

ADULT CARE – DEEDS
LE/PR/51/TTL/19/019 WO

MINUTE OF WAIVER
by
THE SCOTTISH MINISTERS
in favour of
PERTH AND KINROSS COUNCIL

2020

**Subjects: Beechgrove Site, Hillend
Road, Perth**

Head of Legal & Governance Services
Perth and Kinross Council
2 High Street
PERTH
PH1 5PH

FAS 0847



Pa∓KC ID#26/2/202109:07:40

WHEREAS throughout these presents the following expressions shall have the meaning set opposite them unless the context requires otherwise

- the Subjects ALL and WHOLE that plot or area of ground lying to the south of Muirend Road in the City and County of Perth extending to One hectare and eighty-nine decimal or one thousandth parts of a hectare or thereby and being the subjects and others more particularly described in, disposed by and shown coloured pink on the plan annexed and executed as relative to the Burden Writ,
- the Burden Writ Disposition by The Secretary of State for Scotland in favour of The Tayside Regional Council dated Sixth September and recorded in the Division of the General Register of Sasines applicable to the County of Perth on Twenty-fourth October both months in the year Nineteen hundred and eighty-four,
- the Condition Clause 1. of the Schedule of Conditions annexed and executed as relative to the Burden Writ which provided that, inter alia, the Subjects were to be used as an Old People's Home in all time coming, and for no other use whatsoever,
- the Granters **THE SCOTTISH MINISTERS,**
- the Proprietor **PERTH AND KINROSS COUNCIL,** incorporated under the Local Government etc (Scotland) Act 1994, and having its principal offices at Two High Street, Perth, PH1 5PH and their successors in/



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in title to the Subjects, and

the Development The development of the Subjects for use as both private residential and social housing.

AND WHEREAS:-

- (One) The Subjects are affected by the Condition;
- (Two) The Proprietor is the proprietor of the Subjects, by virtue of The Local Government etc. (Scotland) Act 1994 and Article 3 of the Local Authorities (Property Transfer) (Scotland) Order 1995 and wishes to carry out the Development on the Subjects;
- (Three) Without the granting of these presents the Development would be in contravention of the Condition (as subsequently amended and/or varied from time to time); and
- (Four) The Proprietor has requested the Granters to grant these presents which the Granters have agreed to do;

NOW THEREFOR:-

The Granters by their execution of these presents Do Hereby DISCHARGE the Condition to the effect that the Granters no longer have any title to enforce the Condition; DECLARING however that nothing contained in these presents shall be construed as varying or discharging any other real burden, condition, obligation, restriction/



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restriction and provision contained in the Burden Writ, or the Schedule of Conditions annexed thereto; And the Granters and the Proprietor consent to registration of these presents in the Division of the General Register of Sasines applicable to the County of Perth: IN WITNESS WHEREOF these presents consisting of two preceding pages were signed and sealed by me Morag Angus, Chief Surveyor and Authorised Signatory of the Scottish Ministers at Edinburgh on the Fifth day of December Two thousand and twenty before this witness, Hugh Donald Walter Angus, 55-63 Perwick Street, Edinburgh.


38(1)(b)


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