



Isle of Man
Government

Reiljts Ellan Vannin

The Isle of Man Land Registry

Application Number:	201001255
Applicants:	Peter Keith Allen & Jane Vyvyan Allen
Property:	Land at the rear of Eairy Veg Village and Parish of Ballaugh Isle of Man IM7 5EF ("the Property")
Objectors:	David Vernon & Christine Ann Vernon

Decision of G. E. Anderson, Legal Officer (Land), Assistant Chief Registrar in respect of a hearing held in the Registries Meeting Room, Registries Section, Deemsters Walk, Bucks Road, Douglas at 10.00am on Wednesday the 11th July 2012

1. Hearing

The hearing was convened in terms of Rule 120(1) of the Land Registry Rules in order to consider two issues arising out of and which are referred to at paragraphs 12 and 13 of the Decision dated the 4th June 2012 of the Registrar ("the Decision"), namely:

- 1.1 the determination of the dimensions and the extent of the Property which is the subject matter of the application for first registration of the freehold estate with an absolute title under application number 201001255 lodged by the applicants; and
- 1.2 the award of legal costs in respect of the proceedings of the hearings held on the 25th April 2012 and the 11th July 2012.

2. Representation of the parties

The Applicants are Peter Keith Allen and Jane Vyvyan Allen represented by Mr T McDonald, advocate of the firm of Carter Jones McDonald.

The objectors are David Vernon and Christine Ann Vernon represented by Ms K Clough, advocate of the firm of Callin Wild.

3. Order

By an agreement made between the parties, it is hereby ordered that:

- 3.1 the strip of land which is defined in the Schedule to the 1920 Conveyance referred to in the Decision shall be rectangular in shape and with the following dimensions:



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- (a) four feet and six inches wide measured from the inside surface of the Manx stone wall which is the southern boundary of the Property; and
 - (b) extending along its length from the western boundary of Roslyn Cottage to a line being the extension of the western boundary of Eairy Veg and the boundary of the property held under Title Number 22-00161; and
- 3.2 the applicants are to erect along the northern boundary of the Property between the points to be marked "X" and "Y" on the Filed Plan, a fence two metres high made of larch lap panels which are substantially similar to the fence erected on the western boundary of the property known as "Roslyn Cottage"; and
- 3.3 within a period of fourteen (14) days from the date of this Order, the objectors are to pay to the applicants an amount of £3,500 (three thousand five hundred pounds) as agreed costs in respect of the proceedings on the hearings.

Dated at Douglas on the 31st day of July 2012

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G. E. Anderson
Assistant Chief Registrar
Legal Officer (Land)

IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN

IN THE MATTER of the application dated the 11th day of September 2012 of the Applicants for issue of Execution in respect of paragraph 3.3 of the foregoing decision

**His Worship the High Bailiff
J.A. Needham**

Upon consideration of the said application of the Applicants **EXECUTION** is awarded hereon against the Objectors in favour of the Applicants for the sum of £3,500.00 (Three thousand five hundred pounds) being the agreed costs of the Applicants ordered to be paid by the Objectors in terms of paragraph 3.3 of the said foregoing Decision dated the 31st day of July 2012

Dated this 19th day of September 2012



SEAL OF THE HIGH COURT