

T H I S A G R E E M E N T is made the 9th day of June One thousand nine hundred and eighty-nine B E T W E E N BROADLAND DISTRICT COUNCIL of Thorpe Lodge Yarmouth Road Norwich in the County of Norfolk (hereinafter called "the Council") of the one part MICHAEL ARTHUR FRASER and MARY FRASER both of 18 Stone Hill Rackheath in the said County (hereinafter called "the Owners") of the second part and WOOLWICH EQUITABLE BUILDING SOCIETY of (hereinafter called "the Mortgagee") of the third part

W H E R E A S

1. The Council is a Local Planning Authority for the purposes of this Agreement
2. The owners are seized in fee simple absolute in possession of the property (hereinafter called "the Property") known as 18 Stone Hill Rackheath aforesaid which is more particularly described in a Conveyance dated the eighteenth day of July One thousand nine hundred and eighty-four and made between ~~John William~~ Horton of the one part and the Owners of the other part subject to the mortgage next hereinafter recited but otherwise free from incumbrances
3. By a mortgage dated the twenty-third day of September One thousand nine hundred and eighty-seven and made between the Owners of the one part and the Mortgagee of the other part the Property was charged in favour of the Mortgagee to secure the repayment of the monies mentioned therein
4. The Owners have applied to the Council under reference number 88.3186 for planning permission to construct a building on the Property
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:

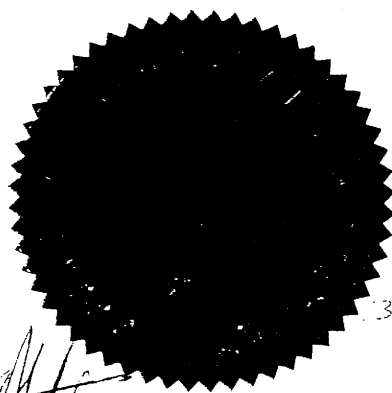
1. Subject to planning permission being granted in consequence of application number 88.3186 and pursuant to the said Section 52 the Owners hereby jointly and severally agree declare and covenant with the Council that from the date on which the aforesaid planning permission shall be granted the Property shall be permanently subject the conditions restricting or regulating the development or use of the Property specified in the Schedule hereto
2. Likewise subject to that planning permission being granted and pursuant to the said Section 52 the Mortgagee hereby agrees declares and covenants with the Council that at any time when it is in possession of the Property it shall observe and perform the said conditions specified in the Schedule hereto and furthermore that if it shall exercise its power of sale as a Mortgagee it shall ensure that in the Conveyance or Transfer of the Property the Purchaser from it shall covenant to bind himself and his successors in title at all times to observe and perform the said conditions specified in the Schedule hereto
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 Mortgagee have caused their respective Common Seals to be affixed hereunto and the Owners have set hereunto their respective hands and seals the day and year first before written

SCHEDULE

At all times the building authorised to be constructed by the planning permission reference No.88.3186 shall be used as an annexe to the existing dwellinghouse known as 18 Stone Hill aforesaid and both that new building and the existing dwellinghouse shall be occupied by persons forming one household

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



3772

~~Deputy~~ Director of ~~Finance and~~ Administration

SIGNED SEALED AND DELIVERED)
by the said MICHAEL ARTHUR)
FRASER in the presence of:-)

N. ALABASTER.
4 CASTER RD
THE 225 S AND 220 NORWICH NORWICH N27 0LS.

SIGNED SEALED AND DELIVERED)
by the said MARY FRASER)
in the presence of:-)

M. Fraser

Shirley E. Kildred

28 VERA
RACKHEATH
NORWICH

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

AUTHORISED OFFICER

DATED 9th June 1989

BROADLAND DISTRICT COUNCIL

and

MICHAEL ARTHUR FRASER

and

MARY FRASER

and

WOOLWICH EQUITABLE BUILDING SOCIETY

S E C T I O N 52

A G R E E M E N T

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

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