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This Deed is made the day of 2007 between :-

(1) DUNCAN ROBERT LORRAINE & JACQUELINE MARY TAYLOR
(hereinafter called the Owners) of 12 Evendine Corner, Colwall Green,
Malvern, Worcestershire

(2) THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL (the
Council) of Brockington, 35 Hafod Road, Hereford

WHEREAS:-

1. The Owners are the registered proprietors of the Property described in the First Schedule hereto (the Property)
2. The Council is empowered by Section 106 of the Town & Country Planning Act 1990 (as amended) to enter into an agreement with any person interested in land in its area for the purpose of restricting or regulating the development or use of that land
3. The Owners have via their Agents submitted to the Council an application for planning permission as described in the Second Schedule hereto (the Application)
4. The Council acting by its area planning sub-committee has resolved to grant planning permission (subject to conditions) in pursuance of the Application subject to the Owners entering into this Deed with the Council for the purpose of restricting or regulating the development or use of the land in the manner hereinafter appearing
5. The Council is the local Planning Authority for the area in which the Property is situated and by whom the restrictions and obligations contained in this Deed are enforceable

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NOW THIS DEED WITNESSES as follows:-

1. In consideration of the grant of planning permission (subject to conditions) in pursuance of the application the Owners hereby covenant with the Council as follows:-
 - (a) the Owners will not at any time from the date hereof apply for a Car Parking Permit in respect of the property or any flat
 - (b) not to dispose of any flat without acquiring the disposee to enter into a covenant in the terms of this Clause
 - (c) to apply to the Chief Land Registrar to enter a restriction in the proprietorship register of the Property or the flats as the case may be provided that the person subject to the burden of this covenant will have an interest in the Property or flat capable of registration at H M Land Registry
2. It is hereby agreed and declared that the following expressions shall have the meanings given to them below namely:-
 - (a) "the Council" and "the Owners" shall include their respective successors in title and assigns and all persons deriving title to all or part of the Property
 - (b) "the Property" means the land described in the First Schedule hereto
 - (c) "the Perpetuity Period" means the period of 80 years from the date hereof
 - (d) the masculine gender shall include the feminine gender and vice versa and where there are two or more persons

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included in the expression "the Owner" covenants expressed to be made by the Owner shall be deemed to be made by such persons jointly and severally

- (e) "disposed of" or "disposal" shall mean the completion of any transaction for the sale of the freehold, commonhold, long leasehold or assured tenancy or any assignment of any terms created by such leases or tenancies conferring a right to occupy the Property or any flat
- (f) "flat" or "flats" shall mean any flat created at the Property within the Perpetuity Period pursuant to planning permission granted as a result of the application
- (g) "Car Parking Permit" means a permit issued by the Council permitting local resident parking

IN WITNESS whereof this instrument has been duly executed as a Deed by the parties the day and year first before written

FIRST SCHEDULE

All that Property situate at and known as 7 Aylestone Hill, Hereford as the same is registered at H M Land Registry with Absolute Title under Title Number

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SECOND SCHEDULE

An application for planning permission dated the day of
made under the Council's reference for eight self contained
studio apartments at the Property

THIRD SCHEDULE

A restriction against registration of any disposition without a certificate signed
by a Solicitor/Licensed Conveyancer to the effect that the covenant contained
herein has been complied with (the exact wording to be agreed)

Signed as a Deed by the said
DUNCAN ROBERT LORRAINE
in the presence of:

Signed as a Deed by the said
JACQUELINE MARY TAYLOR
in the presence of:

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The Common Seal of the County
of Herefordshire District Council was
affixed hereto by Order
Authorised Officer

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