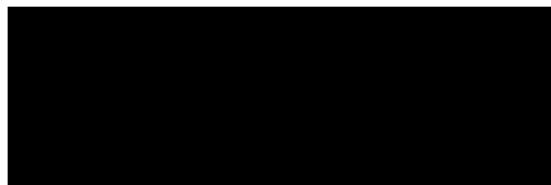


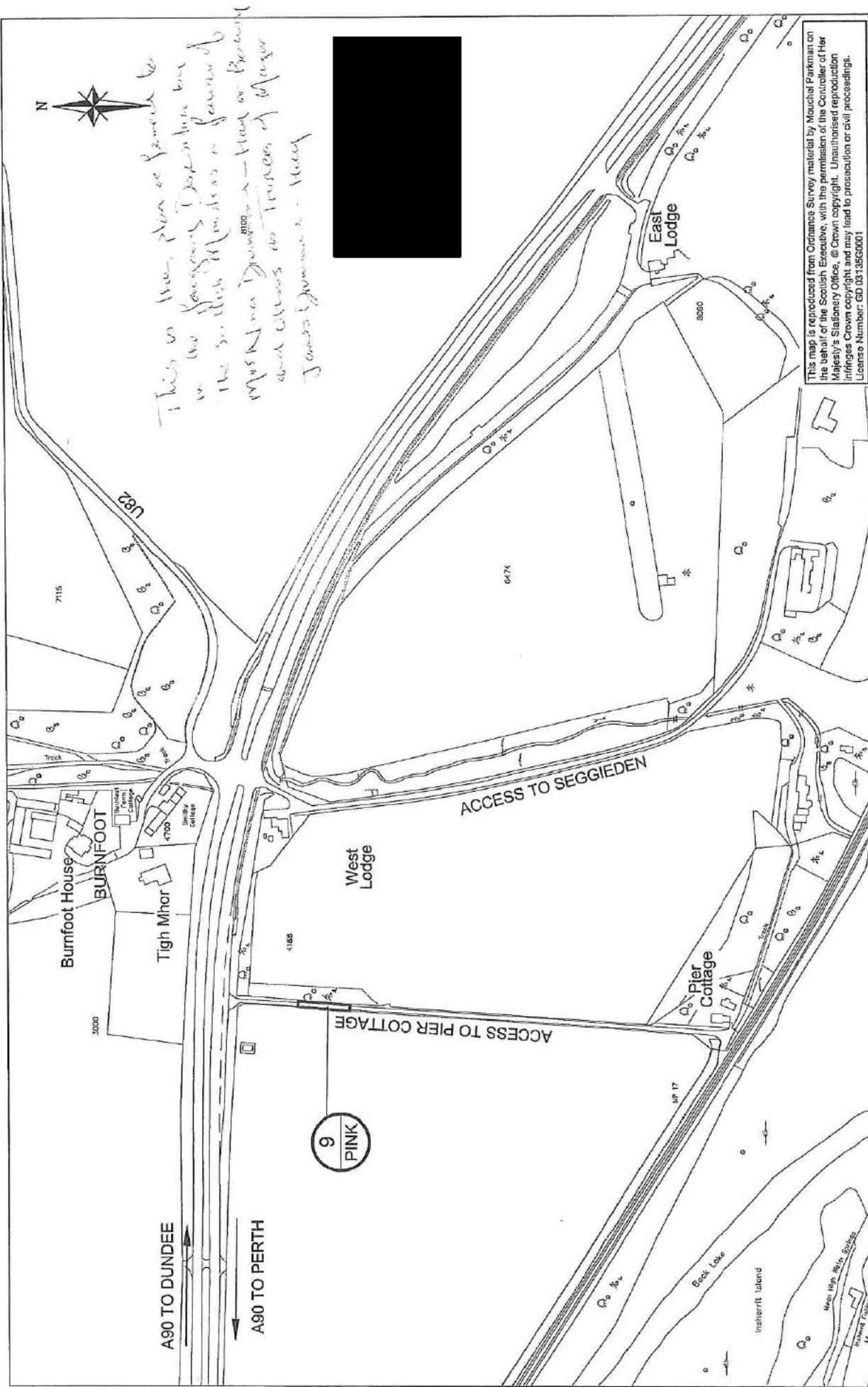
Part 2

The Servitude Conditions

The servitude right created in Part 1 of the Schedule is subject to the following servitude condition namely, the proprietors for the time being of the Benefitted Properties described (Second) and (Third) in Part 1 of the Schedule shall each be responsible for an equitable share according to usage of the cost of maintenance of the Burdened Property to agricultural standards as the same will be determined, failing agreement, by an arbiter mutually chosen or failing agreement as to such appointment appointed by the chairman for the time being of the Scottish Branch of the Royal Institution of Chartered Surveyors whose decision shall be final and binding.



5/1/1



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Transport Scotland

SCALE - 1:2500
Drawing No. RYC/PK2/15/B

LAND TO BE CONVEYED TO THE TRUSTEES OF THE LATE

MAJOR J D HAY

Area contained within plot 9 = 212m²
Current owner The Scottish Ministers

Key:

 Land to be Conveyed

REGISTERS OF SCOTLAND



Registers Direct - Land Register: View Title PTH28900

Search Summary

Date:	08/08/2016	Time:	15:30:58
Search No.:	2016-02695909	User Reference:	
Sasine Search Sheet:	5510		

A. PROPERTY SECTION

Title Number:	PTH28900	Date of First Registration:	22/08/2006
Date Title Sheet updated to:	11/03/2009	Date Land Certificate updated to:	11/03/2009
Hectarage Code:	0	Interest:	PROPRIETOR
Map Reference:	NO1621		

Description:

Subjects lying to the south of the road leading from PERTH TO DUNDEE, KINFAUNS edged red on the Title Plan.

Notes:

1. The minerals are excluded from the subjects, but this is without prejudice to the operation of section 70 of the railway clauses consolidation (Scotland) Act 1845, and sections 71 to 78 of that Act (as originally enacted and not as amended for certain purposes by section 15 of the mines (Working Facilities and Support) Act 1923), as applied by section 110(5) of the roads (Scotland) Act 1984.
2. The part edged and numbered 1. in green on the Title Plan has been removed from this Title.

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

B. PROPRIETORSHIP SECTION

Title Number:	PTH28900			
Entry Number	Date of Registration	Proprietor	Consideration	Date of Entry
1	22/08/2006	SCOTTISH MINISTERS pursuant to the roads (Scotland) Act 1984.	£7000	16/06/2006

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

C. SECURITIES SECTION

Title Number: PTH28900

There are no entries.

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

D. BURDENS SECTION

Title Number: PTH28900 **Number of Burdens:** 0

This is a Plain Copy which reflects the position at the date the Title Sheet was last updated.

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LAND REGISTER
OF SCOTLAND

Officer's ID / Date

2838
14/9/2012

TITLE NUMBER

PTH28900



ORDNANCE SURVEY
NATIONAL GRID REFERENCE

140m

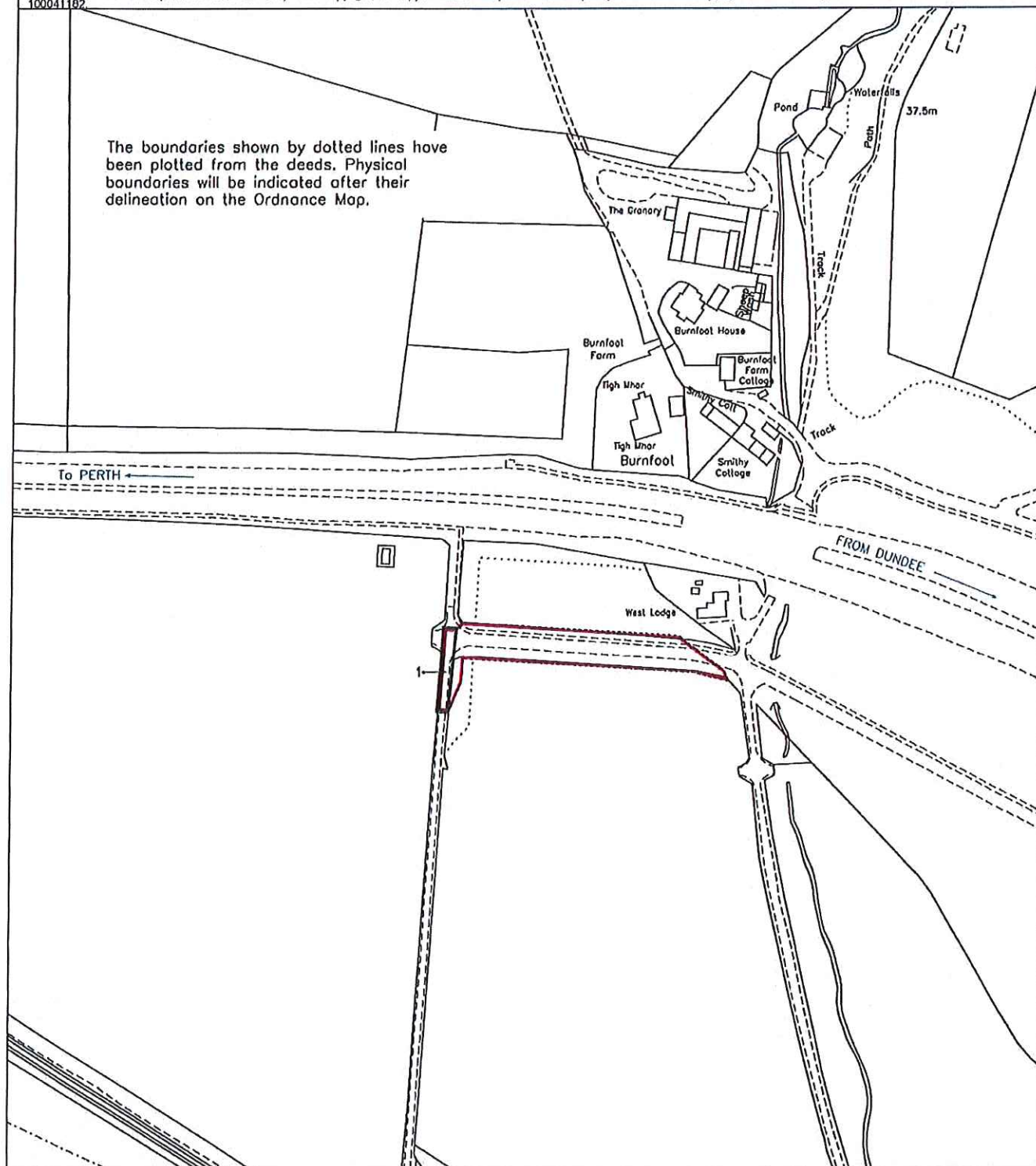
Survey Scale

1/2500

NO1621 NO1622

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The boundaries shown by dotted lines have been plotted from the deeds. Physical boundaries will be indicated after their delineation on the Ordnance Map.



I, MRS. ISABEL KATHERINE YOUNG or HENDERSON of Burnfoot Farm, Kinfauns, Perthshire, the Executrix-Dative of the late THOMAS HENDERSON, who resided latterly at Burnfoot Farm, aforesaid conform to Confirmation in my favour granted by the Sheriff of Tayside Central and Fife at Perth on the First day of February Nineteen hundred and seventy seven and as such Executrix the proprietrix of the subjects and others hereinafter disposed IN CONSIDERATION of the sum of ONE HUNDRED AND EIGHTY POUNDS (£180) STERLING paid to me as Executrix aforesaid by BP OIL DEVELOPMENT LIMITED, incorporated under the Companies Acts and having their Registered Office at Britannic House, Moor Lane, London as the price thereof of which sum I hereby acknowledge the receipt and DISCHARGE them HAVE SOLD and DO HEREBY DISPOSE to and in favour of the said BP Oil Development Limited and their successors and assignees whomsoever heritably and irredeemably ALL and WHOLE that plot of ground lying in the Parish of Kinfauns and County of Perth extending to seventy nine square metres and eighteen decimal or one hundredth parts of a square metre or thereby which plot of ground is shown within the boundary lines coloured red on the plan annexed and signed as relative hereto and forms part and portion of the farm and lands of Burnfoot more particularly described in Disposition by James Drummond Hay in favour of Thomas Henderson dated Fourth February and recorded in the Division of the General Register of Sasines for the County of Perth on First April both in the year Nineteen hundred and sixty five; Together with the pertinent rights and privileges appertaining to the subjects hereby disposed and my whole right, title and interest, present and future therein; Together also with (First) an heritable and irredeemable right of vehicular access and egress in favour of the subjects/

GENERAL REGISTER OF SASINES
 REGISTERS OF SCOTLAND
 V.M. COUNTY OF PERTH
 Book 2710 Fife 210
 Presented and Recorded on 14/9/77

PH 2710

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- PAGE SECOND -

subjects hereby disposed through and over the plot or area of ground delineated within boundary lines coloured green on the said plan and lying on the eastern boundary of the subjects hereby disposed and (Second) an heritable and irredeemable right of pedestrian access and egress in favour of the subjects hereby disposed through and over that plot or area of ground delineated and hatched blue on the said plan and lying on the northern, western and southern boundaries of the subjects hereby disposed; And I bind myself and my successors as proprietors of the said part of the farm and lands of Burnfoot to create the said rights of access and egress real burdens upon and affecting the said part of the farm and lands of Burnfoot in favour of the subjects hereby disposed and to refer to the said rights of access and egress as real burdens in all future Dispositions or Conveyances of the said part of the farm and lands of Burnfoot; Which foregoing conditions are hereby declared to be real liens and burdens upon and affecting the said plot or area of ground hereby disposed in favour of the remainder of the said part of the farm and lands of Burnfoot and as such shall be recorded in the appropriate Register of Sasines as part of these presents and repeated ad longum or validly referred to in all future Deeds and Investments of or relating to the said plot or area of ground hereby disposed or any portion thereof; WITH ENTRY/

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PH 2710

- PAGE THIRD -

ENTRY as at the Twenty sixth day of July, Nineteen hundred and seventy three notwithstanding the date or dates hereof; Which subjects were last vested in the said Thomas Henderson as aforesaid and from whom I acquired right as Executrix aforesaid by the said Confirmation in my favour; And I assign the writs and in respect that they relate also to other subjects of greater value than those hereby disposed the same are not herewith delivered but I bind and oblige myself and my foresaids to make the same forthcoming to my said disponees and their formaids on all necessary occasions upon a receipt and obligation to redeliver the same within a reasonable time and under a suitable penalty and to take any person or persons to whom I may ultimately deliver the same bound under a similar obligation; And I assign the rents; And I bind myself to free and relieve my said disponees and their foresaids of all feudal duties and public burdens; And I grant warrandice; And I certify that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Fifteen thousand pounds: IN WITNESS

WHEREOF these presents typewritten on this and the two preceding pages are together with the plan annexed signed by the said Mrs. Isabel Katherine Young or Henderson at Perth on the Sixteenth day of February, Nineteen hundred and seventy seven before these witnesses Donald Pringle McDonald, W.S. and Jeanne Gray Smith, Secretary, both of Ten Blackfriars Street, Perth.

Jc.

D. McDonald Wilson

Isabel K Henderson.

Jeanne G. Smith, W.S.

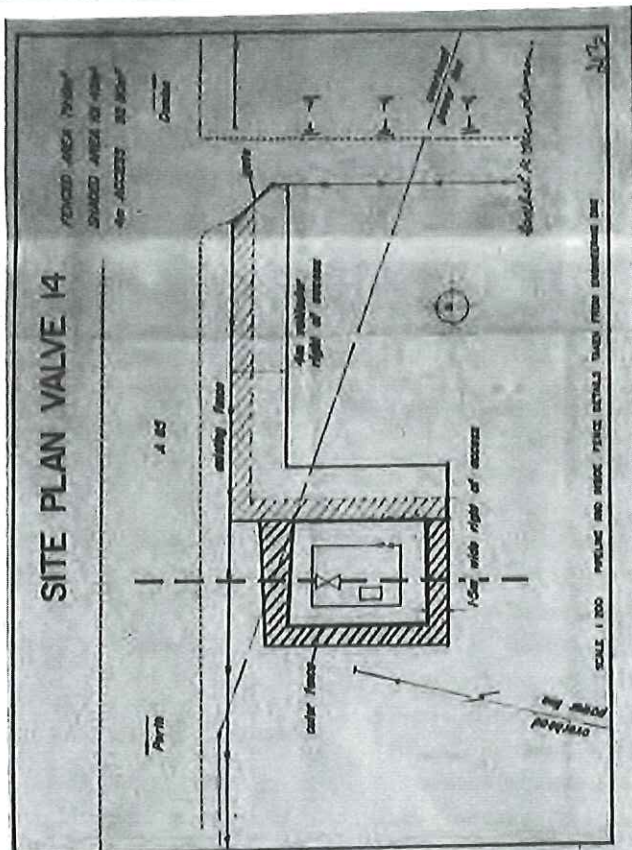
REGISTER on behalf of the within named BP OIL DEVELOPMENT LIMITED
in the REGISTER of the COUNTY OF PERTH.

W. J. Smith & Co.
Solicitors, Glasgow, Agents.

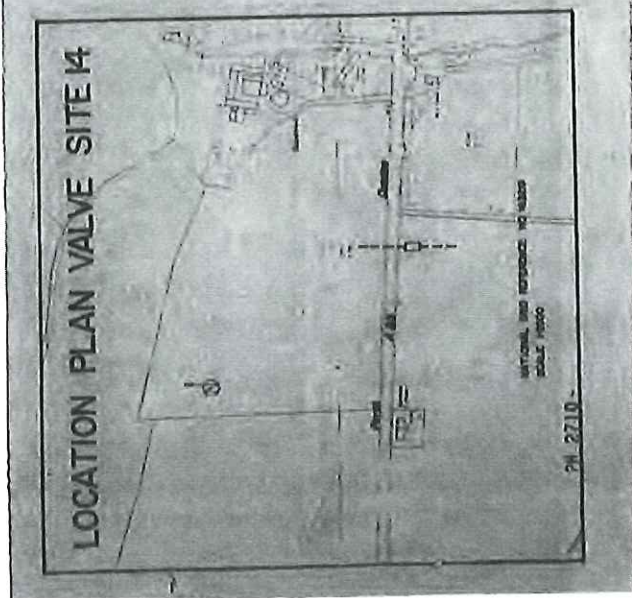
PH 2710

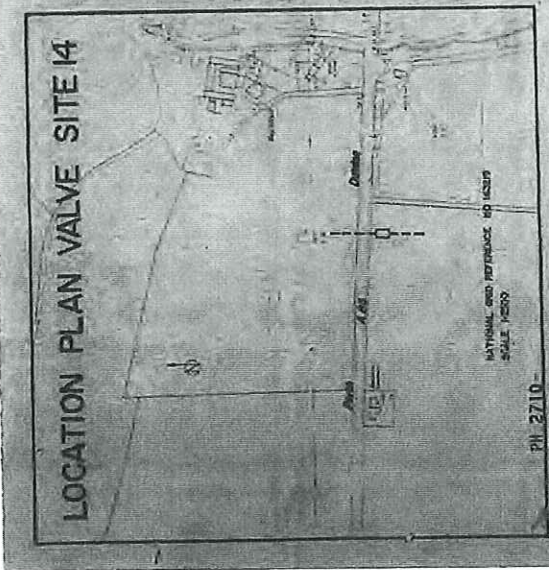
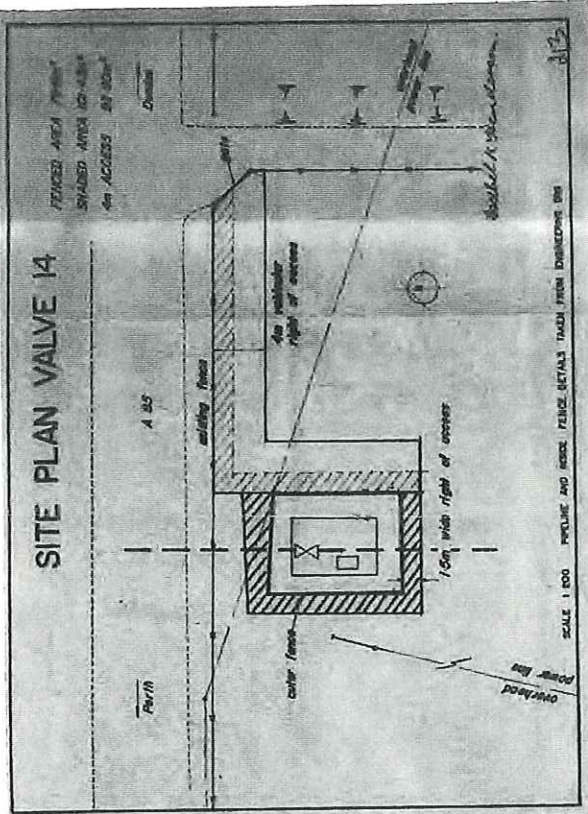
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SITE PLAN VALVE 14



LOCATION PLAN VALVE SITE 14





[REDACTED]

From: [REDACTED]
Sent: 11 December 2018 14:06
To: [REDACTED]
Subject: FW: A90 Kinfauns Interchange
Attachments: A.pdf; Gate.pdf

Tracking: **Recipient** **Read**
 [REDACTED] Read: 11/12/2018 14:07

From: [REDACTED]
Sent: 30 October 2018 14:03
To: [REDACTED]
Subject: RE: A90 Kinfauns Interchange

[REDACTED]

Firstly many thanks for your email and documents, they are very useful. I have a further query on this that I would appreciate your view on.

The two attachments provide details of the same location.
"A" being an excerpt from the 2005 Side Roads Order and I have highlighted the location (red circle) relative to Access 9 which is the stopped up access referred to in Part 4 of the Order. "Gate" is the title plan for the pipeline value site and again I have highlighted this same location with a red circle.

My query is if the specific access into field via the location circled would be in any way affected by the stopping up of Access 9 above. Our interpretation is that the stopping up is purely to prevent vehicles accessing the private road to [REDACTED] from the A90 and does not affect, in any way, access to the location circled in red on the plans. It is suggested by others that the stopping up at Access 9 thus prohibits us accessing this specific access to the field. We disagree hence our query.

Grateful for your comment.

Thanks & Regards
[REDACTED]

[REDACTED] | INEOS FPS Limited | FPS Wayleaves Management | [REDACTED]
[REDACTED]

INEOS FPS Limited, Antonine House, PO Box 21746, Callendar Business Park, Callendar Road, Falkirk FK1 1XR

From: [REDACTED]
Sent: 29 October 2018 18:14
To: [REDACTED]
Subject: A90 Kinfauns Interchange

ATTENTION: This is an External message.
Do not open attachments or click on links unless you recognize the sender and know the content is safe.

Had to resend this as the land reference plan fell off twice

[REDACTED]

(Apologies for not getting in touch sooner. I was trying to locate a summary piece I did on this, examining all available titles but the information I pulled together just now basically confirms the position as I understand it)

Further to our earlier discussion, in order to facilitate safety on the Trunk Road, direct access to the carriageway from [REDACTED] was removed by virtue of SI 2005 No 236. Stopping up of access No 9 refers.

In acquiring the land for construction, Plot 9 of the attached Land Reference Plan was acquired by agreement with the then owners, [REDACTED]. The area was required to tie-in the new side road and thus provide alternative access.

On completion of the Scheme the area in question was conveyed back to the previous owners, with ".....the subjects hereby disposed are so disposed always with and under (a) all existing servitudes, wayleaves and others howsoever constituted and (b) the servitude set out in part I of the schedule annexed and signed as relative hereto subject to the servitude condition set out in Part 2 of the said schedule;...."

A quick update of the Scottish Ministers title PTH28900 from 2016 shows this area to be excepted.

As we only ever acquired Plot 9, any pre-existing servitudes, wayleaves and others howsoever constituted (as referred to in the above disposition) still subsist over the remainder of the access track in that area. This includes where the pipelines cross the track and also any pre-existing right to access the pump-house to Valve No 14 as shown on the attached.

I hope this is of use.

If you wish to discuss the matter further then please feel free to get in touch

Regards,

[REDACTED]
Project Administrator
Design Team
Major Transport Infrastructure Projects
Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow