

111
JUNE
1938
MALEW



THIS INDENTURE made this eleventh Day of November One thousand nine hundred and four BETWEEN WILLIAM CHRISTIAN CUBBON of Rushen Abbey in the parish of Malew fruit grower of the first part PHILIP CHRISTIAN and THOMAS WILLIAM CUBBON Trustees under a settlement executed by CHARLOTTE CUBBON on the fourth day of December 1903 (the said Philip Christian and Thomas William Cubbon and their assigns

and the survivor of them and the heirs and assigns of the survivor being hereinafter included in the designation

"the Trustees") of the second part the said CHARLOTTE CUBBON of the third part and THE HIGHWAY BOARD (hereinafter referred to as "the Board") of the fourth part

WHEREAS the said William Christian Cubbon and the Trustees and the said Charlotte Cubbon are the owners and occupiers of certain lands situate at Rushen Abbey in the parish of Malew and called and known as Rushen Abbey Orchard -

AND WHEREAS some time ago the said William Christian Cubbon and the Trustees and the said Charlotte Cubbon presented a petition to the Board seeking for permission to close an old footpath which it was alleged ran through the said orchard and to substitute therefor a new footpath -

AND WHEREAS upon the hearing of the said petition the Board on the tenth day of November 1904 made an order such petition and order being filed in the Rolls Office.

NOW THIS INDENTURE WITNESSETH that the said WILLIAM CHRISTIAN CUBBON and the Trustees and the said CHARLOTTE CUBBON according to their respective estates and interests in the



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said orchard do hereby covenant with the Board that he or she will if and when the said Order of the Board is confirmed by the Tynwald Court observe perform and be bound by the said order and further that he or she will at any time after the said order is confirmed by the Tynwald Court execute and do any document or thing which the Board may reasonably require for the purpose of giving effect to the said order of the tenth day of November 1904. -

AND IT IS HEREBY AGREED AND DECLARED that the foregoing covenants shall be deemed to be covenants running with the land and so as to bind any person or persons who at any time hereafter shall become entitled to or interested in the said orchard or any part thereof.

WITNESS the name of the parties hereto of the first three parts hereunto subscribed this the Day month and year first before written.

Signed and delivered
by William Christian
Cubbon in presence of
Charlotte E. Cubbon.

W. C. Cubbon.

Signed and delivered
by the Trustees in
presence of :
J. Edward Coupe.

Philip Christian.
Thomas W. Cubbon.

Signed and delivered
by Charlotte Cubbon
in the presence of :
Charlotte E. Cubbon.

Charlotte Cubbon.

EXAMINED AND CERTIFIED

A TRUE COPY

CHIEF-CLERK.

ROLLS OFFICE.

REGISTRY OF DEEDS, ISLE OF MAN.

23rd June 1938

I certify that the foregoing Deed was this day
at the hour of 12.20 o'clock afternoon
received by me at this office for the purpose of
being Registered and Recorded according to Law
and the same is duly Registered and Recorded and
Entered in the Requisition Book 25 Page 236
No. 3049

J. S. Chrisman

Registrar.

Malew

Copy of Indenture dated 11th. November
1904 between W. C. Cubbon, Philip
Christian and T.W. Cubbon Trustees of
Settlement made by Charlotte Cubbon
and Charlotte Cubbon and the Highway
Board re Footpath in Rushen Abbey
Orchard.

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