

THIS DEED is made the 29 day of March 2010

BETWEEN:

(1) **EPPING FOREST DISTRICT COUNCIL** of Civic Offices, High Street, Epping, Essex CM16 4BZ ("the Council") and

(2) ~~NEW CITY COLLEGE~~ of 112, Poplar High Street, London E14 0AF ("the College")

Fairways New Homes (Epping Forest) No. 1. Limited ("Fairways")

NOW THIS DEED WITNESSES as follows:

1. Interpretation

In this Deed, unless the context otherwise requires:

1.1 "The Conveyance" means the Conveyance dated 6 January 1955 and made between (1) The London County Council and (2) the County Council of Essex by which the land of which the ~~Red~~ *Green* Land forms part was conveyed to the County Council of Essex.

1.2 "The Council's Land" means the freehold land registered at the Land Registry as follows:

- Title No: EX723226 - Land and Buildings at Chigwell Lane, Ladyfields, Borders Lane, Ladyfields Close, Colson Road and Lushes Road Loughton
- Title No: EX722437 - Land and Buildings at Bushfields, Chequers Road, Colson Green, Colson Road and Lushes Road, Loughton
- Title No: EX723938 - Land and Buildings at Colson Gardens, Colson Road, Homecroft Gardens and Borders Land, Loughton

Copies of the filed plans are attached.

1.3 "The 1955 Covenants" means the covenants set out in the Third Schedule of the Conveyance and mentioned in Entry No. 4 of the Charges Register of Title Number EX535442.

1.4 "The 1952 Covenants" means the covenants set out in the Second Conveyance and mentioned in Entry No. 3 of the Charges Register of the Title Number EX535422.

1.5 "The Plan" means the Plan annexed to this Deed

1.6 "The ~~Red~~ *Green* Land" means the land shown ~~outlined in red~~ *outlined and hatched in green* on the Plan

1.7 "The Red Land Covenants" are the covenants set out in Clause 6 of this Deed

1.8 "The Second Conveyance" means the Conveyance dated 1 May 1952 made between (1) The London County Council and (2) the County Council of Essex by which the land of which the Red Land forms part was conveyed to the County Council of Essex

Green

1.9 The expressions "the Council" and "~~the College~~" ^{Fairview} include the person or persons deriving title under them respectively including their mortgagees or personal representatives

1.10 A covenant by ~~the College~~ ^{Fairview} not to do an act includes an obligation:

- not to permit or suffer that act to be done; and
- to use best endeavours to prevent that act being done by another person.

1.11 Interpretation

- Where any party to this Deed for the time being comprises two or more persons, obligations expressed or implied to be made by or with that party are deemed to be made by or with the persons comprising that party jointly and severally.
- Words that indicate one gender include all other genders, words that indicate the singular include the plural and vice versa and words that indicate persons shall be interpreted as extending to a corporate body or a partnership and vice versa.
- References to any numbered clause without any further description shall be interpreted as a reference to the clause of this Deed numbered in that manner.
- The clause headings do not form part of this Deed and shall be ignored in its construction

2. Recitals

2.1 ~~The College is~~ ^{Fairview has to equitable opt to be} registered at the Land Registry as proprietor of the land comprised in Title Number EX535442 of which the ~~Red~~ ^{Green} Land forms part.

2.2 The benefit of the 1955 Covenants and 1952 Covenants is vested in the Council pursuant to Article 11 of the Greater London Council (Transfer of Land and Housing Accommodation) Order 1980 (SI1980 No 320) ^{Fairview}

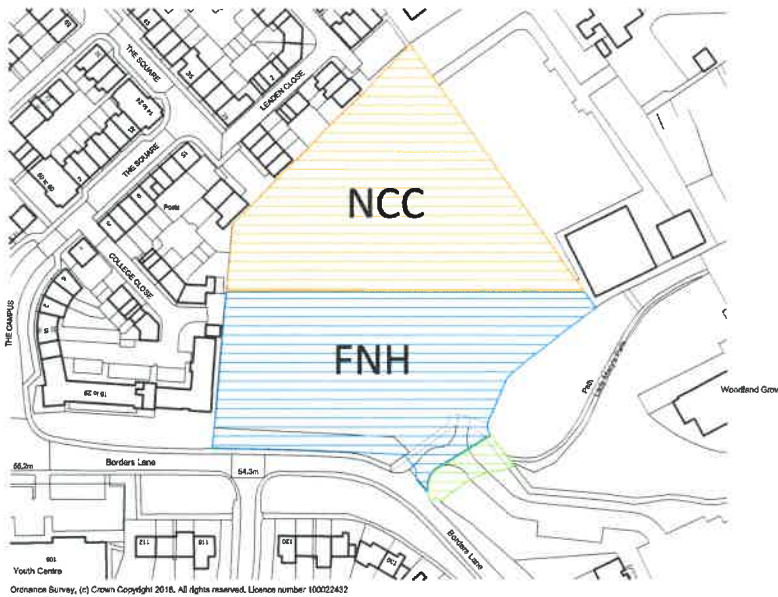
2.4 In consideration of ~~the College~~ ^{Fairview} entering into the covenants set out in clauses 4 hereof the Council has agreed to release the 1955 Covenants and the 1952 Covenants.

3. Release of the ~~Red~~ ^{Green} Land


In consideration of the covenants by the College contained below, the Council releases ~~the~~ ^{Fairview} College and its successors in title from the obligations of the 1955 Covenants and 1952 Covenants in respect of the ~~Red~~ ^{Green} Land and every part of them.

4. ~~Red~~ ^{Green} Land Covenants

In consideration of the release contained above ~~College~~ ^{Fairview} hereby covenants with the Council for the benefit of the Council's Land and every part of it and to the intent that



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 Land to benefit from Permanent Right of Way benefiting New City College



Fairview
NEW HOMES LTD.

**EPPING FOREST COLLEGE
EPPING FOREST
PLAN 3**

Scale 1:1250 @ A3

Date 26/11/19

Drawn GR

FAIRVIEW NEW HOMES Ltd.
50 Lansdown Road Epsom Middlesex E15 2JY
Telephone 0208-386 1271 Fax 0208-386 7219

Drawing No. Revision

FNH436/PLAN 3 A

such covenant shall be made pursuant to Section 111 of the Local Government Act 1972 and Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 to comply with the following covenant in respect of the Red Land:

4.1 Except for the erection of the buildings ^{Finns} ~~the College~~ must not use the ^{Green} ~~Red~~ Land for any purpose other than for residential purposes and as amenity space in connection with the residential use.

4.2 Not to use the ^{Green} ~~Red~~ Land or any building for the time being on it for the purpose of any profession, trade, business or manufacture of any description nor use any dwelling house on it except as a single private residence nor use any garage on it except as an ancillary private garage

6. Conveyances to continue otherwise

The parties agree and declare that except for this present release and variation, The Conveyance and The Second Conveyance shall continue in full force and effect in all other respects

7. HM Land Registry applications affecting the Red Land

On completion of this deed, ^{Finns} ~~the College~~ shall:

7.1 apply to HM Land Registry to enter a notice of the ^{Green} ~~Red~~ Land Covenants against the registered title to the Red Land; and

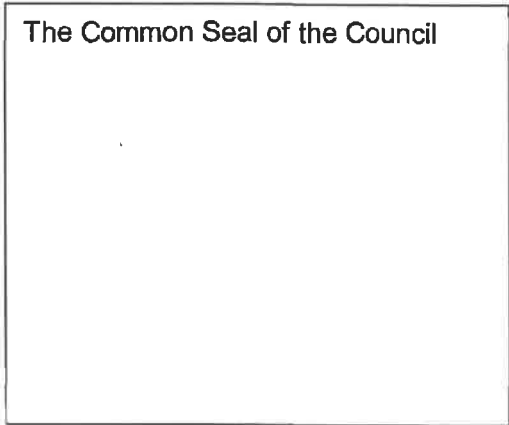
7.2 As soon as possible after completion of this deed, ^{Finns} ~~the College~~ shall give to the Council official copies of the registered titles to the ^{Green} ~~Red~~ Land, to show that the ^{Green} ~~Red~~ Land Covenants have been properly and correctly entered against the ^{Finns} ~~College's~~ title.

IN WITNESS whereof the parties have hereunto set their seals the day and year first before mentioned

**THE COMMON SEAL OF
EPPING FOREST DISTRICT COUNCIL
was hereunto affixed
in the presence of:**)
)
)
)

Signature :.....

Job Title:



THE COMMON SEAL OF
NEW CITY COLLEGE
was hereunto affixed
in the presence of:

)
)
)
)

Authorised Signatory: *[Signature]*

Authorised Signatory: *[Signature]*



These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 22 November 2018 shows the state of this title plan on 22 November 2018 at 17:16:52. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the HM Land Registry, Peterborough Office .

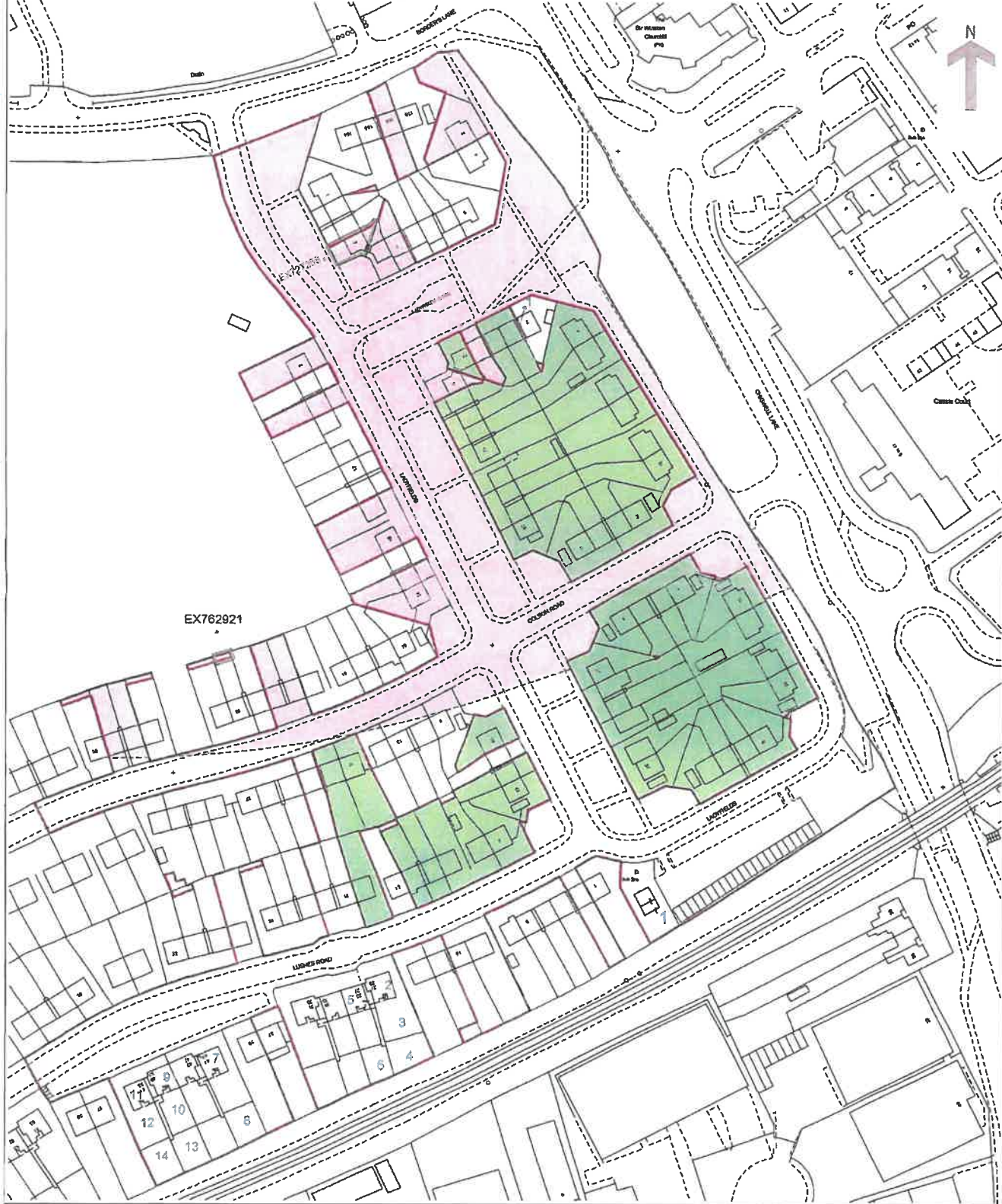
EX 723226
Plan

HM Land Registry
Official copy of
title plan

Title number **EX723226**
Ordnance Survey map reference **TQ4496SW**
Scale **1:1250**
Administrative area **Essex : Epping Forest**



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LX722437

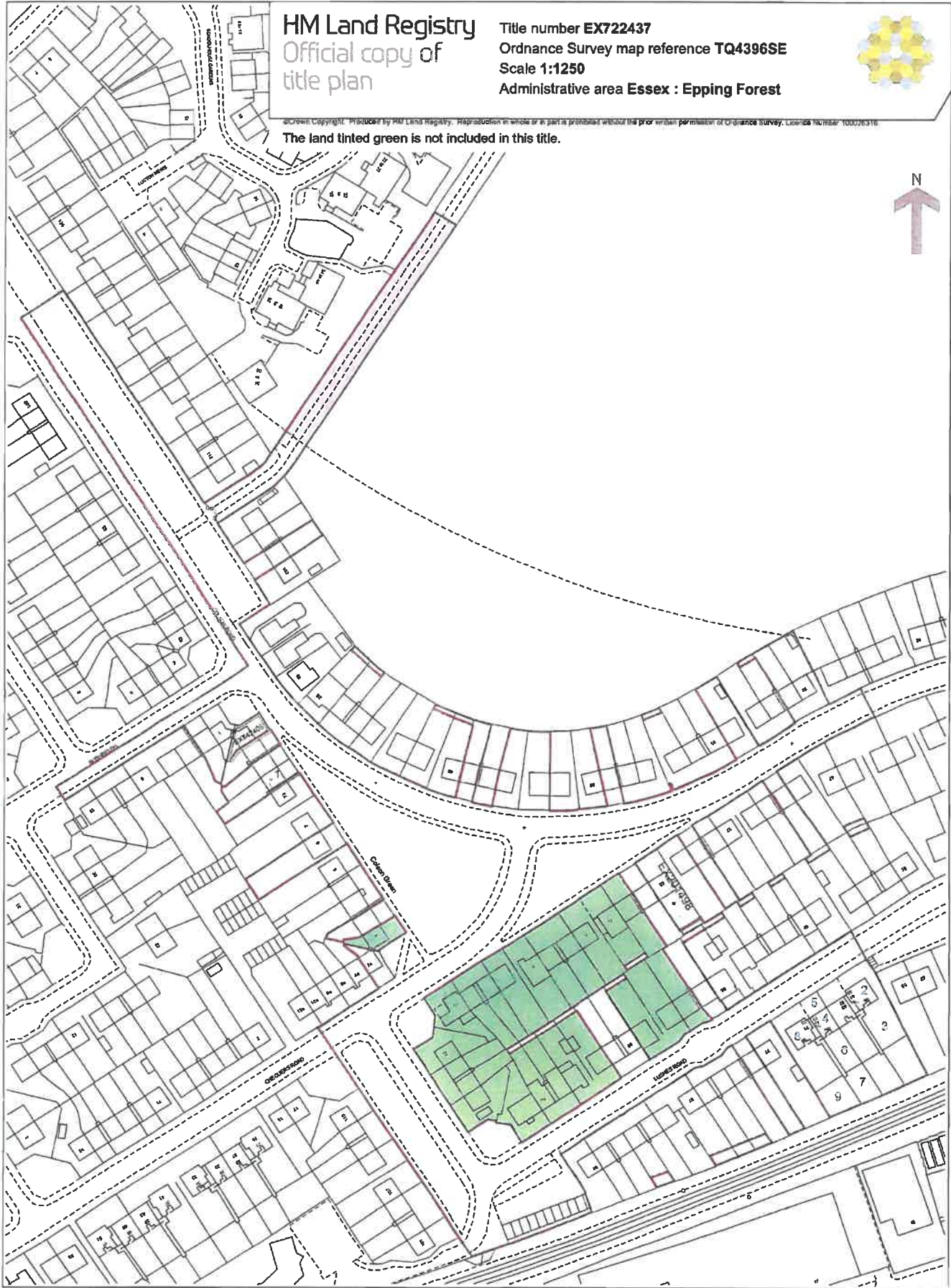
Plan

HM Land Registry
Official copy of
title plan

Title number **EX722437**
Ordnance Survey map reference **TQ4396SE**
Scale **1:1250**
Administrative area **Essex : Epping Forest**



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EX 723938

Plan



This official copy is incomplete without the preceding notes page.

DATED 29 March 2019

EPPING FOREST DISTRICT COUNCIL (1)

- and -

NEW CITY COLLEGE (2)

DEED OF RELEASE AND NEW RESTRICTIVE COVENANTS
in respect of Land at Borders Lane, Loughton, Essex, IG10 3SA
known as the "Middle Site"

**Epping Forest District Council
Civic Offices
High Street
Epping
Essex
CM16 4BZ**

Ref: BSS/RF/CM/809