to the site boundary on a line and at levels previously approved by the County Council such approval not to be unreasonably withheld or delayed so that an eventual connection to the new surface water outfall can be achieved and where appropriate the soakaway chambers converted to manhole inspection chambers

4. The expressions "the County Council" "the Owners" and "the Bank" shall include their respective successors and assigns insofar as appropriate within the terms of Section 52 of the Town and Country Planning Act 1971 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982

I N W I T N E S S whereof the County Council the Owners and
the Bank have hereunto caused their Common Seals to be affixed
the day and year first before written

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

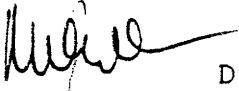

County Solicitor


THE COMMON SEAL of RETIREMENT)
APPRECIATION LIMITED was)
hereunto affixed in the)
presence of:-

Director

Secretary

THE COMMON SEAL of HILL SAMUEL)
& CO. LIMITED was hereunto)
affixed in the presence of:-)


Director


Secretary