

**STATUTORY DECLARATION**  
**SECTION 31(6) OF THE HIGHWAYS ACT 1980**

**I, MICHELLE JACQUELINE RUTHERFORD** of Bramshill Manor Guildford Road Ottershaw Surrey **DO SOLEMNLY AND SINCERELY DECLARE** as follows:-

1. I together with my Husband **ANDREW PAUL RUTHERFORD** have since 30<sup>th</sup> April 2002 been the owners of the land known as Bramsmill Manor Guildford Road Ottershaw Surrey ("the Property") more particularly delineated on the plan produced and shown to me and marked "MJR1" and thereon edged red
2. From our enquiries prior to our purchase of the Property Runnymede Borough Council confirmed that there were no public paths bridleways or roads crossing the property shown on a definitive plan prepared under part IV of The National Parks & Access to the Countryside Act 1949 or Part III of The Wildlife and Countryside Act 1981.
3. On 20<sup>th</sup> September 2001 Maurice Robert Mandry of Maurice Mandry Limited who is a predecessor in Title gave a Statutory Declaration concerning the track adjoining the Western boundary of the Property a copy of which is produced and shown to me and marked "MJR 2"
4. On 2<sup>nd</sup> November 2001 Colin Michael Brooks the Chairman and Managing Director of Bewley Homes plc my immediate predecessor in title swore a Statutory Declaration concerning the track running from the land to the South of the Property and then to the North a copy of which is now produced and shown to me and marked "MJR3"
5. No accessways have been dedicated over the Property by myself or any predecessor in Title to my knowledge
6. At the time of our purchase of the Property I was informed by Bewley Homes plc that "Private Property – Keep Out" Notices had been erected on all boundaries of the Property and post-and-rail fences also erected on all boundaries. Since our purchase of the Property I am not aware of anyone using any pathways crossing the Property.

7. In accordance with the provisions of Section 31 of the Highways Act 1980 I declare that there are no public rights of way of any sort over the Property and nor do I or my co-owner recognise any public right of way whatsoever

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835

DECLARED at 57 Hersham Road,  
Waltham-on-Avon, Surrey  
this 20<sup>th</sup> day of June 2002



A Solicitor

J. C. READ

A SOLICITOR EMPOWERED  
TO ADMINISTER OATHS

"MJR1"

This is the Exhibit marked "~~MRJ1~~" referred to in the Affidavit of MICHELLE

JACQUELINE RUTHERFORD sworn this 20<sup>th</sup> day of June

2002

Before me



J. C. READ

A Solicitor

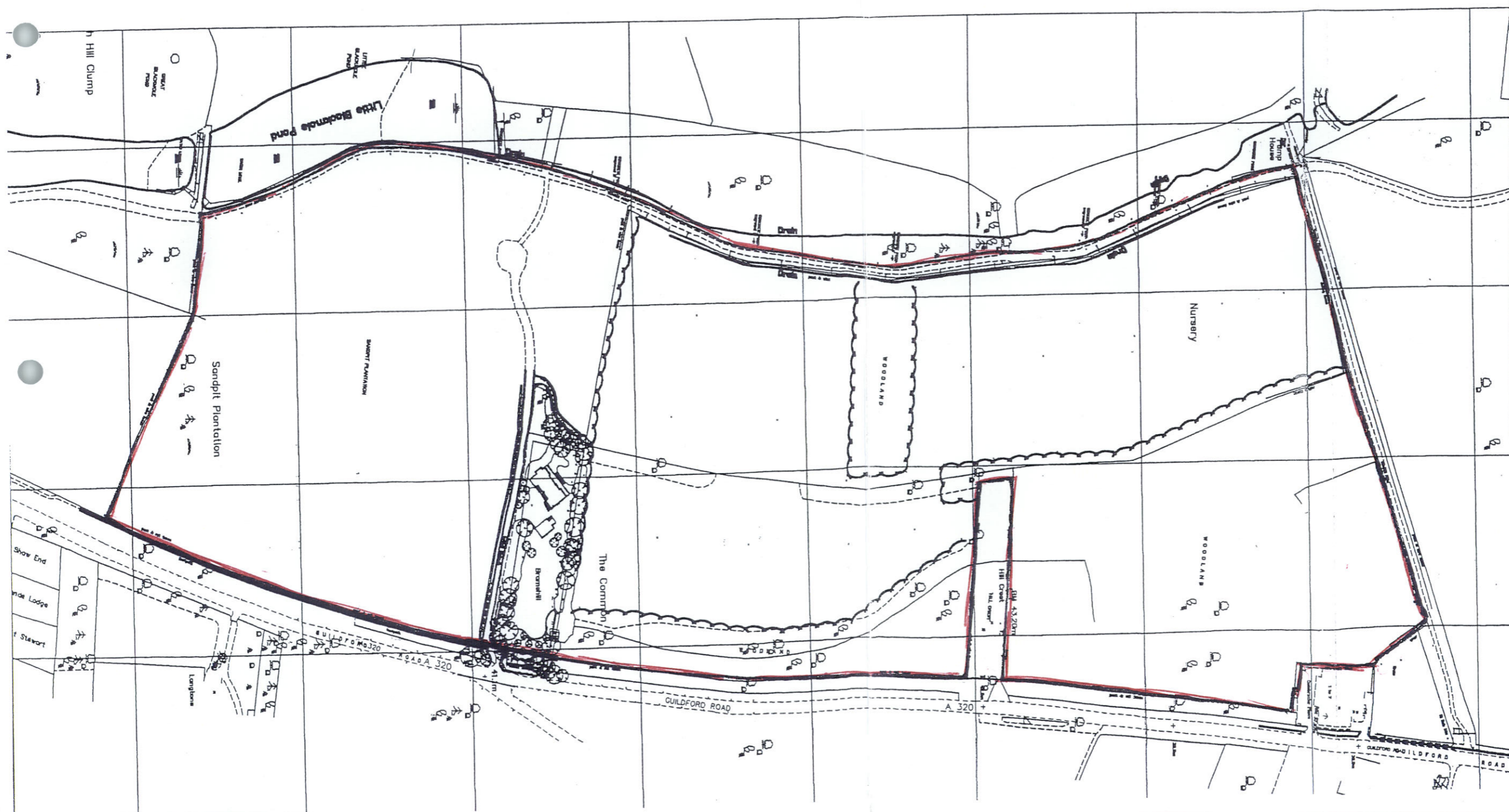
A SOLICITOR EMPOWERED  
TO ADMINISTER OATHS

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NOTES:

1

MJR 1



Revision	By	Date	Sett'd

Drawing Number: 01016-0T-02

Client: **BEWLEY HOMES**

Project: GUILDFORD ROAD OTTERSHAW

Drawing Title: CONVEYANCE PLAN

Scale	Drawn	Date	Checked	Date
1:2500 AT A3	CAD	MAR 2001		

Calvea Design Services  
CONSULTING CIVIL AND PROFESSIONAL ENGINEERS  
110 - EAST LANE - BIRMINGHAM - BARBICANE - B21 3PL  
Telephone 0121 647 4847 Facsimile 0121 647 4847

This is the Exhibit marked <sup>"MSR2"</sup> "MRJ2" referred to in the Affidavit of MICHELLE  
JACQUELINE RUTHERFORD sworn this 20<sup>th</sup> day of June  
2002

Before me



A Solicitor

J. C. READ

A SOLICITOR EMPOWERED  
TO ADMINISTER OATHS

MJRZ

solicitors

Dated 20th September 2001

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**Statutory Declaration  
of  
Maurice Robert Mandry**

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**Collyer-Bristow  
4 Bedford Row  
London WC1R 4DF**

**IRW/B4602.71/ysr**

I, MAURICE ROBERT MANDRY of

do solemnly and sincerely declare as follows:-

1. Since about 1968 I have been well acquainted with the property ("the Property") known as Bramshill Guildford Road Chertsey Surrey, the approximate extent of which is shown on the plan now produced to me and marked "MRM1" and thereon delineated red.
2. The Property was acquired by me personally and by my company Maurice Mandry Limited in a number of different parcels between 1968 and 1998.
3. The first parcel acquired was the land comprising the whole of the western part of the Property which was registered in the name of Maurice Mandry Limited on 27 November 1968 at HM Land Registry under Title No. SY379622 with title absolute.
4. Since 1968 there has been a track ("the Track") within and neighbouring adjoining the western boundary of the Property which runs from land to the south of the Property and then to the north where the Track continues through Ottershaw Park. During my ownership I always tried to prevent use of the Track by anybody and anyone found using the Track has been considered by me to be trespassers.
5. To the best of my knowledge and belief since 1968 until I disposed of the Property to Bewley Homes plc in the year 2000 no-one has ever claimed to have rights to use the Track nor have I ever granted licence to anyone to use the Track, and I verily believe that the owner of the Property is entitled to prevent any third party from using the Track.
6. I make this Declaration from my own knowledge of the Property.

And I make this solemn declaration conscientiously believing it to be true and by virtue of the provisions of the Statutory Declarations Act 1835

Declared at *66 Guildford Street*  
*Chertsey Surrey*

this *2<sup>nd</sup>* day of *September* 2001

Before me,

Solicitor/Commissioner for Oaths

*Brenda Jane Sanders*

This is a plan marked "MRM 1" referred to in the Statutory Declaration of Maurice Robert  
Mandry declared before me this 2<sup>nd</sup> day of September 2001

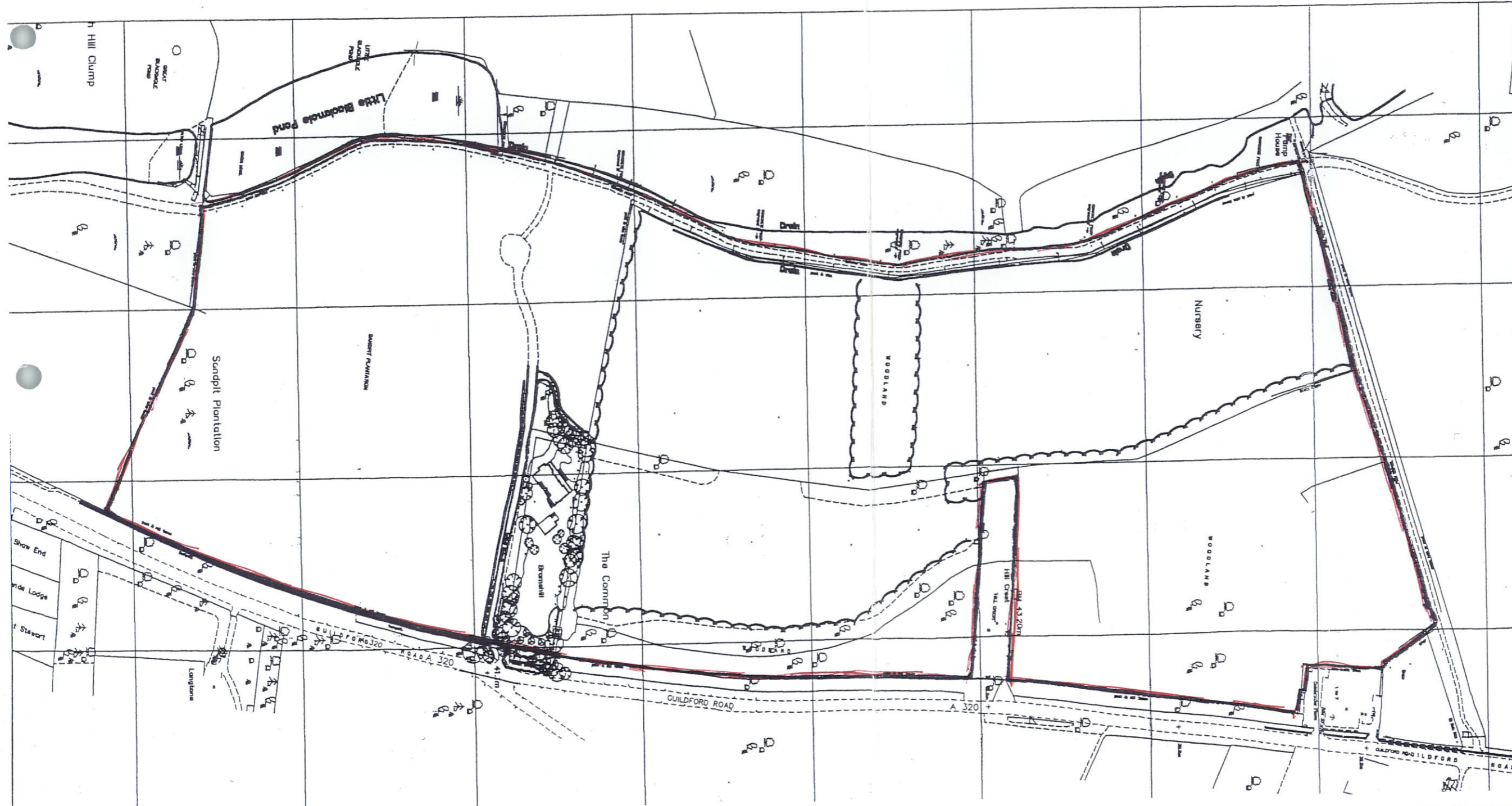
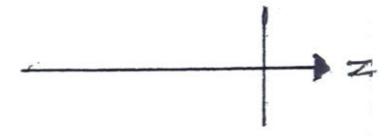
  
Solicitor/Commissioner for Oaths

BRUNDA JANE SANDERS



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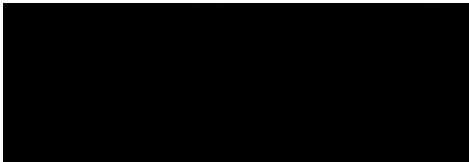
NOTES:  
2



APPROVED BY	DATE	BY	DATE	BY	DATE
Revision		By	Date		
Drawing Number	01016-0T-02				
Client					
Project	GUILDFORD ROAD OTTERSHAW				
Drawing Title	CONVEYANCE PLAN				
Scale	1:2500 AT A3				
Drawn					
	CAD		MAR 2001		
<b>Calleva Design Services</b> CONSULTING CIVIL AND STRUCTURAL ENGINEERS 200 - GUY LOU - BURGESS - BURGESS - 2001 975 Telephone 01256 474347 Facsimile 01256 474347					

This is the Exhibit marked "<sup>MJR3</sup>MRJ3" referred to in the Affidavit of MICHELLE  
JACQUELINE RUTHERFORD sworn this 20<sup>th</sup> day of June  
2002

Before me



A Solicitor

J. C. READ

A SOLICITOR EMPOWERED  
TO ADMINISTER OATHS

Dated 5 November 2001

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Statutory Declaration  
of  
Colin Michael Brooks

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Collyer-Bristow  
4 Bedford Row  
London WC1R 4DF

IRW/B4602.71/mb

I, COLIN MICHAEL BROOKS of Inhurst House Brimpton Road Baughurst Hampshire RG26 5JJ do solemnly and sincerely declare as follows:-

1. I am the Chairman and Managing Director of Bewley Homes plc ("Bewley")
2. Since mid 1998 I have been well acquainted with the property ("the Property") known as Bramshill Guildford Road Chertsey Surrey, the approximate extent of which is shown on the plan now produced to me and marked "CMB1" and thereon delineated red.
3. The Property was acquired by Bewley in two parcels, namely the site of the new house erected on the Property on 1 December 1999 and the remainder on 2 May 2000
4. Since Bewley completed its purchase of the first parcel of land there has been a track ("the Track") within and neighbouring the western boundary of the Property which runs from land to the south of the Property and then to the north where the Track continues through Ottershaw Park. During Bewley's ownership Bewley has always tried to prevent use of the Track by anybody and anyone found using the Track has been considered by Bewley to be trespassers.
5. To the best of my knowledge and belief since 1 December 1999 no-one has ever claimed to have rights to use the Track nor has Bewley ever granted licence to anyone to use the Track, and I verily believe that the owner of the Property is entitled to prevent any third party from using the Track.
6. I make this Declaration from my own knowledge of the Property.

And I make this solemn declaration conscientiously believing it to be true and by virtue of the provisions of the Statutory Declarations Act 1835

Declared at Pinnaus Rd. 47 Castle Street  
Reading RG1 7SR  
this 5 day of November 2001

[Redacted]  
(Bewley Homes P.L.C)  
DIRECTOR

Before me

Solicitor/Commissioner

This is a plan marked "CMB 1" referred to in the Statutory Declaration of **Colin Michael Brooks** declared before me this **5** day of **November** 2001

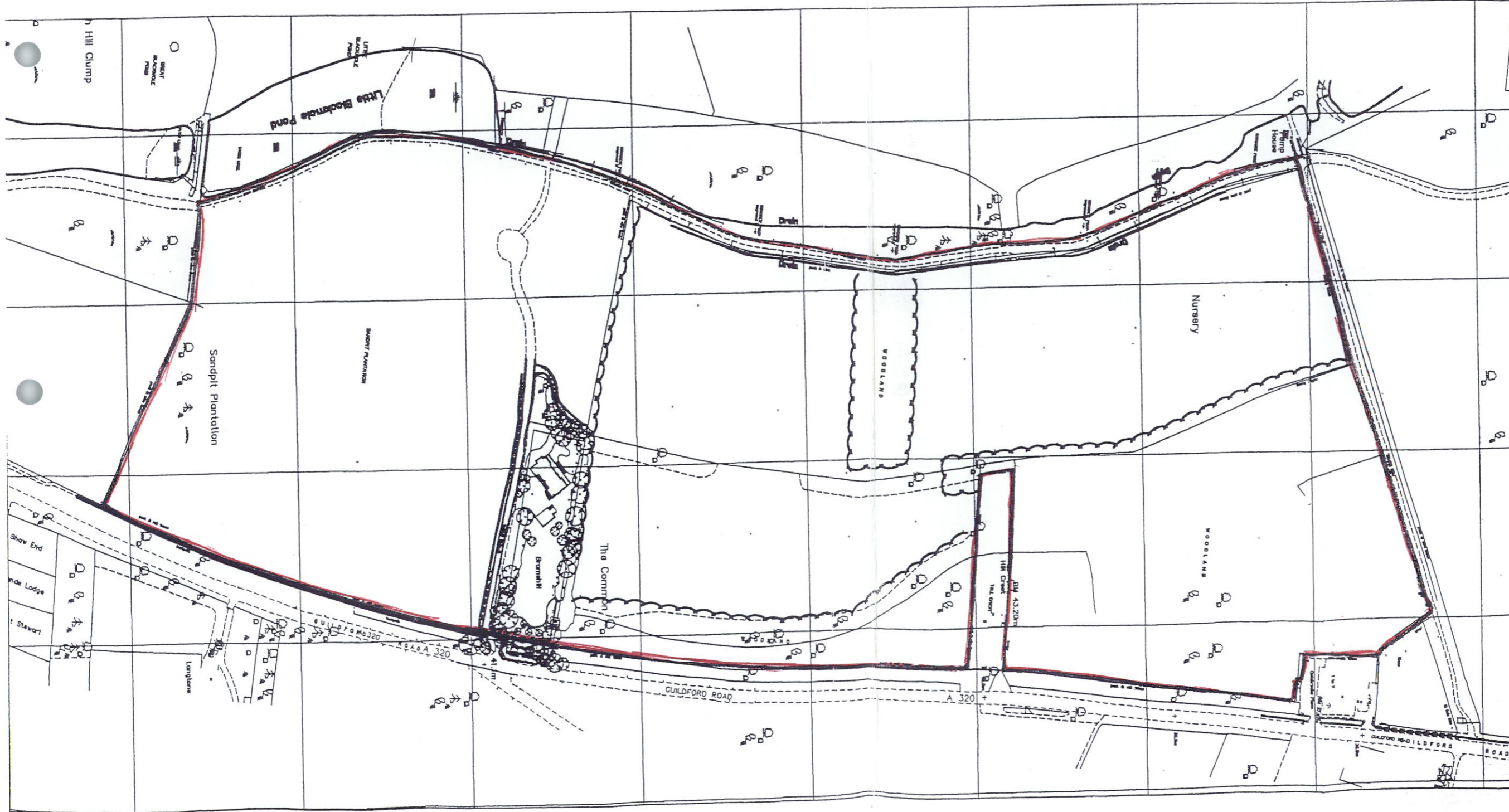


(**BENLEY HOMES P.L.C.**)  
**DIRECTOR**

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NOTES:

3



APPROVED BY	DATE	BY	DATE	BY	DATE
Revision details		By	Date	Rev	
Drawing Number		Revision			
01016-OT-02					
Client					
<b>BEWLEY HOMES</b>					
Project					
GUILDFORD ROAD OTTERSHAW					
Drawing Title					
CONVEYANCE PLAN					
Scale					
1:2500 AT A3					
Drawn					
CAD					
Date					
MAR 2001					
Checked					
Date					
Calleva Design Services					
CONSULTING CIVIL AND STRUCTURAL ENGINEERS					
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