

Lower Thames Crossing

10.43 Extract from Book of Reference (Clean version)

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 10

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10.43 Extract from Book of Reference (Clean version)

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1 Introduction

1.1 Third Change Application (October 2023)

- 1.1.1 This Book of Reference has been prepared as part of National Highways' Third Change Application (October 2023), which has been presented for the consideration of the Planning Inspectorate.
- 1.1.2 This Book of Reference is an extract of the whole document, showing only those Parts and land plots which would be impacted, should the proposed change be accepted.
- 1.1.3 A Part or land plot is judged to be impacted if any of the corresponding details within the Book of Reference would be different than those presented in the previous version of the Book of Reference, that being version 6 [REP5-030], which was submitted in October 2023 at Examination Deadline 5.
- 1.1.4 This document should be read in conjunction with the Lands Plans (submitted with this Third Change Application) [**Document Reference 10.39**], which will show the impacted sheet: 16.
- 1.1.5 Parts 1, 2 and 3 of the Book of Reference have experienced change within this one sheet and have been included within this document. Please see Chapter 2 of this document for a detailed description of the Parts of the Book of Reference.
- 1.1.6 Parts 4 and 5 of the Book of Reference have not been affected by the proposed change and therefore have not been included within this document.
- 1.1.7 The following sections of this chapter and the subsequent two chapters are as they appear in version 6 of the Book of Reference [REP5-030]; therefore, the Application Document references given are those used within the October 2023 Deadline 5 submission. The table below lists all relevant references used for Deadline 5 and the new reference for that document, being used within this Third Change Application (October 2023).

Application Document references used for Deadline 5 submission	Application Document references used for Third Change Application (October 2023)	
Lands Plans (Application Document 2.2)	Extract from Lands Plans [Document Reference 10.39]	
Crown Land Plans (Application Document 2.3)	Not included within this Third Change Application (no change to Crown land)	
Special Category Land Plans (Application Document 2.4)	Not included within this Third Change Application (no change to special category land)	
Statement of Reasons (Application Document 4.1)	Extract from Statement of Reasons [Document Reference 10.42]	

Table 1.1 Third Change Application (October 2023) document references

Application Document references used for	Application Document references used for	
Deadline 5 submission	Third Change Application (October 2023)	
draft DCO (Application Document 3.1)	draft DCO for Third Change Application (October 2023) [Document Reference 10.41]	
Introduction to the Application (Application Document 1.3)	Not included within this Third Change Application (please see original Application Document <u>REP4-002</u>	
Chapter 2: Project Description of the	Not included within this Third Change	
Environmental Statement (Application	Application (please see original Application	
Document 6.1)	Document <u>APP-140</u>)	

1.2 Purpose of this document

- 1.2.1 This Book of Reference relates to an application made by National Highways (the "Applicant") to the Planning Inspectorate under the Planning Act 2008 (the "2008 Act") for a Development Consent Order ("DCO"). If made, the DCO would grant consent for the Applicant to construct, operate and maintain the A122 Lower Thames Crossing (the "Project").
- 1.2.2 This Book of Reference lists the plots of land over which the Applicant is seeking powers of compulsory acquisition (Articles 25 to 34) and powers of temporary possession (Articles 35 and 36) in the DCO for the purposes of the Project. For each plot it identifies whether the Applicant is seeking the power to acquire that plot outright, the power to create and/or acquire permanent rights over it, or the power to take temporary possession of the plot for the purposes of constructing and / or maintaining the Project. It also lists the persons with land outside the DCO boundary who may be entitled to make a relevant claim for compensation due to the effects of construction or when the new or altered road is in use.
- 1.2.3 This Book of Reference has been prepared and submitted in compliance with Regulation 5(2)(d) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the "2009 Regulations"), as amended, and in accordance with the Department for Communities and Local Government guidance 'Planning Act 2008: Guidance related to procedures for compulsory acquisition' (September 2013).
- 1.2.4 As this Book of Reference is part of the application documents it should be read in conjunction with the Lands Plans (Application document 2.2), the Crown Land Plans (Application document 2.3), Special Category Land Plans (Application document 2.4), the Statement of Reasons (Application document 4.1) and the draft DCO (Application document 3.1).
- 1.2.5 This Book of Reference is divided into five parts as prescribed by Regulation 7(1) of the 2009 Regulations. Each of the five Parts are summarised in the next chapter, together with a brief commentary of how the requirements in the Regulations have been interpreted and applied to the collation of each Part of the Book of Reference.

1.2.6 A detailed description of the Project can be found in the Introduction to the Application (Application document 1.3) and in Chapter 2: Project Description of the Environmental Statement (Application document 6.1).

2 Book of Reference Description

2.1 Part 1 Description

2.1.1 Regulation 7(1)(a) of the 2009 Regulations states:

Part 1 contains the names and addresses for service of each person within Categories 1 and 2 as set out in section 57 (categories for purposes of section 56(2)(d)) in respect of any land which it is proposed shall be subject to –

i.powers of compulsory acquisition;

ii.rights to use land, including the right to attach brackets or other equipment to buildings; or

iii.rights to carry out protective works to buildings

- 2.1.2 Part 1 of this Book of Reference contains the names and addresses of each person within Categories 1 and 2, as set out in Section 57 of the 2008 Act, along with the area of each plot of land in which the development will be carried out.
- 2.1.3 A person is within Category 1 if the Applicant, after making diligent inquiry, knows that they are an owner, lessee, tenant, or occupier of the land. A person is within Category 2 if they are interested in the land or have the power to sell and convey or release the land.
- 2.1.4 Parties recorded in Part 3 of this Book of Reference have also been included in Part 1.
- 2.1.5 The Applicant has taken the cautious approach of seeking powers of compulsory acquisition (or acquisition of rights) in respect of all plots of land required for the Project, even where it already holds an interest or presumes it holds an interest in the land. This approach has been taken to ensure that it has the right to acquire the interests it needs in respect of all of the land within the Order limits, even if an unidentified owner later asserts an interest in land which the Applicant believes it owns.

2.2 Part 2 Description

2.2.1 Regulation 7(1)(b) of the 2009 Regulations states:

Part 2 contains the names and addresses for service of each person within Category 3 as set out in section 57

- 2.2.2 Part 2 of this Book of Reference contains the names and addresses (if known by the Applicant) of each person within Category 3, as defined by Section 57 of the 2008 Act.
- 2.2.3 A person is within Category 3 if the Applicant believes that, if the DCO were to be made and fully implemented, they would or might be entitled to make a relevant claim as defined in section 57(6) of the 2008 Act. A relevant claim is a claim under section 10 of the Compulsory Acquisition Act 1965, a claim under part 1 of the Land Compensation Act 1973, or a claim under section 152(3) of the 2008 Act.

- 2.2.4 It is considered that Category 3 also includes:
 - a. Category 1 'Owners' where land is not being acquired.
 - b. All Category 1 'Lessees and Tenants'.
 - c. Any Category 2 interests for land within the Order limits.

2.3 Part 3 Description

2.3.1 Regulation 7(1)(c) of the 2009 Regulations states:

Part 3 contains the names of all those entitled to enjoy easements or other private rights over land (including private rights of navigation over water) which it is proposed shall be extinguished, suspended or interfered with

- 2.3.2 Part 3 of this Book of Reference contains the names of all those with easements or other private rights over land which it is proposed shall be extinguished, suspended or interfered with as part of the DCO.
- 2.3.3 Certain relevant category 2 persons included within Part 1 of this Book of Reference have also been included within Part 3 where their rights may be affected. Examples include statutory undertakers with services in or under the land, and whose rights over the land are likely to be affected whether the land is required permanently or temporarily.
- 2.3.4 Parties recorded in Part 3 of this Book of Reference have also been included in Part 1.

2.4 **Part 4 Description**

2.4.1 Regulation 7(1)(d) of the 2009 Regulations states:

Part 4 specifies the owner of any Crown interest in the land which is proposed to be used for the purposes of the order for which application is being made

- 2.4.2 For the avoidance of doubt, any land held by the Applicant no longer constitutes Crown Land. A transfer scheme made pursuant to the Infrastructure Act 2015 states that the "Highways Agency Designated Undertaking" which is defined as the property and rights which were held for the purposes of Relevant Highway Agency Purposes (activities carried out by the Highways Agency or those which concerned functions relating to the highways) is transferred to the Applicant. This includes, for example, all highways in England previously under the jurisdiction of the Highways Agency unless they have been specifically excluded. As the Applicant is not a government department, nor does it hold said interests on trust, these plots are not considered Crown Land (as per section 227 of the 2008 Act).
- 2.4.3 Crown Land shown in Part 4 of this Book of Reference can also be seen in the Crown Land Plans (Application Document 2.3).

2.5 Part 5 Description

2.5.1 Regulation 7(1)(e) of the 2009 Regulations states:

Part 5 specifies land –

i.the acquisition of which is subject to special parliamentary procedure;

ii.which is special category land;

iii.which is replacement land.

- 2.5.2 Part 5 of this Book of Reference specifies land that as part of the DCO is acquired subject to special parliamentary procedure, is special category land or is replacement land.
- 2.5.3 Special Category and Replacement Land shown in Part 5 of this Book of Reference can also be seen in the Special Category Land Plans (Application Document 2.4).

3 Book of Reference Notes

- 3.1.1 Parts 1, 3, 4 and 5 of this Book of Reference provide the area in square metres of all land included in the DCO. Plot descriptions and areas have not been repeated in Part 2 of this Book of Reference.
- 3.1.2 The term 'approximately' is used before all plot area measurements as these measurements are given in square metres and each measurement is rounded up to the nearest whole square metre.
- 3.1.3 Each plot of land shown in this Book of Reference has been given a unique reference. The first number relates to the Land Plans sheet on which the plot is located. The second number relates to the individual plot within that sheet, which are split down based on the powers sought over that land and ownership/interest boundaries.
- 3.1.4 The description of each plot of land includes reference to the principal land use power(s) sought in the draft DCO in respect of that plot. The table below is provided to explain the relationship between this Book of Reference, the draft Development Consent Order (Application document 3.1), and the Land Plans (Application document 2.2) and to clarify the powers sought in relation to compulsory acquisition and temporary possession.
- 3.1.5 Table 3.1 is provided to clarify how the descriptions of the principal land use power(s) in this Book of Reference relate to those found in the Land Plans. While there may be minor differences in language between the Book of Reference and the Land Plans, the extent of acquisition as set out in the relevant draft DCO Article remains the same. For example, plots shaded blue in the Land Plans are described as "Temporary Possession of Land and Permanent Acquisition of Rights", these plots use the shortened description of "Acquisition of rights over..." in this Book of Reference but should be read as having the same meaning as both refer to Article 28 of the draft DCO. "Temporary Possession of Land" is often added to either the Book of Reference or Land Plan description to make clear that land can also be subject to temporary possession powers under article 35(1)(a)(ii) of the draft DCO.

Table 3.1 Relationship with the Land Plans and DCO	
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Colour of the plot on Land Plans	Description on land plans	Description of the plot in the Book of Reference	Principal land use power sought	Principal relevant DCO Article
Pink	<i>"Permanent Acquisition of Land"</i>	<i>"All interests and rights in…"</i>	Compulsory acquisition of all interests and rights in land (including as required, subsoil, surface land or airspace)	Article 25
Blue	<i>"Temporary Possession of Land and Permanent Acquisition of Rights"</i>	"Acquisition of rights over"	Creation and compulsory acquisition of new rights (including where necessary, a right to impose restrictive covenants)	Article 28
Green	"Temporary Possession of Land"	"Temporary possession and use of"	Temporary possession and use of land	Article 35
Yellow	<i>"Permanent Acquisition of Subsoil and Rights"</i>	"Acquisition of subsoil and rights (including restrictions) over "	Compulsory acquisition of subsoil together with the creation and compulsory acquisition of new rights (including, where necessary, a right to impose restrictive covenants above that subsoil)	Article 33
Orange	"Permanent Acquisition of Subsoil and Rights and Temporary Possession of Land at Surface"	"Acquisition of subsoil and rights (including restrictions) and temporary possession and use of land at the surface of"	Compulsory acquisition of subsoil together with the creation and compulsory acquisition of new rights (including, where necessary, a right to impose restrictive covenants above that subsoil)	Article 33
Grey	<i>"Permanent Acquisition of Land"</i>	<i>"All interests and rights in…"</i>	Compulsory acquisition of all interests and rights in land (including as required, subsoil, surface land or airspace)	Article 25

3.2 How to use this Book of Reference

3.2.1 The table below provides a step -by -step guide to enable any person with an interest in the land to identify how the Applicant's proposals may affect the land in which they have an interest.

Table 3.2 How to use this Book of Reference

Step One			
Look at the Land Plans (Application document 2.2) and find the area (plot(s)) of land in which you have an interest.			
Step Two			
Note the colour and the number of the plot(s).			
Using table 3.1 above, the colour of the plot(s) will tell you of the purpose for which it is required.			
Step Three			
Use the plot(s) number to identify where the land is referred to in other DCO Application documents:			
This Book of Reference –			
Which provides a brief description of each plot (including an approximate area measurement) and details of persons who own, lease or otherwise occupy or have an interest in the land.			
The Statement of Reasons (Application document 4.1) –			
Particularly Annex A, which provides details of the purpose for which compulsory acquisition and temporary possession powers are sought and references each plot in the Book of Reference to these purposes.			
The draft Development Consent Order (DCO) (Application document 3.1) -			
Which contains the powers needed to carry out a scheme and includes the powers of compulsory acquisition to assemble the land required that are listed in Table 3.1.			

4 Book of Reference - Parts 1 to 5

Description	Page Numbers		
Book of Reference Part 1	Page 11		
Book of Reference Part 2	Pages 12 - 14		
Book of Reference Part 3	Page 15		
Book of Reference Part 4	Not included within this extract (no change to Crown land)		
Book of Reference Part 5	Not included within this extract (no change to special category land)		

Lower Thames Crossing Book of Reference Part 1					
Land plans plot ref.	Description of land	Category 1			Category 2
		Owners or reputed owners	Lessees or tenants	Occupiers	Category 2
16-41	Number not used	not used	not used	not used	not used
16-70		Station Road East Tilbury Essex RM18 8QR	Ingrebourne Valley Limited Cecil House Foster Street Harlow Common Harlow Essex CM17 9HY	Ingrebourne Valley Limited Cecil House Foster Street Harlow Common Harlow Essex CM17 9HY	Hanson Quarry Products Europe Limited Hanson House 14 Castle Hill Maidenhead Berkshire SL6 4JJ (<i>in respect of rights reserved by a transfer dated</i> 29-06-1984 <i>and rights reserved by a transfer dated</i> 31-03-1986) National Grid Electricity Transmission PLC 1 - 3 Strand London Greater London WC2N 5EH (<i>in respect of rights granted by an option agreement dated</i> 01-11-1984) Port of Tilbury London Limited Leslie Ford House Tilbury Freeport Tilbury Essex RM18 7EH (<i>in respect of rights granted by a deed dated</i> 01-11-1984 <i>and rights granted by a deed of grant dated</i> 06-11-1996) Unknown (<i>in respect of rights reserved by a conveyance dated</i> 03-06-1926, <i>rights reserved by a conveyance dated</i> 04-05-1928)

Lower Thames Crossing Book of Reference Part 2

Name and address for service of each person within Category 3

Hanson Quarry Products Europe Limited – Hanson House – 14 Castle Hill – Maidenhead – Berkshire – SL6 4JJ

(in respect of land in plot 16-33, 16-34, 16-36, 16-39, 16-40, 16-44, 16-54, 16-70, 20-44, 20-45, 20-49, 20-50, 20-54, 20-57, 20-67, 20-69, 20-71, 20-72, 20-81, 20-90)

Ingrebourne Valley Limited – Cecil House – Foster Street – Harlow Common – Harlow – Essex – CM17 9HY

(in respect of land in plot 16-03, 16-04, 16-06, 16-16, 16-19, 16-22, 16-23, 16-26, 16-29, 16-33, 16-34, 16-35, 16-36, 16-37, 16-38, 16-39, 16-40, 16-44, 16-50, 16-54, 16-70, 20-02, 20-03, 20-08, 20-11, 20-26, 20-40, 20-42, 20-44, 20-45, 20-46, 20-49, 20-50, 20-50, 20-53, 20-54, 20-57, 20-62, 20-67, 20-68, 20-69, 20-71, 20-72, 21-30, 40-09, 40-13, 40-15, 40-17, 40-19, 42-04, 42-20, 42-35, 42-37, 42-39, 42-51, 42-67, 42-86)

Melville Hamilton Lowe Mott – Goshems Farm – Station Road – East Tilbury – Essex – RM18 8QR

(in respect of land in plot 16-02, 16-03, 16-04, 16-05, 16-06, 16-19, 16-22, 16-23, 16-26, 16-29, 16-33, 16-34, 16-35, 16-37, 16-38, 16-40, 16-44, 16-54, 16-55, 16-58, 16-62, 16-66, 16-70, 17-08, 17-09, 19-06, 19-10, 19-11, 19-14, 19-16, 19-21, 19-22, 19-26, 19-27, 19-35, 19-36, 19-38, 20-02, 20-03, 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, 20-11, 20-26, 20-40, 20-42, 20-43, 20-44, 20-46, 20-48, 20-49, 20-50, 20-53, 20-54, 20-56, 20-57, 20-68, 20-71, 20-72, 20-90, 20-92, 20-93, 20-95, 21-19, 21-20, 21-24, 21-30, 21-32, 21-33, 21-34, 21-35, 21-36, 22-01, 22-02, 22-03, 22-04, 22-05, 22-06, 22-07, 22-08, 22-09, 22-10, 22-11, 22-12, 22-13, 22-14, 22-15, 22-16, 22-17, 22-18, 22-19, 22-20, 22-21, 22-22, 22-23, 22-24, 22-25, 22-27, 22-30, 22-31, 22-34, 22-35, 22-47, 22-61, 22-63, 22-75, 22-91, 22-116, 23-108, 23-112, 23-124, 23-126, 23-127, 23-133, 23-135, 23-144, 23-148, 23-150, 23-151, 23-154, 23-155, 23-157, 23-159, 23-161, 23-164, 23-166, 23-167, 23-168, 23-169, 23-174 and in respect of land outside the Order Limits)

Lower Thames Crossing Book of Reference Part 2

Name and address for service of each person within Category 3

National Grid Electricity Transmission PLC – 1-3 Strand – London – Greater London – WC2N 5EH

(in respect of land in plot 03-01, 03-05, 03-07, 03-09, 03-12, 03-15, 03-22, 03-44, 03-48, 03-49, 03-58, 03-60, 03-62, 03-64, 03-66, 03-67, 03-68, 03-69, 03-73, 03-75, 03-76, 03-78, 03-79, 03-81, 03-82, 03-83, 03-84, 03-85, 03-86, 03-88, 03-89, 03-96, 03-98, 03-108, 03-109, 03-114, 03-115, 03-118, 03-120, 03-121, 03-122, 03-127, 03-128, 03-129, 03-130, 03-134, 03-138, 03-139, 03-144, 03-145, 03-152, 04-05, 04-08, 04-09, 04-12, 04-17, 04-17, 04-17, 04-18, 03-140, 03-1 25, 04-30, 04-31, 04-32, 04-43, 04-49, 04-53, 04-57, 04-66, 04-66, 04-67, 04-68, 04-91, 04-112, 04-127, 04-128, 04-158, 04-160, 04-169, 04-175, 04-175, 04-187, 04-191, 04-196, 04-199, 04-201, 04-202, 04-203, 04-203, 04-204, 205, 04-206, 04-207, 04-209, 04-213, 04-215, 04-229, 04-230, 04-233, 04-239, 04-239, 04-243, 04-259, 04-260, 04-272, 04-273, 05-01, 05-04, 06-06, 06-10, 06-10, 06-16, 06-24, 06-26, 06-27, 06-36, 06-40, 06-46, 06-47, 06-48, 06-48, 06-4 50, 06-52, 06-54, 06-55, 06-56, 06-57, 06-59, 06-62, 06-66, 06-71, 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Port of Tilbury London Limited – Leslie Ford House – Tilbury Freeport – Tilbury – Essex – RM18 7EH

(in respect of land in plot 16-02, 16-03, 16-04, 16-05, 16-06, 16-07, 16-09, 16-10, 16-12, 16-13, 16-15, 16-18, 16-19, 16-20, 16-22, 16-23, 16-25, 16-26, 16-28, 16-29, 16-30, 16-32, 16-33, 16-34, 16-35, 16-36, 16-39, 16-40, 16-44, 16-54, 16-65, 16-66, 16-70, 17-01, 17-02, 17-03, 17-04, 17-05, 17-06, 17-08, 17-09, 18-01, 18-02, 18-03, 18-04, 18-06, 18-07, 18-08, 18-09, 18-10, 20-02, 20-03, 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, 20-11, 20-17, 20-18, 20-23, 20-25, 20-26, 20-27, 20-30, 20-33, 20-35, 20-39, 20-40, 20-41, 20-42, 20-44, 20-45, 20-46, 20-47, 20-49, 20-50, 20-54, 20-57, 20-58, 20-61, 20-67, 20-69, 20-71, 20-72, 20-81, 20-90, 21-01, 21-02, 21-03, 21-04, 21-05, 21-06, 21-07, 21-08, 21-09, 21-10, 21-14, 21-15, 21-16, 21-18, 21-19, 21-20, 21-20, 21-30, 21-32, 21-33, 21-34, 21-35, 21-36, 23-30, 23-43, 23-52 and 23-68)

Lower Thames Crossing Book of Reference Part 2

Name and address for service of each person within Category 3

Unknown

(in respect of land in plot 01-01, 01-13, 02-09, 02-10, 02-11, 03-04, 03-09, 03-39, 03-53, 03-54, 03-62, 03-68, 03-79, 03-107, 03-119, 03-149, 04-08, 04-10, 04-12, 04-13, 04-14, 04-17, 04-23, 04-25, 04-28, 04-37, 04-38, 04-88, 04-96, 04-103, 04-123, 04-131, 04-134, 04-135, 04-144, 04-145, 04-173, 04-174, 04-175, 04-179, 04-183, 04-185, 04-186, 04-191, 04-200, 04-203, 04-225, 04-254, 04-257, 04-274, 05-04, 06-09, 06-48, 06-55, 06-62, 89, 06-103, 06-147, 06-197, 06-200, 06-201, 06-205, 06-207, 06-208, 07-06, 07-35, 07-47, 07-48, 08-08, 09-69, 10-19, 11-02, 11-03, 11-04, 11-05, 11-06, 11-07, 11-10, 11-11, 11-12, 11-13, 11-15, 11-16, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-20, 11-17, 11-10, 11-17, 11-20, 11-17, 11-10, 11-10, 11-17, 11-10, 11-17, 11-10, 11-17, 11-10, 11-17, 11-10, 11-10, 11-17, 11-10, 11-17, 11-10, 11-17, 11-10, 11-17, 11-10, 11-17, 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Lower Thames Crossing Book of Reference Part 3			
Land plans plot ref.	Description of land	Names of all those entitled to enjoy easements or other private rights over land (including private rights of navigation over water), which it is proposed shall be extinguished, suspended or interfered with	
	DCO) over approximately 5,832 square metres of footway carrying national trail (Thames Estuary Path) and national cycle network route (13),	Hanson Quarry Products Europe Limited Hanson House 14 Castle Hill Maidenhead Berkshire SL6 4JJ (<i>in respect of rights reserved by a transfer dated 29-06-1984 and rights reserved by a transfer dated 31-03-1986</i>) National Grid Electricity Transmission PLC 1 - 3 Strand London Greater London WC2N 5EH (<i>in respect of rights granted by an option agreement dated 01-11-1984</i>) Port of Tilbury London Limited Leslie Ford House Tilbury Freeport Tilbury	
		Essex RM18 7EH (<i>in respect of rights granted by a deed dated 01-11-1984</i> <i>and rights granted by a deed of grant dated 06-11-1996</i>) Unknown (<i>in respect of rights reserved by a conveyance dated 03-06-1926</i> , <i>rights reserved by a conveyance dated 15-03-1927</i> <i>and rights granted by a deed of agreement dated 04-05-1928</i>)	

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