



Title Information: MID49202

Search summary

Date/Time of search	14-01-2020 11:21:13
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Transaction number	SCO-04536770
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User Reference	
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Section A**MID49202**

Property

Date of first registration	26-09-2003
Date title sheet updated to	26-09-2003
Date land certificate updated to	26-09-2003
Hectarage Code	0
Interest	SUPERIOR/PROPRIETOR
Map Reference	NT2674SE
Title Number	MID49202
Cadastral Unit	MID49202
Sasine Search	29021
Property address	10 LONDON ROAD, EDINBURGH EH7 5AP

Description

Subjects 10 LONDON ROAD, EDINBURGH EH7 5AP within the land edged red on the Title Plan, being the westmost shop in the tenement 10, 11, 12 and 13 LONDON ROAD; Together with (One) a pro indiviso right in common with the other proprietors of said tenement to the solum or piece of ground on which the said tenement is erected and to the drains, soil and other pipes and all others common and mutual to the said tenement, under the declaration however that the proprietors of the subjects in this Title shall have no right, title or interest in (a) the concrete roof or court behind the said tenement reserved to the proprietors of the dwellinghouses in inter alia the said tenement or of access thereto and (b) the common passage and stair within the said tenement; (Two) right of access to the roof of the said tenement by the said common passage and stair and the hatchway at the top thereof for the purpose of sweeping vents and executing repairs, and t the drains, soil and other pipes and all others common and mutual to the said tenement.

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Section B**MID49202**

Proprietorship

MARY FRANCIS MURPHY 43/2, Featherhall Avenue, Edinburgh.

Entry number	1
Date of registration	26-09-2003
Date of Entry	23-09-2003
Consideration	£50000

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Section C**MID49202**

Securities

Entry number	1
Specification	Standard Security by said MARY FRANCIS MURPHY to ROYAL BANK OF SCOTLAND PLC.
Date of registration	26-09-2003

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Section D

MID49202

Burdens

Number of Burdens: 3

Burden 1

Feu Charter by Trustees of James Dunbar, with consent, to Margaret McDonald Ferguson or Dunbar and her heirs and assignees, recorded G.R.S. (Edinburgh) 13 Aug. 1900, of (First) Building Stance or area of ground, with tenement of shops and dwellinghouses 1, 2, 3, and 4 Maryfield, London Road, Edinburgh (Second) Building Stance or area of ground, with tenement of shops and dwellinghouses 5, 6, 7, 8 and 9 Maryfield, London Road and (Third) Building Stance or area of ground, with tenement of shops and dwellinghouses 11, 12 and 13 Maryfield, London Road, contains the following burdens:

Reserving to us and our successors as proprietors of the Factory behind Elgin House right to the fireplace and flues formed in the back wall of said tenements for the use of our said factory and offices and with right to use the said back wall below the level of the concrete roof on court behind said tenement all free of charge with right of access in all time coming to us and our foresaids by the common passage and stair in the tenement forming the centre block number seven Maryfield aforesaid to the roof thereof for the purpose of cleaning and repairing said flues and for other necessary purposes as also with right to our said disponee and her foresaids free of charge to form connections with and use the main-drain belonging to us partly under said Factory partly under said back court and partly under the pend passing through Elgin House feu to the common sewer under Easter Road with right of access thereto on all necessary occasions our said disponee and her foresaids however paying one half share of the expense of maintaining and renewing said main drain with right of access to the same and the connecting drains on all necessary occasion.

(First)

That our said disponee and her successors shall for ever maintain the tenements erected on the subjects hereby disposed in good and sufficient repair and in case of waste or destruction by fire or otherwise of the said subjects or any part thereof they oblige themselves on their own charges to rebuild or repair the same in a substantial and sufficient manner within one year thereafter or so as soon as the operations of the other proprietors in the tenement whose properties may have also been damaged or destroyed shall permit agreeably to the original plans elevations and specifications of the tenements and to the satisfaction of us or our successors or any architect to be appointed by us

(Second)

That our said disponee and her foresaids shall in all time coming use the said tenements as tenements of shops and dwellinghouses only as now erected and shall not use sell or let the said subjects for any noxious or noisy manufactories or steam engines nor for any offensive or dangerous purpose nor shall they carry on any business trade or manufacture or other operation thereon or therein which may be deemed a nuisance or offensive or injurious to the

neighbourhood or the amenity thereof nor shall they be allowed to build or erect projections of any kind in front nor in any way to alter the external appearance thereof as originally built without the consent of us or our foresaids

(Third)

That our said disponee and her foresaids shall be bound at all times to keep up by paying the annual premium thereon a policy of insurance over each of the foresaid tenements against loss by fire with a respectable Fire Insurance Company in Scotland to the extent of the full values thereof and specially to the extent of (First) the sum of at least Two Thousand two hundred pounds in respect of the tenement and pertinents erected on the Building stance first above disposed (Second) the sum of at least One Thousand six hundred and fifty pounds in respect of the tenements and pertinents erected on the Building Stance second before disposed and (third) the sum of at least One Thousand four hundred pounds in respect of the tenement and pertinents erected on the building stance third before disposed and to exhibit the policies when called upon and the receipts for the premiums within ten days from the time the same fall due failing which the superior shall be entitled to insure same and recover from our said disponee or her foresaids the premiums which may be as advanced by him. Declaring that in the went of the shops and houses in said tenements coming to be owned by different proprietors each proprietor shall be bound only to insure to the extent of the value of his property and specially to the extent of at least ten times the assessed rental thereof.

Note: The said tenements 1, 2, 3, and 4 Maryfield, 5, 6, 7, 8 and 9 Maryfield and 11, 12 and 13 Maryfield are respectively now known as 1, 2, 3, and 4 London Road, 5, 6, 7, 8 and 9 London Road and 11, 12 and 13 London Road.

Burden 2

Deed of Servitude, recorded G.R.S. (Edinburgh) 5 Oct. 1906, by Margaret McDonald Ferguson or Dunbar (proprietor of the three tenements of shops and dwellinghouses on the building stances or areas of ground in Entry 1, with the concrete roof behind), contains the following:

I bind and oblige myself and my heirs successors proprietors of the subjects before described to keep open and unbuilt upon the said concrete roof behind the said tenements erected partly over the Back Court aforementioned and partly over the Factory aforementioned and that for the preservation of the light of the Elgin House, Easter Road, Edinburgh and Factory and I and my foresaids are hereby restrained from raising or maintaining any building or erection whether temporary or permanent on said concrete roof in all time coming and from using the foresaid concrete roof for any other purpose than for drying and bleaching clothes only for and in connection with the said tenements belonging to me which obligation is hereby declared a real burden and servitude in favour of me the said Mrs Margaret McDonald Ferguson or Dunbar and the Trustees of James Dunbar and the successors of the said Trustees proprietors of the subjects known as Elgin House, Easter Road, with Factory back court and offices upon the foresaid concrete roof But it is hereby specially provided and declared that the said trustees shall be bound and bind and oblige themselves and their successors as proprietors of said Elgin House, Back Court and factory to insert and maintain obscured or rippled glass in all windows or other openings in their said property overlooking the said concrete roof or tenements

belonging to me which obligation is also declared a real burden upon and shall affect the said subjects known as Elgin House, Easter Road, with Factory back Court and offices.

Burden 3

Disposition by the Trustees of Margaret MacDonald Ferguson or Dunbar to John Gillison Dunbar and his heirs and assignees, recorded G.R.S. (Midlothian) 1 Feb. 1909, of (I) westmost shop 10 London Road, Edinburgh, being the subjects in this Title (II) centre shop 11 London Road, (III) (1) eastmost flat on first flat above street or shop flat at 12 London Road, (2) westmost flat on said first flat at 12 London Road, (3) eastmost house on second flat above street or shop flat at 12 London Road, (4) westmost house on said second flat, (5) eastmost house on top or third flat above street or shop flat at 12 London Road and (6) westmost house on the top or third flat at 12 London Road, Edinburgh, all part of the tenement 10 to 13 (inclusive) London Road, contains the following burdens:

Under burden of payment to the Superiors of said subjects in name of feuduty in respect of the said subjects Primo of the sum of Three pounds twelve shillings sterling the subjects Secundo of the sum of One pound fourteen shillings sterling the subjects Tertio of the sum of One pound fourteen shillings sterling the subjects Tertio (Second) of the sum of Two pounds six shillings sterling the subjects Tertio (Third) of the sum of One pound eleven shillings sterling the subjects Tertio (Fourth) of the sum of Two pounds three shillings sterling the subjects Tertio (Fifth) of the sum of One pound eight shillings sterling the subjects Tertio (Sixth) of the sum of Two pounds sterling being the proportions of the cumulo annual feuduty of Twenty pounds sterling payable for said tenement numbers 10, 11, 12 and 13 London Road, Edinburgh and allocated on the several subjects hereby disposed in the Feu Charter in Entry 1.

And also with and under the burden along with the whole other proprietors of said tenement of which the said subjects hereby disposed form part in rateable proportion according to feuduty of maintaining in sufficient repair the roof and chimney tops, water pipes, soil pipes and drains and any others common to the tenement and also but in respect of the dwellinghouses only of maintaining in said proportions the common stair door, door to concrete roof or court and common passage along with the other proprietors of dwellinghouses having right thereto the said concrete roof or court including the iron beams or girders carrying the same but not the pillars and boundary parapet walls, railings thereof with the exception of the pillars supporting the said concrete roof or court and the roof lights which shall be maintained in all time coming by the proprietors of Elgin House and the Factory behind the same and their successors and in the event of any leakage taking place in the roof of the tenement the proprietors of the uppermost flat in the tenement shall be entitled to repair the same at the general expense of the proprietors in the tenement and without previously obtaining the consent of the other proprietors but no general repairs shall be made upon the roof of the tenement without the consent of the whole proprietors therein being first obtained thereto. Declaring that the proprietors of shops shall not be liable for any share of the expense of maintaining the common passage or stairs (notwithstanding that they may have an access thereby or a closet therein) in the said tenement or of the said concrete roof or court or the iron beams or girders or boundary parapet walls or railings thereof.

Note: The feu duty allocated on the subjects in this Title has been redeemed.

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