

Partners:

Nigel D. Ayre
Stephen E. Gowing
John C.S. White



The Parish Clerk, Mrs Wendy Sweet
Knowstone Parish Council
South Riding
Roachill
South Molton
Devon EX36 4EB

Our Ref: SEG.MJE.KNO 011 1

28 February 2020

Dear Mrs Sweet

**Re: East Hill Farm, Knowstone
Transfer of land and money under S.106 Agreement**

Thank you for your email of 27th February concerning the above.

I shall not be able to attend the meeting on 24th March as I live out of the area and, in any event, I do not think it would be necessary to attend as I can explain what the trust will involve:-

When two or more persons have vested in them either a freehold property or leasehold property, then the law will automatically assume a trust exists between them. In the case of Knowstone Parish Council members of the Council will be chosen by the Council to act as Trustees on behalf of the Parish Council to sign documents on behalf of the Council vesting the land into the name of the Parish Council.

The land will be held on the trusts of Knowstone Parish Council which you should have set out in a Trust Deed. In addition to the provisions of the Trust Deed the Parish Council will hold the property in perpetuity for the property to be used only as a public open space (free of charge). The Parish Council will also maintain the land, again in perpetuity. The property would be registered at the Land Registry and the names of the persons appointed by the Council would be shown on the Title Register as the registered proprietors. Should any of those named on the Title document retire from the Parish Council then it will be necessary to appoint another member of the Council to act in their place and for an application to be made to the Land Registry to change the register.

Yours sincerely,

S E GOWING

7 East Street
South Molton,
Devon, EX36 3BX
DX 33951 SOUTH MOLTON
And at Chulmleigh (Tues 9.30 - 12.30)

Telephone: 01769 572157
Facsimile: 01769 573457
Email: enquiries@crossewyatt-solicitors.co.uk
www.crossewyatt-solicitors.co.uk

Please note we do not accept service by electronic mail
Authorised and regulated by the Solicitors Regulation Authority No. 45766

