


Our Ref : AKM/AM/7826-107

Your Ref :

Date : 17 July, 2008

 THE CHURCH
OF ENGLAND
Diocese of Chester

Diocesan Registrar

Helen J. McFall, LL.B.

Mrs Jane Robertson
50 Claire Drive
Tytherington
MACCLESFIELD
SK10 2TX

Dear Mrs Robertson

Gawsworth - Trees

Further to your telephone call I am enclosing some plans which I hope will assist in determining the ownership of the land where the trees are growing.

The first plan is a copy of the Land Registry title plan for title number CH246356 and I gather that that land belongs – or certainly in 1991 belonged – to Mr and Mrs David Simpson.

The second plan is a copy of the ordnance survey plan showing two plots of land coloured blue and pink and there is a note that the red coloured land is comprised in title number CH246356 but the blue land is not registered. Comparing these first two plans you will see that there is actually a difference in that the registered title plan excludes the narrow strip of land immediately adjacent to Church Lane whereas that strip is included on the second plan. The Land Registry plan is of course the governing plan at least in relation to the land comprised in that title.

The third plan I am enclosing is a copy of a drawing by Graham Holland Associates and this shows the land which was formerly part of the Rectory grounds and was conveyed to the PCC in or about 1993. Again you will see that the red edging excludes the narrow strip of land immediately abutting Church Lane.

The fourth plan is a copy of the plan attached to a Conveyance dated 31st December 1968 relating to the acquisition by Monica Richards of a number of pieces of land in Gawsworth including the land comprised in title number CH246356. You will note that on that plan there is a piece of land situate between Church Lane and the land coloured pink (the land comprised in the registered title) and that strip of land is coloured yellow. The text of the 1968 Conveyance provided that the pink coloured land – the land comprised in title number CH246356 – was conveyed with the benefit of “such rights of way over the strip of land coloured yellow on the plan annexed hereto for the purposes of gaining access to the land secondly hereinbefore conveyed as were excepted and reserved by a Conveyance dated the 21st October 1941 and made between Thomas Reginald Hague of the first part The Leek and Moorlands Building Society of the second part and the County Council of the Administrative County of Chester of the third part”. The land secondly conveyed is the land coloured pink on the plan. I should perhaps add that the County Council of the Administrative County of Chester is the old description of what is now Cheshire County Council. I have not yet traced a copy of the 1941 Conveyance but I rather suspect that it was a

conveyance of land to the County Council for the purposes of widening Church Lane and if the trees are growing on the yellow land then they are the responsibility of the County Council.

Finally I am enclosing an uncoloured copy of the ordnance survey map and if I have completely mis-identified the place where the trees are growing perhaps you would mark the correct location on this plan and return it to me.

Yours sincerely

Alan McAllester

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