

THIS DEED is made on the 17th day of October 2007

BETWEEN

- 1 **THE RYEDALE DISTRICT COUNCIL** whose principal office is at Ryedale House Malton in the County of North Yorkshire YO17 7HH ("the Council") and
- 2 **KIRKDALE DEVELOPMENTS LIMITED** Registered Office Sawmill Lane, Helmsley, York YO62 5DG ("the Owner")
- 3 **THE NATIONAL WESTMINSTER BANK** Registered Office Ground Floor, Bennell House, Green Street, Sunbury, Middlesex TW16 6QT ("the Mortgagee")

NOW THIS DEED WITNESSES as follows:

1 **Definitions and Interpretations**

In this Deed the following words and expressions have the following meanings:

- 1.1 The Agreement means an Agreement dated 10 May 2006 made between (1) the Council and (2) the Owner and (3) the Mortgagee
- 1.2 The Property means the property known as land known as St Martins School, Highfield Lane, Nawton, North Yorkshire and shown for the purposes of identification edged red on the plan annexed to this Agreement
- 1.3 The clause headings do not form part of this deed and shall not be taken into account in its construction or interpretation.

2 **Recitals**

- 2.1 This deed is supplemental to the Agreement
- 2.2 The parties desire to alter the terms of the Agreement as mentioned below

3 **Variation**

- 3.1 It is mutually agreed that the Agreement shall be varied as follows:
The following replacements and additions shall be made as though they had been contained in the Agreement at the date of execution:
 - 3.1.1 Definition of "the Discount for Sale Dwelling" replace "1 bedroom bungalows" in the first line with "3 bedroom houses"
 - 3.1.2 Plan 1 in the Agreement shall be replaced with the Plan 1 contained within this Deed

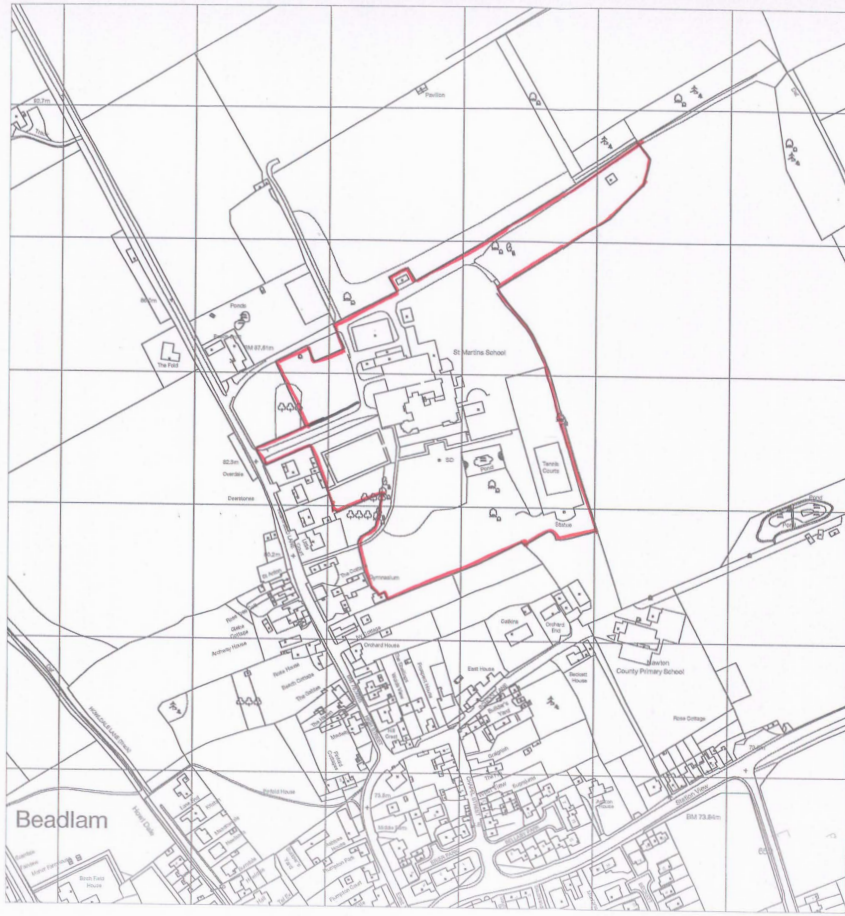
RYEDALE D.C.
22 OCT 2007
DEVELOPMENT CO.

- 3.1.3 Plan 2 in the Agreement shall be replaced with the Plan 2 contained within this Deed
- 3.1.4 The Second Schedule remove all text after “block” in the first line and replace with the following “and erection of new dwellings to form 5no. 2 bedroom apartments, 4no. 3 bedroom apartments, 2no. 2 bedroom houses, 8no. 3 bedroom houses, 1no. 4 bedroom house, 3no. 5 bedroom houses and 2no. 3 bedroom affordable houses”
- 3.1.5 Clause 1.4.1 of Part 2 of the Third Schedule replace the number “55,000” in the second line with the number “75,000” and the words “Fifty-Five Thousand Pounds” in brackets on the second & third lines with “Seventy-Five Thousand Pounds”
- 3.1.6 Clause 1.10.2 of Part 2 of the Third Schedule in the penultimate line replace the number “55,000” with the number “75,000” and the number “55” with the number “35.71”

4 Confirmation of the Agreement

Save as modified by this deed the Agreement shall continue in full force and effect in all respects.

IN WITNESS whereof the parties hereto have executed this Deed the day and year first before written



Chairman
 X [redacted] X
 Council Solicitor
 X [redacted] X

RYEDALE D.C.
 22 OCT 2007
 DEVELOPMENT CONTROL

Plan 1

A - 26.09.07 - Red LWB Boundary Amended

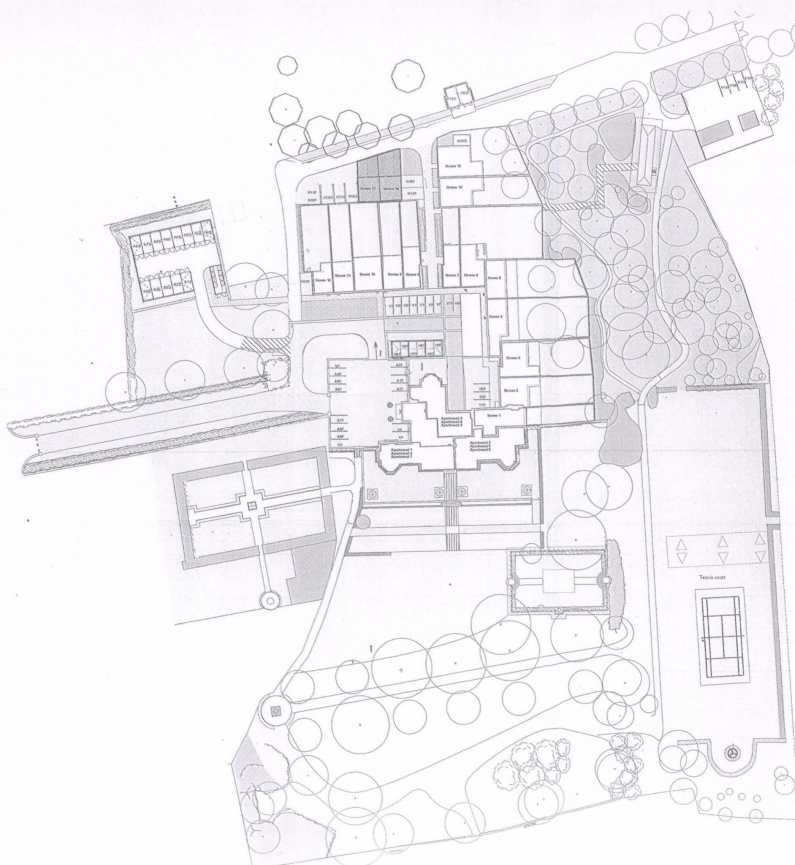
bramhall blenkham RIBA #

The Millings Melton North Yorkshire YO13 7DP
 T 01653 693333 F 01653 693955 M mail@bramhall.com W www.bramhall.com

Client: Kirkdale Manor
 Developer: Kirkdale Developments Ltd

Project: Location Plan
 Scale: 1:2500

Project No:	649	101	A
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RYEDALE D.C.
22 OCT 2007

DEVELOPMENT CONTROL
Chairman

X
Council Solicitor
X

PLAT 2

Discount For Sale Dwellings

- Revisions
 B 18.06.07 Updated
 C 13.08.07 Updated
 D 15.08.07 Updated
 E 20.08.07 Updated to show postal numbers
 F 26.09.07 Discount for sale dwellings shown

bramhall blenham RIBA #

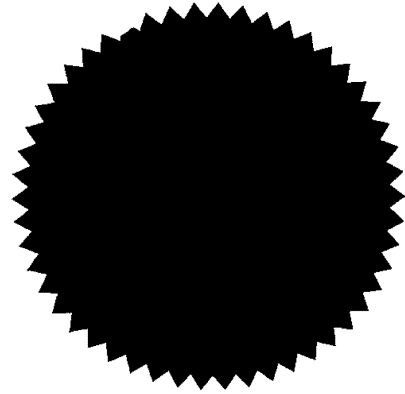
The Millgate, Millon, North Yorkshire YO17 7DP
 T 01933 892333 F 01933 892006 E mail@bramhall.com W www.bramhall.com

Kirkdale Manor
 Kirkdale Developments Ltd

Layout plan
 1:500 @ A1

AG 27.08.06	649	130	F
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THE COMMON SEAL of THE)
RYEDALE DISTRICT COUNCIL)
was hereunto affixed and is)
authenticated by)



Chairman

Council Solicitor

RYEDALE D.C.

22 OCT 2007

DEVELOPMENT CONTROL

Minute P.30/2005

Reg No. 6123

Initials CLW

EXECUTED AS A DEED by)
KIRKDALE DEVELOPMENTS LIMITED)
Acting by a Director and Secretary)

Director

Secretary

~~EXECUTED AS A DEED by)~~
~~THE NATIONAL WESTMINSTER BANK PLC)~~
~~acting by a director and its secretary)~~

~~Director~~

Signed and Delivered as a deed
For and on behalf of
The National Westminster Bank PLC)
By a duly authorised Attorney)

In the presence of

Secretary

Witness' Signature-Bank employee

CREDIT DOCUMENTOR
24940921TCIMCR

DATED 17th October 2007

THE RYEDALE DISTRICT COUNCIL

and

KIRKDALE DEVELOPMENTS LIMITED

and

THE NATIONAL WESTMINSTER BANK PLC

DEED OF VARIATION

pursuant to Section 106 of the
Town and Country Planning Act 1990 as amended
and Section 111 of the Local Government Act 1972
in respect of St Martins School, Highfield Lane, Nawton, North Yorkshire

K A WINSHIP
SOLICITOR
MALTON