

THIS CONVEYANCE is made the 21st day of September 1954 BETWEEN THE MOST NOBLE GEORGE GRANVILLE DUKE and EARL OF SUTHERLAND, K.T.,P.C., of Sutton Place Guildford in the County of Surrey (hereinafter called "the Settlor") of the one part and THE MAYOR ALDERMEN AND BURGESSES of the Borough of Guildford (hereinafter called "the Trustees") of the other part

WHEREAS :-

- (1) Under a Vesting Deed dated the 20th day of August 1930 and made between The Most Noble Niall Diarmid Duke of Argyll and The Right Honourable Eric Viscount Chaplin of the one part and the Settlor of the other part the property hereinafter described and hereby conveyed (being part of the Settled Lands comprised in the said Vesting Deed) is vested in the Settlor in fee simple free from incumbrances
- (2) In order to provide a Public Recreation Ground and Playing Field as a War Memorial to the residents of Burpham near Guildford in the County of Surrey who were killed on active service during the late War the Settlor is desirous of granting the property hereinafter described to the intent that the same shall be held for the purposes authorised by the Recreation Grounds Act 1859 and the Trustees have agreed to act as such Trustees as aforesaid
- (3) The expression "residents of Burpham" shall mean and include those persons from time to time residing within the boundary for the time being of the ecclesiastical parish of Burpham-cum- Sutton which is situated at the date hereof partly within the Borough of Guildford and partly within the Rural District of Guildford
- (4) Under a Settlement dated the 13th day of September 1909 and made between the Most Noble Cromartie Duke and Earl of Sutherland K.G. of the one part and the said the Most Noble Niall Diarmid Duke of Argyll and The Right Honourable Eric Viscount Chaplin (therein called "Niall Diarmid Campbell" and "Eric Chaplin" respectively) of the other part the Settlor as tenant for life of the said Settlement has power to grant gratuitously any part or parts of the hereditaments subject to the said Settlement in fee simple for the purposes hereinbefore expressed and declared in respect of the land hereinafter granted and conveyed

- (5) Planning permission for the use of the land hereby conveyed as a Recreation Ground and Playing Field has been granted by the Local Planning Authority under the Town and Country Planning Act, 1947

N O W T H I S D E E D W I T N E S S E T H :-

1. The Settlor in exercise of the powers conferred upon him by Section 55 of the Settled Land Act 1925 as enlarged by the said Settlement and of every other power hereunto enabling him hereby as Settlor freely and voluntarily and gratuitously grants and conveys unto the Trustees ALL THAT piece or parcel of land situate in the Parish of Burpham-cum-Sutton in the County of Surrey forming part of the Sutton Place Estate and bounded on the south west side thereof by a road known as Jacobs Well Road and on the south east thereof by the London Road which said piece or parcel of land comprises 5.37 acres or thereabouts and is for the purpose of identification only and not by way of admeasurement delineated on the plan attached hereto and thereon coloured pink (hereinafter called "the said lands") EXCEPT AND RESERVING in fee simple unto the Settlor and his successors in title the owner or owners of the adjoining land known as Bowers Farm the right to the free passage and running of water and soil from the said adjoining land through the drains and pipes in or under the said lands or which may be constructed therein or thereunder and the right to enter upon the said lands for the purpose of repairing and cleansing the said drains and pipes or removing therefrom any obstruction the Settlor and his successors in title making good all damage thereby occasioned TO HOLD the same unto the Trustees in fee simple upon the Trust following namely for the perpetual use thereof as a Public Recreation Ground and Playing Field for the purposes of the Recreation Grounds Act 1859 as a Memorial to the residents of Burpham who were killed on active service during the late War and for no other purpose whatsoever except that the Trustees may from time to time sell part or parts of the said land not exceeding one acre in total to the appropriate highway authority for the purpose of road widening and improvements and apply the proceeds of any such for the purpose of preparing maintaining and preserving the remainder of the said land as a recreation ground and playing field
2. The management of the said land shall be vested in the following persons (hereinafter called "the Managers") namely ARTHUR WILLIAM HENRY THEODOSIUS Clerk in Holy Orders for so long as he shall remain Vicar of the said Parish of Burpham-cum-Sutton VIDA BEATRICE CONSTANCE COLLINS of Ormond Hawthorn Way Burpham aforesaid the wife of

Walter George Collins Licensed Valuer ARTHUR MANFIELD of London Road Burpham aforesaid Tobacconist and Newsagent MAURICE TREVOR EDGELEY of Amberley London Road Burpham aforesaid Chartered Surveyor KENNETH RENE VELDE of Burfield Number 5 Winterhill Way Burpham aforesaid Insurance Official ROBERT DICKIE of Wylea London Road Burpham aforesaid Company Director and OLIVER EDWIN GARSIDE of Pantiles Garage Burpham aforesaid Motor Engineer

3. If any of the Managers shall die or retire or become ineligible under clause 4 hereof to act as Manager the following persons shall jointly have power to appoint a successor to act in his place namely the Vicar for the time being of the said Parish of Burpham-cum-Sutton the Mayor for the time being of the Borough of Guildford and the Settlor for so long as he shall remain tenant for life of the Sutton Place Estate The Vicar for the time being of the said Parish shall be one of the Managers ex officio provided that in case any of the said appointors shall fail or neglect or be unable to act the said appointment may be made by such of the appointors who are able and willing to act jointly with the Trustees or by the Trustees alone
4. (a) No person other than the said Vicar for the time being shall be appointed or continue to act as Manager of the said land who shall not at the date of appointment be and remain a resident of Burpham
(b) The number of Managers shall not be less than three nor more than seven Three Managers personally present shall form a quorum at any meeting of Managers and the Chairman at any such meeting shall have a casting vote
5. The Trustees with intent to bind themselves or other the Trustees for the time being of the said land and with intent to bind the property hereby conveyed do hereby covenant with the Settlor and his successors in title the owner of owners for the time being of the land situate on the north east boundary of the said land and the Sutton Place Estate generally as follows.-
 - (a) That no house building or other erection shall be erected or put upon the said land other than and except Pavilions or Summer Houses or other buildings of a similar kind adapted to promote or improve the convenient use of the said land for the purposes of a Recreation Ground or Playing Field for the benefit as the Trustees shall determine of the Public or any other such persons as may be the object of benefit under the Trust hereby created any such Pavilions Summer Houses or other buildings to be approved by the Settlor or his agent

(b) Forthwith to erect and forever to maintain a substantial and cattle proof fence round the said land or the remainder of the said land after any sale in accordance with Clause 1 hereof to the satisfaction of the Settlor or his agent

(c) Subject to the power of sale contained in Clause 1 hereof not to use the said land for any purpose whatsoever other than that of a Recreation Ground and Playing Field

6. IT IS HEREBY CERTIFIED 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 property hereby transferred exceeds three thousand pounds

IN WITNESS whereof the Settlor has hereunto set his hand and seal and the Trustees have caused their Common Seal to be affixed the day and year first before written

SIGNED SEALED AND DELIVERED by
the said MOST NOBLE GEORGE
GRANVILLE DUKE AND EARL OF
SUTHERLAND, K.T., P.C., in the
presence of:-

SUTHERLAND

L.S.

Robt. T. Gates,
Sutherland Estates Office,
Sutton Place,
Nr. Guildford.

Financial Secretary

Certified a true copy of the Conveyance
of 5.37 acres of the land to Guildford
Corporation and the Trustees of the
Burpham War Memorial Committee.

Agent to the Duke of Sutherland
R.T. Gates.

SEAL

(THE COMMON SEAL OF THE MAYOR
(ALDERMEN AND BURGESSES OF THE
(BOROUGH OF GUILDFORD was hereto
(affixed in the presence of:-

