

**ACCESS TO MUNGOSDAIL FOREST APPROPRIATION ORDER 2010**

In exercise of the powers conferred on them by the Agriculture (Scotland) Act 1948, and of all the other powers enabling them in that behalf and with the consent of the Treasury, The Scottish Ministers hereby make the following Order:-

1. This Order may be cited as the Access To Mungosdail Forest Access Appropriation Order 2010 and shall come into operation as at the Twelfth day of October Two Thousand and Ten notwithstanding the date hereof.

2. In this Order, "appropriated subjects" means the subjects described in the Schedule hereto.

3. Subject to the provision of this Order, there is hereby appropriated for the purpose of the functions conferred on The Scottish Ministers by the Forestry Act 1967 and by any other enactments relating to forestry, their interest as proprietors of the appropriated subjects, being subjects presently vested in The Scottish Ministers for the purpose of the functions conferred on them by The Agricultural Purpose Appropriation (Fuinary) Order, 1952.

4. The appropriated subjects are hereby placed at the disposal of the Forestry Commission Scotland for the purpose of the exercise of the functions conferred on them by the Forestry Act 1967 and any lawful variations thereof.

5. The following provisions are made for the purpose of giving effect to this Order:-

a. The sum of Five Thousand pounds sterling (£5,000) shall be paid from the Forestry Fund as defined in the Forestry Act 1967 and shall be credited to the account of the 'The Scottish Executive'

b. responsibility for the maintenance, repair and renewal of the said appropriated subjects shall be assessed on a user basis.

c. maintenance, repair and renewal of all road drainage shall be assessed on a user basis.

d. The appropriated subjects are transferred subject to all existing rights of pedestrian and vehicular access, howsoever constituted, which include the following: -

Disposition by The Secretary of State for Scotland to Alister Ian MacDonald and Another dated Sixth day of December Nineteen Hundred and Seventy Eight and recorded in the said Division of the General Register of Sasines of the Thirtieth day of April Nineteen Hundred and Seventy Nine

Disposition by Scottish Ministers in favour of David Andrew Mackenzie registered in the Land Register of Scotland under Title Number ARG8079 on Second day of June Two Thousand and Four

Disposition by Scottish Ministers in favour of [REDACTED] and Another dated Sixth day of October Two Thousand and Six and registered in the Land Register of Scotland under Title Number ARG13047 on Twelfth day of January Two Thousand and Seven

Disposition by The Secretary of State to Walter Ronald Ryder dated Twenty Seventh and recorded in the Division of the General Register of Sasines on Thirtieth both days of January Nineteen Hundred and Eight One

Deed of Servitude containing Disposition by The Secretary of State for Scotland to Highland Regional Council dated Seventh and recorded in the said Division of the General Register of Sasines in Twenty Seventh both days of January Nineteen Hundred and Ninety Two

Disposition by Secretary of State for Scotland in favour of the Highland Council recorded in the Division of the General Register of Sasines on the Twenty Third day of July Nineteen Hundred and Ninety One

e. There is reserved in favour of The Scottish Ministers and their successors an irredeemable servitude right of pedestrian and vehicular access over and across the whole area of the appropriated subjects in order to facilitate access to lands retained by The Scottish Ministers.

f. The cost of the repair and maintenance of the appropriated subjects shall be defrayed out of the Forestry Fund and out of the moneys provided by The Scottish Ministers for the purposes of agriculture on a user basis, subject to any rights of relief in respect of the cost of maintenance and repair of the appropriated subjects that The Scottish Ministers may have against any person or user of the appropriated subjects.

EXECUTED at EDINBURGH on the Eleventh day of OCTOBER Two Thousand and Ten by Roy McLachlan, Assistant Chief Agricultural Officer of the Scottish Government Rural Payments and Inspections Directorate, a person authorised to sign documents on behalf of Scottish Ministers in the presence of [REDACTED] Civil Servant, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD

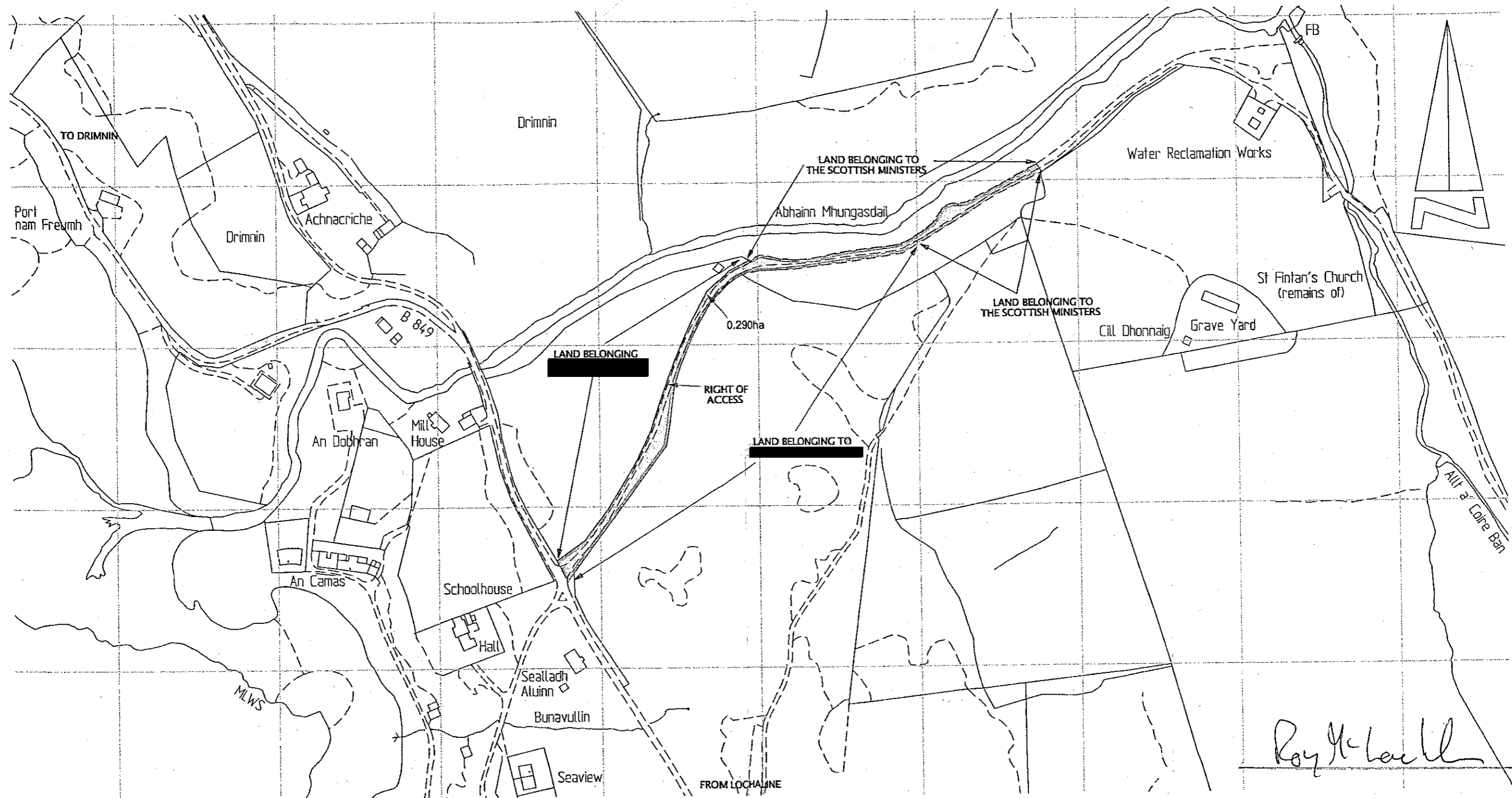
[REDACTED]

Roy McLachlan

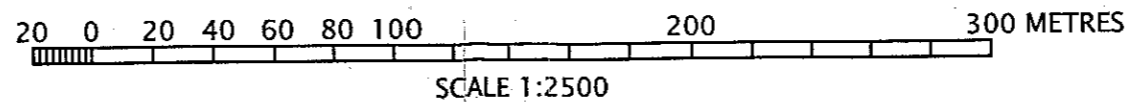
Schedule

ALL and WHOLE that area of land extending to Two hundred and Ninety decimal or one thousandth part of a hectare or thereby (0.290HA), all as shown coloured blue and delineated within and including the darker pink verge on the plan thereof annexed and signed as relative hereto, together with the parts, privileges and pertinents thereof; which subjects form part and portion of ALL and WHOLE ALL and WHOLE the Estates of Glenmorven and Drimnin (otherwise Drymnyne) and Others in the County of Argyll being the whole subjects described in and disposed by Disposition by Augustus Brabazon Urmston with consents thereinmentioned in favour of The Forestry Commissioners dated Fifth, Sixth and Ninth and recorded in the Division of the General Register of Sasines for the County of Argyll on Sixteenth, all days of June, Nineteen hundred and thirty one.

Loyle MacLachlan



*Roy McLeish*



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**FUINARY AND MORVEN FORESTRY ESTATE  
LOCHABER - (ARGYLL-SHIRE)  
MUNGOSDAIL FOREST ACCESS  
APPROPRIATION**

SCOTTISH GOVERNMENT  
RURAL PAYMENTS & INSPECTIONS  
DIRECTORATE  
**29 JUN 2010**  
DRAWING OFFICE  
SAUGHTON HOUSE, EDINBURGH