

Report on Title

Memorial Recreation Ground, Maidstone Road, Paddock Wood, Tonbridge, TN12 6DZ

Property

The Property is the freehold land and buildings known as Memorial Recreation Ground, Maidstone Road, Paddock Wood, Tonbridge, TN12 6DZ ("the Property").

The Property is unregistered and Warners holds the following documents relating to it:

1. Abstract Title of E Turner dated 1938
2. Conveyance dated 3 March 1938 between C J Stevens and his Mortgagees (1) and the County Council of the Administrative County of Kent (2)
3. Deed of Release dated 29 September 1938 between E Turner and others (1) and the County Council of the Administrative County of Kent (2)
4. Lease (and counterpart) between Kent County Council (1) and Brenchley Parish Council (2) dated 20 April 1948
5. Conveyance dated 23 February 1954 between Kent County Council (1) and Brenchley Parish Council (2)
6. Deed of Dedication dated 11 August 1955 between Brenchley Parish Council (1) and Kent County Council (2)
7. Conveyance dated 22 March 1957 between the Brenchley Parish Council (1) and Paddock Wood Parish Council (2) (not an original)

Matters Affecting the Property

We have reviewed the documents above and the Property is affected by the following covenants:

1. A covenant in the Conveyance dated 10 February 1938 to pay to Edward Turner an apportionment of the tithe annuity as such time as the correct amount is ascertained by the tithe commissioners in the event of such annuity being deemed either compulsory or voluntarily to pay a due proportion of the costs, charges and expenses thereof. To erect and forever maintain a spike and wire fence on the southern boundary of the Property.
2. A covenant in the Conveyance dated 3 March 1938 to Kent County Council of the western part of the Property to maintain the fence on the eastern part of that boundary (although this now forms part of the Property). Further, a Conveyance of this land dated 21 November 1934 contained a covenant not to build no more than one dwelling house on each 100 feet of frontage. No building to be erected to be used other than a private dwelling house. In addition, there is to be no erection temporary or otherwise of the nature of a hut or caravan, house on wheels, shed, show, roundabout or swing shall be used or stand or any other property except sheds or workshops to be used only for the works incidental to the erection of a dwelling house or buildings connection. However, this covenant was released by a Deed dated 29 September 1938.
3. By way of covenant in the Conveyance dated 23 February 1954 to Brenchley Parish Council, they covenanted to maintain the existing fence on the south side of the Property and the west side of the Property.

Other Rights that Burden the Property

The Property is subject to rights contained in the Conveyance dated 10 February 1938 to the owners of the Adjoining Property known at the time as 'Mascalls' to use the existing pipes and drains leading to the cesspool which is shown on the plan.

Matters Benefitting the Property

None.

Current Status of Registration

The application to register the Property is ongoing and we expect the title to be registered later this year.

Other Matters

We note that the Property does not benefit from any rights of way over the accessway leading from Ringden Avenue to the Property. We have obtained a statement of truth from Elizabeth Thomas in relation to the historical use of the accessway but as the accessway appears to be used by the general public as well as in addition to Council staff members, we are investigating whether the accessway should be adopted in some way as a highway and will report further on this in due course.

Warners Law LLP
13 February 2018