

Stamp

Deed 10/-
Duplicate 5/- & denoted

*Examined against original
at office of
Official Solicitor
Richard Commins
1, Millbank S.W.1
Edward Henry
Esq. Solicitor
18/2/59*

THIS INDENTURE made the 4th day of August 1898 BETWEEN THE ECCLESIASTICAL COMMISSIONERS FOR ENGLAND (hereinafter called "the Commissioners") of the one part and JOSEPH CARTER WOOD of Artillery Mansions 75 Victoria Street in the City of Westminster Esq. of the other part WHEREAS the Commissioners are seized of or entitled to the land and hereditaments situate on the east side of Artillery Row the west side of Strutton Ground and the north side of Old Rochester Row and Grey Coat Place in the Parish of St John the Evangelist in the City of Westminster together with the messuages and buildings erected thereon the site of which said land and hereditaments is delineated on the plan drawn on these presents and thereon verged red and which said land and hereditaments are hereinafter referred to as "the Commissioners land" in fee simple subject as to portions thereof) to certain Indentures of Lease or Agreements for Lease AND WHEREAS the said Joseph Carter Wood is absolutely seized of or entitled to the land and hereditaments situate in the said Parish of St. John the Evangelist in the City of Westminster together with the messuages and buildings which are now or may hereafter be erected thereon or on some part thereof and known or intended to be known as Artillery Mansions the site of which said last mentioned land and hereditaments is delineated on the said plan drawn on these presents and thereon verged blue and as to parts thereof hatched with blue and brown lines and which said last mentioned land and hereditaments are hereinafter referred to as "the blue land" in fee simple free from all incumbrances AND WHEREAS certain new buildings are being or may hereafter be erected on the blue land or on some part thereof which may when completed interfere with the ancient lights of the said messuages and buildings of the Commissioners and their Lessees upon the Commissioners land and the free access of light and air to such ancient lights AND WHEREAS the said Joseph Carter Wood claims to be entitled to certain rights of light in respect of openings in the existing boundary or party wall between the points marked B and C on the said plan but such claim is not admitted by the Commissioners AND WHEREAS in order to obviate any proceedings by either party against the other for an Injunction or damages in relation to the premises the said parties hereto have mutually agreed to enter into the arrangement hereinafter contained NOW THIS INDENTURE WITNESSETH that in consideration of the premises the Commissioners according to their estate and interest in the Commissioners land and the buildings thereon and without prejudice to the rights claims and interests of the Lessees or intended Lessees under any existing Agreements of any part of the Commissioners land and the buildings thereon respectively or of any persons claiming through such Lessees or intended Lessees respectively Do hereby give grant consent and license to the said Joseph Carter Wood his heirs and assigns to erect carry up complete and maintain buildings upon the blue land subject to the conditions and stipulations hereinafter contained that is to say

1. THE said last mentioned buildings shall be erected in the position or positions shewn by the dark blue color on the said plan and no building erection or structure whatsoever shall at any time hereafter be erected built set up or maintained on any part of the blue land colored blue on the said plan but not hatched of a greater height (exclusive of any mansard or other roof and exclusive of chimney stacks or sanitary or other pipes) than 80 feet measured from the level of the foot pavement between Old Rochester Row and Grey Coat Place at the point marked A on the said plan and any such mansard or other roofs chimney stacks and sanitary or other pipes shall be erected and maintained within an angle of 45 degrees from the top of the parapets of the said last mentioned buildings

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2. NO building erection or structure whatsoever shall at any time hereafter be erected built set up or maintained on any part of the blue land hatched with blue lines on the said plan to a greater height than sixteen feet above the level of the foot pavement aforesaid at the said point marked A on the said plan but such portions of the blue land as are hatched with blue lines as aforesaid above the height of 16 feet as before mentioned shall for ever hereafter remain open and unbuilt upon as well for the purpose of affording light and air to the Commissioners land as for the purpose of affording light and air to the blue land.
3. NO building erection or structure whatsoever shall at any time hereafter be erected built set up or maintained on such part of the blue land as is hatched with brown lines on the said plan but the same shall for ever hereafter remain open and unbuilt upon as well for the purpose of affording light and air to the Commissioners land as for the purpose of affording light and air to the blue land.
4. THE said Joseph Carter Wood his heirs executors administrators and assigns shall not be entitled to any rights of light or air in respect of any windows lights or other openings in the existing boundary or party wall between the points marked B and C on the said plan and if and whenever the said existing boundary or party wall between the points marked B and C on the said plan shall be rebuilt (or earlier if the Commissioners their successors or assigns and the said Joseph Carter Wood his heirs executors administrators or assigns shall so agree) all lights windows and other openings therein shall be closed and bricked up and at all times thereafter maintained closed and bricked up and no lights windows or other openings shall be made or maintained in any boundary or party wall or other building which may hereafter be erected between the said points marked B and C on the said plan.

AND the Commissioners for themselves their successors and assigns do hereby covenant with the said Joseph Carter Wood his heirs executors administrators and assigns that without prejudice to the rights claims and interests of the Lessees or such intended Lessees as aforesaid of any part of the Commissioners land and the buildings thereon and of any persons claiming through such Lessees or such intended Lessees as aforesaid respectively the Commissioners and their sequels in right will not in respect or under color of their present or any future rights to the access or user of light or air by any means seek to restrain or prevent the said Joseph Carter Wood or his sequels in right from doing or causing to be done or bring any action or institute or promote any other legal proceedings in respect of the said Joseph Carter Wood or his sequels in right doing or causing to be done any of the things hereinbefore authorised and consented to by the Commissioners and that (without prejudice as aforesaid and save as regards any lease or leases to be granted under such Agreements for lease as aforesaid) the Commissioners and their sequels in right will by inserting notice or notices of the grant and covenants hereinbefore contained in favor of the said Joseph Carter Wood and his sequels in right in Conveyances Leases and other muniments and by such other reasonable means as circumstances may require or admit (and as well in compliance with any special request in that behalf on the part of the said Joseph Carter Wood and his sequels in right as without such special request) use their best endeavours to cause the said covenants to run with the Commissioners land and every part thereof and the buildings thereon and bind all persons interested therein as Owners lessees occupiers or otherwise and will in the raising or erecting carrying up or

maintaining any such buildings on the Commissioners land as are hereinafter mentioned And at all times hereafter perform and observe the conditions and stipulations hereinafter contained and that no erection building or structure shall at any time hereafter be raised erected carried up or maintained on the Commissioners land or any part thereof except in strict accordance with such conditions and stipulations AND THIS INDENTURE ALSO WITNESSETH that for the considerations aforesaid the said Joseph Carter Wood Doth hereby for himself his heirs executors administrators and assigns and as beneficial owner grant to and covenant with the Commissioners their successors and assigns that the Commissioners their successors and assigns may at any time hereafter and from time to time raise and maintain the buildings now existing or erect carry up complete and maintain fresh buildings upon the Commissioners land or any part thereof to any height or heights they may think fit but as regards any future buildings on such portions of the Commissioners land as are hatched with red lines not exceeding the height of 16 feet above the level of the foot pavement aforesaid at the said point marked "A" on the said plan and as regards any future buildings on the remainder of the Commissioners land not exceeding (exclusive of any mansard or other roof and exclusive of chimney stacks or sanitary or other pipes) the height of 80 feet above the last mentioned level and may open out and maintain in such buildings any windows lights or other openings but any such mansard or other roofs chimney stacks and sanitary or other pipes above the height of 80 feet as above mentioned shall be erected and maintained within an angle of 45 degrees from the top of the parapets of the said last mentioned future buildings And the said Joseph Carter Wood hereby for himself his heirs executors administrators and assigns and sequels in right hereby covenants with the Commissioners their successors and assigns that he the said Joseph Carter Wood and his heirs executors administrators and assigns and sequels in right respectively will not in respect or under color of his or their present or any future right to the access or user of light or air by any means seek to restrain or prevent the Commissioners or their sequels in right from raising or erecting carrying up completing and maintaining any such buildings as aforesaid on the Commissioners land nor bring any action nor institute or promote any other legal proceedings in respect of the Commissioners or their sequels in right raising or erecting carrying up completing or maintaining any such buildings as aforesaid and also that the said Joseph Carter Wood his heirs executors administrators and assigns and sequels in right respectively will by inserting notice or notices of the grants and covenants herein contained in favour of the Commissioners and their sequels in right in Conveyances Leases and other muniments and by such other reasonable means as circumstances may require or admit (and as well in compliance with any special request in that behalf on the part of the Commissioners or their sequels in rights as without such special request) use their best endeavours to cause the said covenants to run with the blue land and every part thereof and the buildings thereon or otherwise being the said grants and covenants so far as possible to the knowledge of the heirs executors administrators and assigns and sequels in right of the said Joseph Carter Wood and bind all persons interested in the blue land or the buildings thereon as Owners Lessees Occupiers or otherwise and also will in the erection of the said new buildings now being or which may hereafter be erected on the blue land or on some part thereof and at all times hereafter perform and observe the conditions and stipulations hereinbefore contained and that no erection building or structure shall at any time hereafter be erected raised set up or maintained on the

blue land or any part thereof except in strict accordance with such conditions and stipulations
I N W I T N E S S whereof the Commissioners have caused their Common Seal to be affixed hereto
and the said Joseph Carter Wood has hereunto set his hand and seal the day and year first above
written

E.C. for E. Seal

Jos. Carter Wood (L.S)

SEALED by the within named Ecclesiastical Commissioners for England in the presence of:- Francis
Cobb Registrar Eccl. Commission 10 Whitehall Place Westminster

SIGNED SEALED AND DELIVERED by the within named Joseph Carter Wood in the presence of W.R. Palgrave
34 Old Jewry E.C. Solicitor.

RR file
LN 175945

D A T E D 4th August 1898

THE ECCLESIASTICAL COMMISSIONERS
FOR ENGLAND

- and -

J. CARTER WOOD, Esq.

Copy

DEED of MUTUAL COVENANTS.

R. R. FILE

Land Registry B Middlesex Deeds
Department. Memorial Registered
20th August 1898 B.33 No. 632
Robert Hallett Holt
Registrar

KENNETH BROWN BAKER BAKER,
Essex House, Essex Street,
Strand, London, W.C.2.

Fos.34.