



Memorandum

From: Carole Watson, Legal Services

To: Alan Hunter – Development Control
Karen Hood – Development Control
Jo Dodgson, Land Charges
Kim Robertshaw – Housing Services

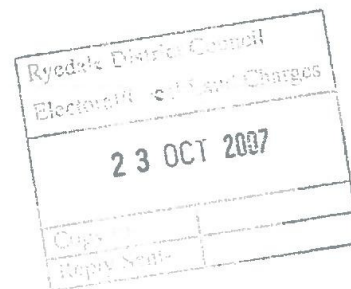
RE: Deed of Variation – Low Farm East Street Swinton (S106 Agreement 13 March 2006)
RDC (1) Fulford Builders (York) Limited (2) The Cooperative Bank (3)

Date: 20 September 2007

The Deed of Variation was completed on the 18 September 2007 and I attach a copy for your records.

Regards.

Carole
.....



Jo/Kemy

THIS DEED is made on the 18th day of September 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 **FULFORD BUILDERS (YORK) LIMITED** Registered Office 16 Clifton Moor Business Village, James Nicolson Link, York YO30 LXG("the Owner")
- 3 **THE COOPERATIVE BANK** Registered Office 1 Balloon Street, Manchester M60 4EP ("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 13 March 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 Low Farm, East Street, Swinton, Malton, 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

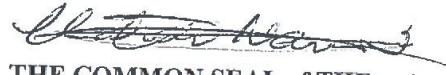
3 Variation

- 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 Clause 2.5.1 replace the number '32.6' in the second line with '38.46'
 - 3.1.2 Clause 2.11.2 replace the number '34.8' in the fourth line with '41'


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


**THE COMMON SEAL of THE)
RYEDALE DISTRICT COUNCIL)**
was hereunto affixed and is)
authenticated by)





Chairman


Council Solicitor

Minute 934/82
Reg No. 6115
Initials <i>ELW</i>

**EXECUTED AS A DEED by FULFORD)
BUILDERS (YORK) LIMITED)**
Acting by a Director and Secretary)

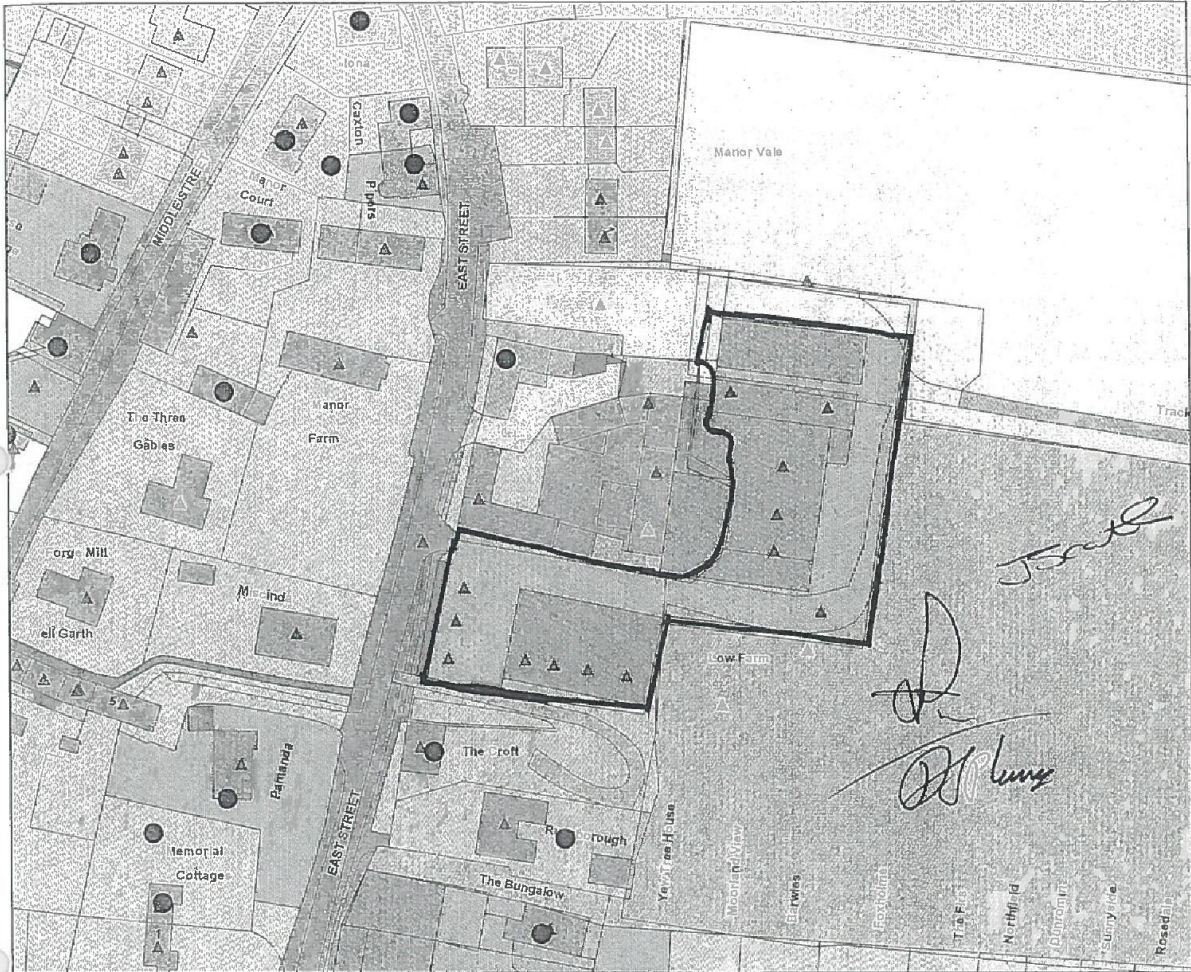
Director 

Secretary 

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Legend

Clatara Wain

W. Tinsley



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Organisation	Ryedale District Council
Department	Planning Services
Comments	Not Set
Date	31 August 2007
SLA Number	100019406

EXECUTED AS A DEED by)
THE CO-OPERATIVE BANK PLC)
acting by a director and its secretary)

Director

SIGNED AS A DEED by
THE CO-OPERATIVE BANK p.l.c.
acting by its duly appointed attorney
JANEY COARDE pursuant to a power of
attorney, dated 28-07-11 in the presence of

J. Smith

Secretary

Witness Signature *C. Graham*
Witness Name *C. GRAHAM*
Address



DATED 18th September 2007

THE RYEDALE DISTRICT COUNCIL

and

FULFORD BUILDERS (YORK) LIMITED

and

THE CO-OPERATIVE BANK

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 Land known as Low Farm, East Street, Swinton, Malton, North Yorkshire

K A WINSHIP
SOLICITOR
MALTON