

DISPOSITION

by

[REDACTED]

in favour of

[REDACTED]

Property:

Syde Farm House, Stracathro, Brechin, DD9 7QB

DISPOSITION (creating reciprocal real burdens and servitudes)

1. Definitions

In this disposition:

"Date of Entry" means Two Thousand and Twenty One;

"Plan" means the plan of the Property annexed and signed as relative to this disposition;

"Price" means ONE HUNDRED AND FORTY TWO THOUSAND POUNDS (£142,000.00) Sterling on which sum no Value Added Tax is payable;

"Property" means ALL and WHOLE the property shown outlined in red and coloured blue on the Plan and forming part and portion of the whole subjects registered in the Land Register of Scotland under Title Number ANG62294; TOGETHER WITH (One) the parts, privileges and pertinents; and (Two) the Seller's whole right, title and interest present and future in and to the property disposed;

"Purchaser" means **DEREK McCASH** residing at 29 Dryburgh Place, Dundee, DD2 2SP;

"Retained Burdens" means the real burdens contained in Burden writ 1 and Burden writ 2 as contained in section D of the Title Sheet to ANG62294;

"Retained Property" means the subjects known as Syde Farm House, Stracathro, Brechin, DD9 7QB registered in the Land Register of Scotland under Title Number ANG62294 excepting the Property;

"Schedule" means the schedule annexed and signed as relative to this disposition;

"Seller" means **EMMA VIVIAN BLACKBURN**, residing ^{formerly} at Longleys Steading, Four The Garvock, Laurencekirk, AB30 1HR; *and now at Syde, Strathcathro, Brechin, DD9 8QB*

"Retained Servitudes" means the Servitudes contained in Burden writ 1 and Burden writ 2 as contained in section D of the Title Sheet to ANG62294;

2. Consideration

2.1 The Seller is the proprietor of the Property and the Retained Property.

2.2 The Seller has sold the Property to the Purchaser for the Price.

2.3 The Seller acknowledges receipt of the Price.

3. Disposition

3.1 The Seller DISPONES the Property to the Purchaser.

3.2 The Schedule forms part of this disposition and will have effect as if set out in full in the body of this disposition.

3.3 The Property is disposed with the benefit of the New Servitudes and under the Servitude Conditions.

3.4 The Property is disposed with the benefit of the Retained Servitudes.

3.5 The Property is disposed under burden of the Retained Burdens.

4. **Burdens**

4.1 The Property is disposed ALWAYS WITH AND UNDER the burdens set out in the burdens section of the Title registered in the Land Register of Scotland under Title Number ANG62294.

4.2 The Seller warrants the Property and the Retained Property are to be a benefited property in respect of the servitudes and Burdens contained in the Burdens Section of the Title registered in the Land Register of Scotland under Title Number ANG62294.

5. **Entry**

The Property is sold WITH ENTRY and VACANT POSSESSION on the Date of Entry.

6. **Warrandice**

from her own facts and deeds only

The Seller grants warrandice: IN WITNESS WHEREOF

SCHEDULE

This is the Schedule referred to in the disposition by Emma Vivian Blackburn in favour of Derek McCash of the Property known as Syde Farm House, Stracathro, Brechin, DD9 7QB shown outlined in red and coloured blue in the Plan annexed and executed relative hereto.



Part 1 New Servitudes (Servitudes affecting the Retained Property)

The following servitudes are imposed on the Retained Property (as burdened property) in favour of the Property:

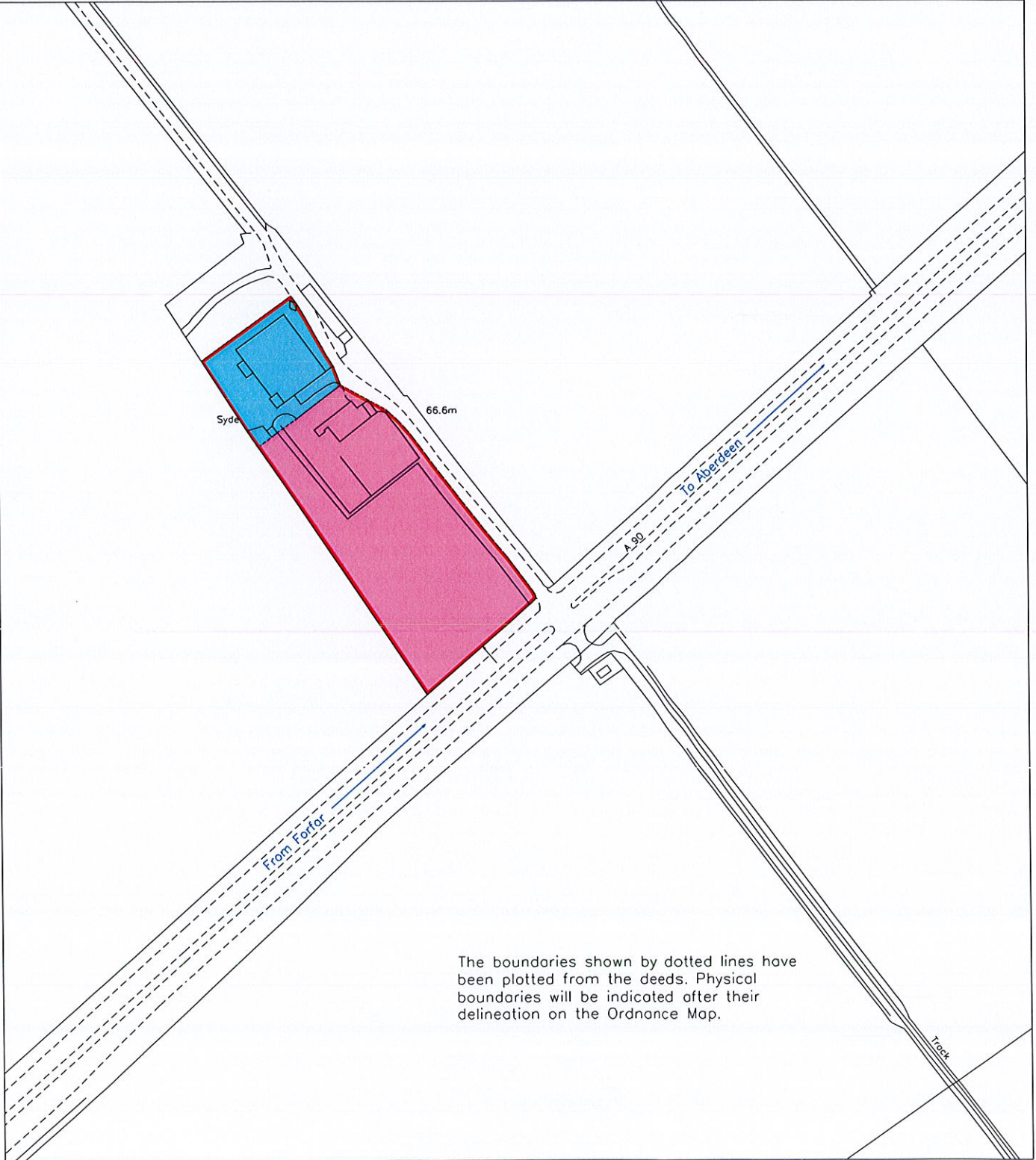
1. All necessary rights of access over the Retained Property for the purpose of maintaining, repairing and when necessary renewing the Property including any mutual boundary fences, walls and hedges.
2. A servitude right to the Purchaser and the Purchaser's Successors as proprietors of the Property and to any statutory undertakers over the Retained Property to lay and construct and thereafter use, maintain, renew, repair and replace Service Media within the Retained Property and serving the Property so far as necessary.

Part 2 Servitude Conditions

1. The Purchaser and the Purchaser's successors as proprietors of the Property will reinstate to the reasonable satisfaction of the Seller and the Seller's successors as proprietors of the Burdened Property all damage caused to the Retained Property in exercising the New Servitudes.

 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	2814 12/2/2014	ANG62294
	ORDNANCE SURVEY NATIONAL GRID REFERENCE	140m
	NO6163 NO6164	Survey Scale 1/2500

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Title Information: ANG62294

Search summary

Date/Time of search	12-08-2021 12:40:33
Transaction number	SCO-08819097
User reference	JW Emma Blackburn Shaw - Syde

Section A**ANG62294**

Property

Date of first registration	06-09-2013
Date title sheet updated to	06-09-2013
Hectarage Code	0
Interest	PROPRIETOR
Map Reference	NO6164
Title Number	ANG62294
Cadastral Unit	ANG62294
Sasine Search	64261
Property address	SYDE FARM HOUSE, STRACATHRO, BRECHIN DD9 7QB
Description	Subjects SYDE FARM HOUSE, STRACATHRO, BRECHIN DD9 7QB edged red on the Title Plan; Together with the rights specified in the Dispositions in Entries 1 and 2 of the Burdens Section.

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Section B**ANG62294**

Proprietorship

EMMA VIVIAN BLACKBURN Longleys Steading, 4 The Garvock, Laurencekirk, AB30 1HR.

Entry number	1
Date of registration	06-09-2013
Date of Entry	12-07-2013
Consideration	£410,000

Notes

1. There are in respect of the subjects in this Title no subsisting occupancy rights, in terms of the Matrimonial Homes (Family Protection) (Scotland) Act 1981, of spouses of persons who were formerly entitled to the said subjects.

2. There are in respect of the subjects in this Title no subsisting occupancy rights, in terms of the Civil Partnership Act 2004, of partners of persons who were formerly entitled to the said subjects.

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Section C**ANG62294**

Securities

Entry number	1
Specification	Standard Security by said EMMA VIVIAN BLACKBURN to BANK OF SCOTLAND plc incorporated under the Companies Acts (Company Number SC327000), 1 Lovell Park Road, Leeds, West Yorkshire LS1 1NS.
Date of registration	06-09-2013

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Section D

ANG62294

Burdens

Number of Burdens: 2

Burden 1

Disposition by Careston Estates Limited to Anthony Allan Bryce and Wendy Margaret Bryce and their assignees, recorded G.R.S. (Angus) 29 Jan. 1986, of that part of the subjects in this Title tinted pink on the Title Plan, contains the following rights and burdens:

A servitude right of vehicular access over and across the access road leading from the main A94 road to the subjects hereby disposed, declaring that our said disponees and their foresaids shall be bound to pay a share of the cost of maintaining the said access road according to their usage thereof and further declaring that if at any time a dispute shall arise as to the share of the maintenance costs due by our said disponees and their foresaids the matter shall be referred to an arbiter chosen, in the absence of agreement on the appointment by the Chairman for the time being of the Royal Institute of Chartered Surveyors, Scottish Branch and the decision of the said arbiter shall be final and binding on both parties.

Burden 2

Disposition by Careston Estates Limited to Anthony Alan Bryce and Wendy Margaret Bryce and their assignees and disponees, recorded G.R.S. (Angus) 8 Nov. 1988, of that part of the subjects in this Title tinted blue on the Title Plan, contains the following rights and burdens:

A servitude right of vehicular access over and across the access road leading from the main A94 road to the subjects hereby disposed; And also with and under the following, videlicet:- (a) there is reserved to us and our successors right to use all drains, pipes, electric cables and similar services that now exist crossing the subjects hereby disposed and serving any adjoining property belonging to us or other parties with access thereto on all necessary occasions for the purposes of reading meters, repair, maintenance and renewal thereof subject to payment for any surface damage thereby occasioned; (b) our said disponees and their foresaids shall be bound to pay a share of the cost of maintaining the said access road according to their usage thereof and further declaring that if at any time a dispute shall arise as to the share of the maintenance costs due by our said disponees and their foresaids the matter shall be referred to an arbiter chosen, in the absence of agreement on the appointment by the Chairman for the time of the Royal Institute of Chartered Surveyors, Scottish Branch, and the decision of the said arbiter shall be final and binding on all parties; (c) no trade or business shall be carried on from the subjects hereby disposed nor shall they be used for any purpose which would be a nuisance to the neighbourhood and, so far as unoccupied by buildings, the said subjects shall be kept in a neat and tidy condition and free from accumulations of scrap or rubbish to the reasonable satisfaction of the adjoining proprietors; and (d) the post and wire fence forming the south west boundary of the subjects hereby disposed shall be maintainable, if required by the adjoining proprietor, at mutual expense in a stockproof condition.

12/08/2021

ScotLIS - Title Information - ANG62294

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