

Purchase of 9 Castle Hill Blakey: Letter to the seller's solicitors raising requisitions on title

ABBHEY & RICHARDS SOLICITORS
East Chamber 4 High Street Blakey BL1 6RD

Partners
R. M. Abbey
M. B. Richards

Messrs Smith & Curtis Solicitors
23 Broad Street
Blakey BL1 5EH

Our ref: MR/TS/PP
Your ref: TS/GP

12 August 2019

Dear Sirs,

Re 9 Castle Hill Blakey: subject to contract

Thank you for your letter of 8 August with enclosures.

Please reply to the following requisitions in respect of the unregistered title:

1. Although there is a right to use the passageway to the side of the property (shown coloured brown on the plan attached to the 1987 conveyance), there does not appear to be a grant of any formal right to use the passageway to the *rear* of the property which we understand is in constant use. Please obtain, at your client's cost, an indemnity insurance policy to protect our clients and our clients' mortgagee in the event that any objection is raised in the future to the use of this rear passageway.
2. The 1987 conveyance indicates that the property is subject to rights of drainage and that the parts of the accessways and passageways included in the legal title are subject to rights of user. If details of these rights are unknown we shall require please an insurance policy as above to protect our client.
3. The 1987 conveyance refers to covenants created in a previous conveyance dated 28 January 1957. Please supply copies of these covenants.
4. Please confirm that the covenants contained in the 5th schedule of the 1987 conveyance have been complied with and that your client has not received any notice of breach of these covenants.

5. Please supply details of any expenses incurred by your client in relation to the maintenance and repair of the conducting media referred to in the second schedule of the 1987 conveyance.
6. Please supply a certified copy of the death certificate of Mildred Harriet Doyle.
7. Please confirm there is no memorandum of severance endorsed on the 1987 conveyance and that your client is a surviving joint tenant who has the whole of the beneficial interest in the property vested in him.
8. We understand that the property is currently occupied by the seller's aunt, Constance Shorey. Please confirm that Mrs Shorey will release any rights she may have in the property and agree to vacate on completion. We suggest that she enter into the contract in the following terms which we trust is acceptable:

'In consideration of your today entering into a contract with Julian Doyle for the purchase of the property known as 9 Castle Hill Blakey, I Constance Shorey agree to release any equitable interest I may have in the property, such interest, if any, being transferred to the proceeds of sale of the property. I also agree to vacate the property on or before completion.'

We look forward to hearing from you.

Yours faithfully,

ABBHEY & RICHARDS

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