



Registers Direct - Land Register: View Title

ARG14245

Search Summary

Date:	12/02/2015	Time:	14:45:50
Search No.:	2015-00450413	User Reference:	

Sasine Search Sheet:	19797
-----------------------------	-------

A. PROPERTY SECTION

Title Number:	ARG14245	Date of First Registration:	14/11/2007
Date Title Sheet updated to:	30/06/2008	Date Land Certificate updated to:	30/06/2008
Hectarage Code:	90.7	Interest:	PROPRIETOR
Map Reference:	NM95SE		

Description:

Subjects on the southeast side of the road between Oban and Ballachulish at KEIL, DUROR, APPIN tinted pink, blue and yellow on the Title Plan being 90.7 hectares in measurement on the Ordnance Map. Together with servitude rights of access over the areas tinted red and green on said plan; the maintenance of said rights of access being according to user. Together also with the rights, including servitude rights, specified in the Deed of Conditions in Entry 3 of the Burdens Section. Together also with the subsisting rights to real burdens specified in the Schedule of Particulars relative to Subsisting Rights to Real Burdens below.

Schedule of Particulars Relative to Subsisting Rights to Real Burdens

Entry No	Benefited Property	Real Burdens	Burdened Property
1	Subjects in this title and other subjects	Deed of Conditions by Lochaber Highland Estates (C.I.) Ltd, registered 22nd Jan. 2008, as specified in the Deed of Conditions in Entry 3 of the Burdens Section	Subjects at Keil Hill, Appin edged brown on the Title Plan

Notes:

1. The parts edged and numbered in green on the Title Plan have been removed from this Title.

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

B. PROPRIETORSHIP SECTION

Title Number:	ARG14245
----------------------	----------

Entry Number	Date of Registration	Proprietor	Consideration	Date of Entry
1	14/11/2007	LOCHABER HIGHLAND ESTATES (CI) LIMITED incorporated under the Companies Law (Alderney) 1994, Registered Office at Century House, 12 Victoria Street, Alderney, GY9 3UF Channel Islands.	£218000	15/10/2007

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

C. SECURITIES SECTION

Title Number: ARG14245

There are no entries.

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

D. BURDENS SECTION

Title Number: ARG14245 **Number of Burdens:** 3

Entry Number	Burden Preamble
1	Disposition by Rose Mary Strutt or Morrison to Neil James Cameron Sutherland and his executors and assignees, recorded GRS (Argyll) 8th Feb. 1983, of 228 acres at Appin, of which the subjects in this Title form part, contains the following burdens;- UNDER the declaration that any fences, dykes, walls, ditches or drains which shall be the mutual march between the area of land hereby disposed and land owned by the Secretary of State for Scotland shall be mutual and shall be maintained by my said disponee and his foresaids and by the said Secretary of State for Scotland and his successors as proprietor of the said adjoining land at joint (equal) expense, the fences, dykes and walls being so maintained in stockproof condition and either party shall have the right at their own expense to hang and maintain rabbit netting on any mutual fence or to make it deer proof; Declaring that any question between my said disponee and his foresaids and the said Secretary of State for Scotland and his successors regarding the maintenance of the said mutual fences, dykes and others shall be referred to arbitration and shall be fixed and determined by an Arbiter mutually chosen whom failing an Arbiter named by the Sheriff Principal of North Strathclyde or his Sheriff on the application of either party.
2	Disposition by Philippa Anne Sutherland to Lochaber Highland Estates (C.I.) Ltd and their successors and assignees, registered 14th Nov. 2007, of the subjects in this Title, contains the following real burden;- a servitude right of access imposed on the subjects hereinbefore disposed in favour of me and my successor as proprietors of the subjects tinted mauve on the Title Plan (which subjects are hereinafter referred to as "the retained property") thereto and therefrom for all purposes by means of the access road tinted yellow and green on the said plan insofar as the said access road is within the subjects hereby disposed and that subject to me and my successors as proprietors of the retained property being responsible for a share calculated on a user basis of the costs of maintenance and repair of all parts of the access road tinted yellow and green on the said plan.
3	Deed of Declaration of Conditions, registered 22nd Jan. 2008, by Lochaber Highland Estates (C.I.) Ltd, Proprietors of subjects edged brown on the Title Plan (which subjects are hereinafter referred to as "the Woodland Area"), forming part of the subjects in this Title, contains burdens &c., in the following terms, viz

**Entry
Number** **Burden Detail**

1 Disposition by Rose Mary Strutt or Morrison to Neil James Cameron Sutherland and his executors and assignees, recorded GRS (Argyll) 8th Feb. 1983, of 228 acres at Appin, of which the subjects in this Title form part, contains the following burdens;- UNDER the declaration that any fences, dykes, walls, ditches or drains which shall be the mutual march between the area of land hereby disposed and land owned by the Secretary of State for Scotland shall be mutual and shall be maintained by my said disponee and his foresaids and by the said Secretary of State for Scotland and his successors as proprietor of the said adjoining land at joint (equal) expense, the fences, dykes and walls being so maintained in stockproof condition and either party shall have the right at their own expense to hang and maintain rabbit netting on any mutual fence or to make it deer proof; Declaring that any question between my said disponee and his foresaids and the said Secretary of State for Scotland and his successors regarding the maintenance of the said mutual fences, dykes and others shall be referred to arbitration and shall be fixed and determined by an Arbiter mutually chosen whom failing an Arbiter named by the Sheriff Principal of North Strathclyde or his Sheriff on the application of either party.

**Entry
Number** **Burden Detail**

2 Disposition by Philippa Anne Sutherland to Lochaber Highland Estates (C.I.) Ltd and their successors and assignees, registered 14th Nov. 2007, of the subjects in this Title, contains the following real burden;- a servitude right of access imposed on the subjects hereinbefore disposed in favour of me and my successor as proprietors of the subjects tinted mauve on the Title Plan (which subjects are hereinafter referred to as "the retained property") thereto and therefrom for all purposes by means of the access road tinted yellow and green on the said plan insofar as the said access road is within the subjects hereby disposed and that subject to me and my successors as proprietors of the retained property being responsible for a share calculated on a user basis of the costs of maintenance and repair of all parts of the access road tinted yellow and green on the said plan.

**Entry
Number** **Burden Detail**

3 Deed of Declaration of Conditions, registered 22nd Jan. 2008, by Lochaber Highland Estates (C.I.) Ltd, Proprietors of subjects edged brown on the Title Plan (which subjects are hereinafter referred to as "the Woodland Area"), forming part of the subjects in this Title, contains burdens &c., in the following terms, viz: WHEREAS we are dividing the Woodland Area into individual Plots (each of the said Plots being hereinafter referred to as a "Plot" and the owner of each Plot being hereinafter referred to as a "Proprietor") and that it is expedient to set forth and to declare the various reservations, servitudes, real burdens, conditions and others affecting the Woodland Area which will apply to all parts of the Woodland Area so that the same shall be constituted as real burdens within the meaning of Part 1 of the Title Conditions (Scotland) Act 2003; NOW THEREFORE we Do Hereby PROVIDE, SET FORTH and DECLARE that the Woodland Area shall be affected by the following reservations, servitudes, real burdens and others: ONE This Deed is a Constitutive Deed creating real burdens within the meaning of Sections 4 and 122(1) of the said Act. TWO the reservations, servitudes, real burdens, conditions and others contained herein shall apply to all parts of the Woodland Area and insofar as they are real burdens they are hereby created real burdens enforceable as Community Burdens by the owners of all parts of the Woodland Area in terms of the Section 27 of the said Act. THREE where servitudes are reserved or granted they shall have effect so far as individual parts of the Woodland Area are concerned on the registration of a separate title to such part in terms of Section 75(2) of the said Act as both Benefited and Burdened Property in relation to any such servitude. FOUR A Proprietor wishing to enforce a real burden contained herein shall require an interest to enforce the same within the meaning of Section 8(3) of the said Act.

FIVE The Proprietor of each Plot shall have a servitude right of access and egress between that Plot and the public road by means of the routes tinted blue, yellow and green on said plan. In respect that there is not at present a road or track along part of such route there shall be no obligation on any Proprietor to pay any part of the cost of constructing any road or track along such route. SIX Each Plot shall remain whole and undivided in all time coming but declaring for the avoidance of doubt that this clause shall not prevent each Plot from being owned in pro indiviso shares by more than one owner. SEVEN No shooting is permitted on any Plot. EIGHT Each Proprietor is prohibited from using or permitting his or her Plot or any part of the said access route to be used for any form of motor sport or for racing with any vehicle. NINE The said access route shall not be used in any way which causes substantial damage to the surface of the ground. TEN No Plot may be used at any time for the purposes of a commercial camp site. ELEVEN The said access route shall be kept free from obstruction at all times. TWELVE In the event of any Proprietor erecting any boundary wall, fence, hedge or other enclosure, such Proprietor shall be solely responsible for the cost of erection and maintenance thereof and shall not have a right to recover any part of such cost from the neighbouring Proprietor or any other neighbouring owner and the provisions of the March Dykes Acts 1661 and 1669 shall not apply. THIRTEEN No Plot may be used for any purpose which causes a nuisance to us or to neighbouring Proprietors or to any other neighbouring owners or occupiers and without prejudice to that generality shall not be used for the storage of machinery, vehicles, rubbish or the like.

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.