

**Deed of Variation - Martindale JMI School, Boxted Road, Hemel Hempstead
(HP1 2QS).Title HD484636**

FOR THE PURPOSE OF SATISFYING SECTION 2 OF THE LAW OF PROPERTY (MISCELLANEOUS PROVISIONS) ACT 1989; AND WITH THE INTENTION THAT THE TERMS OF THE ORIGINAL DOCUMENT (AS VARIED BY THIS DEED) SHALL REMAIN BINDING ON THE PARTIES.

Land known as Martindale JMI School, Boxted Road, Hemel Hempstead, HP1 2QS.

I hereby agree to the Council (Transferee) entering into a Deed Of Variation of title no HD484636 with Hertfordshire County Council (HCC) (Transferor).

Background: In order for the Council sell the 65 properties developed on the above named title at Martindale, either on the open market or through 'right to buys', each property will require their own title. In order to achieve this, the overage clause placed on the original title by HCC needs to be removed by way of a 'Deed of Variation' as set out below:

- (A) *This deed is supplemental and collateral to the Original Document.*
- (B) *The Original Document contained overage provisions in favour of the Transferor and the Transferee have agreed that these overage provisions shall no longer apply to the Property from the date of this deed.*
- (C) *The Transferor and the Transferee have agreed to vary the Original Document on the terms set out in this deed.*

The deed of variation has been produced by HCC in-conjunction with our appointed solicitors Winckworths and DBC's legal department who recommend this be signed by DBC.

Constitutional Authority: Paragraph 22 (page 107) of Constitution
To exercise the powers of the Council in respect of the management and control of all Housing Revenue Account land and buildings owned by the Council for development purposes including, but not limited to, authorising the completion of:
(i)The release and/or variation of restrictive covenants (including the terms and conditions of such release) which have been imposed in relation to any former Council property or land.

Signature:

Assistant Director of Housing

Date: