



Title Information: OAZ10260

Search summary

Date/Time of search	26-03-2021 15:07:37
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Transaction number	SCO-07612561
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User Reference	FARQG1/63/GHM/SPM
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Section A**OAZ10260**

Property

Date of first registration	05-02-2014
Date title sheet updated to	26-03-2014
Hectarage Code	92.2
Interest	PROPRIETOR
Map Reference	HP6200
Title Number	OAZ10260
Cadastral Unit	OAZ10260
Sasine Search	<u>403</u>
Property address	MUNESS, UNST, SHETLAND

Description Subjects Castle and Lands of MUNESS, UNST, SHETLAND tinted blue and pink on the Title Plan being 92.2 hectares in measurement on the Ordnance Map.

Notes

1. The Dispositions in Entries 3, 4, 5, 7, 8, 9, 10, 11, 12, 13 and 14 of the Burdens Section contain reservations in favour of the subjects in this Title.
2. The subjects in this title tinted pink on the Title Plan are subject to crofting tenure, as defined in the Crofters (Scotland) Act 1993.
3. Part of the subjects in this Title forms part of the Common Grazings pertaining to Muness Estate, and is subject to the Crofters (Scotland) Act 1993.
4. The minerals are excepted to the extents specified in the Dispositions in Entries 5, 13, 14 and 16 of the Burdens Section.

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Section B**OAZ10260**

Proprietorship

GAVIN FORBES FARQUHAR Ecclesgreig Estate, Ecclesgreig Road, St. Cyrus, Kincardineshire.

Entry number	1
Date of registration	05-02-2014
Date of Entry	06-08-2006
Consideration	£65,000

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Section C**OAZ10260**

Securities

Entry number	1
Specification	Standard Security by said GAVIN FORBES FARQUHAR to ROYAL BANK OF SCOTLAND PLC incorporated under the Companies Acts (Company Number SC090312), Corporate Documentation & Operations, 2nd Floor Drummond House, 1 Redheughs Avenue, Edinburgh EH12 9RH.
Date of registration	26-03-2014

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Section D

OAZ10260

Burdens

Number of Burdens: 16

Burden 1

Disposition and Deed of Entail by Reverend William Mowat Cameron to Thomas Dishington Smith as institute or heir of entail, recorded G.R.S (Orkney & Zetland) 27 Aug. 1900, of 84 merks land of Muness, contains the following rights and burdens:

Together with the whole pro indiviso rights to the Scattald pertaining to the lands hereby disposed and hitherto possessed and used by me or my predecessors in the said lands and others or the tenants thereof and at present used by the other proprietors having a right to use the same in common with me; But reserving always to me and my successors in the Estate of Garth, of which the subjects hereby disposed form part right to fourteen of the tenants of the lands subjects and others at Uyeasound in the Parish of Unst belonging to me to take peats for the reasonable uses of their houses or holdings but for no other purpose whatsoever from the Mires of Ramnagoe on the portion of the Scattald adjoining the lands hereby disposed but declaring always that the said right of taking peats hereby reserved shall be used and exercised by my said tenants in accordance with the Garth estate regulations as at present in force; Reserving always to the said Thomas Dishington Smith as institute or heir of entail and the other persons or heirs of entail full power at any time notwithstanding these presents and whole clauses thereof to enter into agreements with the other pro indiviso proprietors of the said Scattald hereby disposed for the division thereof either by mutual agreement between the said pro indiviso proprietors and the said Thomas Dishington Smith or the other persons or heirs of entail or otherwise as the said Thomas Dishington Smith and the other pro indiviso proprietors may mutually agree and for the purpose of carrying out the said agreement to grant or accept delivery of all deeds necessary for effectually carrying into effect such agreements which division if carried out by the said Thomas Dishington Smith as institute or heir of entail foresaid shall be as binding upon him as institute or heir of entail foresaid and upon the other persons or heirs of entail in all time coming as if made by the said Thomas Dishington Smith as a fee simple proprietor and with power also to the said Thomas Dishington Smith as institute or heir of entail foresaid and to the other persons or heirs of entail to institute and carry out to a conclusion any completed process for the judicial division of the said pro indiviso scattald or to concur with the other pro indiviso proprietors in doing so.

Burden 2

Agreement, in terms of the Ancient Monuments Acts 1913 to 1953, recorded G.R.S. (Orkney & Zetland) 21 Feb. 1956, between Jean Mabel Mary Dishington Smith or Dewar (hereinafter referred to as "the First Party"), James Bruce Dewar and Robert Hugh Dewar (hereinafter referred to as "the Second Party") and Minister of Works (hereinafter referred to as "the Third Party") whereby the First Party, with consent of the Second Party as heirs of entail, appoints the Third Party to be Guardian of Muness Castle with solum thereof and ground surrounding same being the subjects in this Title tinted blue on the Title Plan, contains also the following:

Declaring (First) that the Third Party, his representatives, workmen and others and members of the public visiting the said Castle shall have free right of access at all times to the said Castle and surrounding area of ground above described from the road or track from Uyea Sound through Muness to Wester-House and Scolla for which purpose the Third Party shall be entitled at his own expense to break open and form an entrance gate in the north east wall of the enclosure round said Castle; (Second) that the Third Party, his representatives and workmen shall have access on all necessary occasions over the First Party's surrounding lands to the outside faces of the enclosure walls for the purpose of maintaining and repairing the same; (Third) that the Third Party shall be entitled to retain the custody of all objects of historic, artistic or archaeological interest discovered by him or others within the said area of ground in the course of any works undertaken by him in pursuance of his powers under said Acts provided that the Third Party shall be bound to arrange for the disposal and display of all such objects in conformity with the recommendations of the Disposals (Finds) Committee set up by the Third Party to advise on such matters; (Fourth) that the said Third Party shall be entitled to fix exact from members of the public visiting the said Castle and retain such sums by way of admission charges thereto as he may in his sole discretion from time to time decide and (Lastly) that there shall be reserved to the First and Second Parties and their successors and those authorised by them free right of access at all times to the said Castle and area of ground and in the event of the Third Party providing a gate with a lock in the said north east enclosure wall which he shall be entitled to do at any time at his own expense, a key therefor shall be provided by him to the First Party.

Burden 3

Disposition by Christopher Charles Wood to Longford Street Investments Limited and their successors and assignees, recorded G.R.S. (Orkney and Zetland) 30 Jul. 1986, of the subjects edged and lettered A in brown on the Title Plan ("the property"), contains the following:

(First) Reserving to me always a servitude right of wayleave for any existing pipes, cables and others passing through the property for the purpose of maintenance and subject always to compensation for any damage caused by the exercise of the said right.

(Second) The said Longford Street Investments Limited and their successors shall be bound to maintain in good order all boundary fences and walls between the property and the remainder of Muness Estate at their sole expense and

(Third) and the said Longford Street Investments Limited and their successors shall be bound to maintain on an equitable basis with the other proprietors using the same any existing access road serving the subjects hereby disposed.

Burden 4

Disposition by Christopher Charles Wood to Saiyid Munirulhuda Chowdhury and his executors and assignees, recorded G.R.S. (Orkney and Zetland) 24 Dec. 1986, of the subjects edged and lettered B in brown on the Title Plan ("the property"), contains the following:

(First) Reserving always to me and my successors as proprietor or proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cables and others passing through

the subjects hereby disposed.

(Second) My said disponee and his foresaids shall be bound to maintain in good order all boundary fences and walls between the subjects hereby disposed and all other parts of Muness Estate and

(Third) My said disponee and his foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within the said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 5

Disposition by Christopher Charles Wood to Stephen Nigel Games and his executors and assignees, recorded G.R.S. (Orkney and Zetland) 11 Mar. 1987, of the subjects edged and lettered C in brown on the Title Plan, contains the following:

Together with:

(One) The one half pro indiviso share of all stone, shale, metals, minerals or other like substances to which I have right and which lie in or under the subjects hereby disposed.

(Two) A servitude right of access to and egress from the subjects hereby disposed for vehicular and pedestrian traffic over the remainder of Muness Estate by any existing road, path or track.

(Three) A right of way for vehicular and pedestrian traffic over the remainder of the said Muness Estate insofaras belonging to me and my successors in title for the purpose of maintaining, repairing and if necessary renewing boundaries fences and walls which divide the subjects hereby disposed from the remainder of the said Muness Estate and for no other purpose whatsoever.

(Four) A servitude right and tolerance of wayleave extending through the said Muness Estate insofaras belonging to me and my successors in title for the pipes required for the supply of water to the subjects hereby disposed with a right of access to the water supply system pertaining to the subjects hereby disposed and to the said pipes for the purpose of making, laying, repairing, cleaning, renewing, altering or extending said water supply system and pipes or for other necessary purposes connected with the said water supply.

(Five) A servitude right and tolerance of wayleave extending through the said Muness Estate insofaras belonging to me and my successors in title for the pipes required for carrying away surface water and sewage from the subjects hereby disposed with right of access to the drainage and sewage system and to the said pipes for the purpose of making, laying, repairing, cleaning, renewing, altering or extending the drainage and sewage system and pipes or for other necessary purposes connected with the said drainage and sewage system.

(Six) A servitude right and tolerance of wayleave extending through the said Muness Estate insofaras belonging to me and my successors in title for all gas and electricity pipes, telephone wires and cables and other services and supplies serving the subjects hereby disposed.

And with and under the following:

(First) There is reserved to me and my successors as proprietors of the whole subjects of which the subjects hereby disposed form part (a) a right of access over any existing road passing through the subjects hereby disposed and (b) a servitude right and tolerance of wayleave through the subjects hereby disposed for any existing pipes, cables and others serving the said whole subjects.

(Second) Our said disponee and his foresaids shall contribute on an equitable basis along with the other proprietors and users thereof to the cost of maintaining any existing access roads providing access to and egress from the subjects hereby disposed and

(Third) our said disponee and his foresaids shall maintain in good order all boundary fences and walls dividing the subjects hereby disposed from the remainder of the said Muness Estate.

Burden 6

Disposition by Christopher Charles Wood to David Percy Frederick Dedman and his executors and assignees, recorded G.R.S. (Orkney & Shetland) 18 Mar. 1987, of the subjects edged and lettered D in brown on the Title Plan, contains the following:

(One) The said disponee and his foresaids shall maintain in good order all boundary walls or fences between the subjects hereby disposed and all other parts of Muness Estate and

(Two) the said disponee and his foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within Muness Estate so far as the same serve the subjects hereby disposed.

Burden 7

Disposition by Christopher Charles Wood to Leopold Geddy and his executors and assignees, recorded G.R.S. (Orkney and Zetland) 7 May 1987, of the subjects edged and lettered E in brown on the Title Plan, contains the following:

(First) Reserving always to me and my successors as proprietor or proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cables and others passing through the subjects hereby disposed.

(Second) My said disponee and his foresaids shall be bound to maintain in good order all boundary fences and walls between the subjects hereby disposed and all other parts of Muness Estate and

(Third) My said disponee and his foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within the said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 8

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Title Information for OAZ10260 - ScotLIS - Registers of Scotland

Disposition by Christopher Charles Wood to John Richard Cammidge and his executors and assignees, recorded G.R.S. (Orkney and Zetland) 5 Jun. 1987, of the subjects edged and lettered F in brown on the Title Plan, contains the following:

(First) Reserving always to me and my successors as proprietor or proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cables and others passing through the subjects hereby disposed. Declaring that I and my foresaids shall be bound to make good any damage occasioned to the surface of the said subjects in the exercise of said right of wayleave.

(Second) My said disponee and his foresaids shall be bound to maintain in good order all boundary fences and walls between the subjects hereby disposed and all other parts of Muness Estate so far as the same serve the subjects hereby disposed.

Burden 9

Disposition by Christopher Charles Wood to Mohammed Ismail Dinat and his successors and assignees, recorded G.R.S (Orkney & Zetland) 16 Dec. 1987, of the subjects edged and lettered G in brown on the Title Plan, contains the following:

(First) Reserving always to me and my successors as proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cable and others passing through the subjects hereby disposed;

(Second) my disponee and his foresaids shall maintain in good order all boundary walls or fences between the subjects hereby disposed and all other parts of Muness Estate and

(Third) my said disponee and his foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 10

Disposition by Christopher Charles Wood to Roy Harvey Perry and his executors and assignees, recorded G.R.S. (Orkney and Zetland) 23 Aug. 1988, of the subjects edged and lettered H in brown on the Title Plan, contains the following:

(First) Reserving always to me and my successors as proprietor or proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cable and others passing through the subjects hereby disposed and

(Second) My said disponee and his foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 11

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Disposition by Christopher Charles Wood to Peter Thom and his executors and assignees, recorded G.R.S. (Orkney and Zetland) 25 Aug. 1988, of the subjects edged and lettered J in brown on the Title Plan ("the property"), contains the following:

(First) Reserving always to me and my successors as proprietor or proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cable and others passing through the subjects hereby disposed.

(Second) My said disponee and his foresaids shall be bound to maintain in good order all boundary fences and walls between the subjects hereby disposed and all other parts of Muness Estate and

(Third) My said disponee and his foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within the said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 12

Disposition by Christopher Charles Wood to Erasmus Management Construction Limited and their successors and assignees, recorded G.R.S. (Orkney & Zetland) 21 Sep. 1988, of the subjects edged and lettered K in brown on the Title Plan, contains the following:

(First) Reserving always to me and my successors as proprietor or proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cable and others passing through the subjects hereby disposed;

(Second) my said disponee and its foresaids shall maintain in good order all boundary walls or fences between the subjects hereby disposed and all other parts of said Muness Estate; and

(Third) my said disponee and its foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 13

Disposition by Christopher Charles Wood to Inland Investment Holdings Limited and their successors and assignees, recorded G.R.S (Orkney & Zetland) 21 Oct. 1988, of the subjects edged and lettered L in brown on the Title Plan contains the following:

Together with a one half pro indiviso share to all stone, shale, metals, minerals or other like subjects so far as I have right thereto and which lie in or under the subjects hereby disposed.

And under the following:

(First) Reserving always to me and my successors as proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cable and others passing through the subjects hereby disposed;

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Title Information for OAZ10260 - ScotLIS - Registers of Scotland

(Second) my disponee and their foresaids shall maintain in good order all boundary walls or fences between the subjects hereby disposed and all other parts of Muness Estate; and (Third) my disponee and their foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 14

Disposition by Christopher Charles Wood to Inland Investment Holdings Limited and their successors and assignees, recorded G.R.S (Orkney & Zetland) 21 Oct. 1988, of the subjects edged and lettered M, N and P in brown on the Title Plan, contains the following:

Together with a one half pro indiviso share to all stone, shale, metals, minerals or other like subjects so far as I have right thereto and which lie in or under the subjects hereby disposed.

And under the following:

(First) Reserving always to me and my successors as proprietors of Muness Estate a servitude right of wayleave for any existing pipes, cable and others passing through the subjects hereby disposed;

(Second) my disponee and their foresaids shall maintain in good order all boundary walls or fences between the subjects hereby disposed and all other parts of Muness Estate; and

(Third) my disponee and their foresaids shall contribute on an equitable basis to the cost of maintaining any existing access roads within said Muness Estate so far as the same serve the subjects hereby disposed.

Burden 15

Disposition by Christopher Charles Wood to William Ross Jamieson and his successors and assignees, recorded G.R.S (Orkney & Zetland) 7 Jan. 1991, of the subjects edged and lettered Q in brown on the Title Plan, contains the following:

Together with:

Servitude rights of access to and egress from the said subjects for vehicular and pedestrian traffic by the access road on the north west boundary of the said subjects.

With and under:

The real burden and obligation that my said disponee and his foresaids shall be bound to erect and thereafter maintain in all time coming good and sufficient stockproof walls or fences on the boundaries of said plot or area of ground.

Burden 16

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Title Information for OAZ10260 - ScotLIS - Registers of Scotland

Disposition by Christopher Charles Wood to Gavin Farquhar and his executors and assignees, registered 5 Feb. 2014, of the 84 merks land of Muness, with castle &c., 40 merks land of Ramnagoe and 6 merks land of Littlegarth, in Parish and Island of Unst, under exceptions, being the subjects in this Title, contains the following:

The said subjects are disposed under exception of a one half share pro indiviso of all stone, shale, metals, minerals or other like substances to which the said Christopher Charles Wood has now right which lie in or under the said subjects.

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UNITED STATES
LAND SURVEY
OFFICE
NATIONAL BUREAU OF SURVEYING
WASHINGTON, D.C. 20540

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20250

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

TITLE NUMBER
04210289

DATE
1971

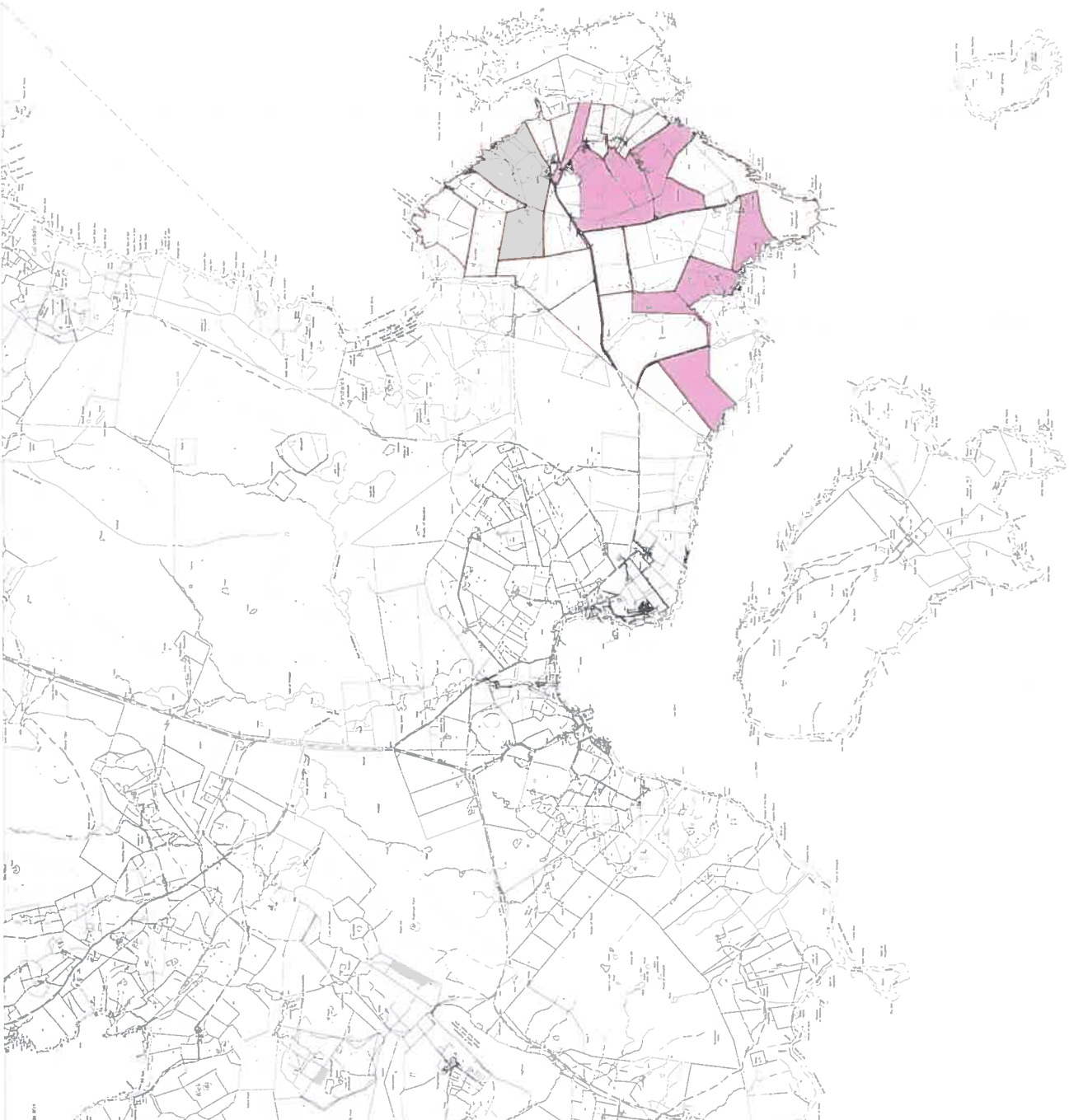
BY
C. J. BROWN

SCALE
AS SHOWN

REVISIONS
None

APPROVED
[Signature]

DATE
1971





LAND REGISTER
OF SCOTLAND

Officer's ID / Date

4233
9/9/2015

TITLE NUMBER

OAZ10260



ORDNANCE SURVEY
NATIONAL GRID REFERENCE

665m

HP6000 HP6100 HP6200 HP6300

Survey Scale

1/2500

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