

C O P Y

Dated 10th May 1921

The Right Honourable Beatrice Mary Countess of
Portsmouth

_____ to _____

The Parish Council of St. Mary Bourne.

C O N V E Y A N C E

A piece of land at St. Mary Bourne in the County
of Southampton for the purposes of a Recreation
Ground.

THIS INDENTURE made the tenth day of May One thousand nine hundred and twenty one between, THE RIGHT HONOURABLE BEATRICE MARY COUNTESS OF PORTSMOUTH (hereinafter called "the Settlor") of the one part and the PARISH COUNCIL of ST MARY BOURNE (hereinafter called "the Parish Council") of the other part WHEREAS under and by virtue of the Will dated the Eleventh day of May One thousand nine hundred and ten and three Codicils thereto dated respectively the Twenty sixth day of March One thousand nine hundred and eleven the Eighteenth day of March One thousand nine hundred and fifteen and the Nineteenth day of September One thousand nine hundred and seventeen and proved in the Principle Probate Registry on the Fourth day of April One thousand nine hundred and eighteen of the Right Honourable Newton Sixth Earl of Portsmouth who died on the Fourth day of December One thousand nine hundred and seventeen the hereditaments hereinafter described and intended to be hereby conveyed with other hereditaments now stand limited to uses whereunder the Settlor has the powers of a tenant for life under the Settled Land Acts 1882 to 1890 And the said Will contained a provision that the person who for the time being should have the powers of a Tenant for Life within the meaning of the Settled Land Actx 1882 to 1890 might exercise over or in relation to any part of the settled hereditaments the following powers by way of extension or enlargement of the powers and provisions of the said Act namely power to sell or grant for such consideration in money or otherwise as the Tenant for Life might think fit or for a nominal consideration or gratuitously any part of the settled hereditaments in fee simple for all, or any of the purposes following namely As a site for a Church Chapel Meeting House or other place of religious worship or for a Parish Room or Mission Hall or for a public park/playground or pleasure ground drill hall theatre or other place of amusement or for a museum peoples library town hall or other public building AND whereas the Settlor is desirous under the powers conferred upon her by the said Acts and the said Will and Codicils of conveying the said hereditaments described to the Parish Council to be set apart and appropriated as and for an open space

or pleasure ground under and in accordance with the provisions of the Open Spaces Acts 1877 to 1887 NOW this Indenture WITNESSETH that in pursuance of such desire the Settlor in exercise of the powers conferred upon her by the Settled Land Acts 1882 to 1890 and the said Will and Codicils and of every other power enabling her Doth hereby convey unto the Parish Council ALL that piece of land situate in the Parish of St. Mary Bourne in the County of Southampton containing Five Acres two roads and sixteen perches or thereabouts delineated upon the plan drawn on these presents and thereon coloured pink to HOLD unto and to the use of the Parish Council and their assigns discharged from all the limitations trust powers and provisions of the said Will and Codicils and from all Estates interests and charges subsisting or to arise thereunder but nevertheless for the purpose of an open space or pleasure ground and for no other purpose whatsoever and the Parish Council themselves and their assigns with intent (so far as may be) to bind the said piece of land hereby conveyed into whosoever hands the same may come but not so as to be personally liable under any of these covenants after they shall have parted with all interests therein hereby covenant with the Settlor and her successors in title and assigns owner or owners for the time being of the hereditaments subject to the limitations of the said Will of the said Newton Sixth Earl of Portsmouth adjoining or adjacent to the said piece of land hereinbefore conveyed in manner following that is to say

(a) Forthwith at their own expense to proceed to lay out the said piece of land hereby conveyed as and for a public park or recreation ground and for that purpose to plant the same with ornamental trees and shrubs and make and construct such roads and footpaths through the same as may be necessary or convenient.

(b) At all time hereafter to maintain good and sufficient fences along the boundaries of the said piece of land so as to separate the same from the adjoining property.

(c) To permit the inhabitants of the Parish of St. Mary Bourne and the neighbourhood thereof and the public generally to

have the use and enjoyment of the said piece of land as a public park for the purpose of recreation at all reasonable times and not at any time to permit public meetings for the discussion of political, religious, trade or social questions or other matters of controversy to be held or religious services to be conducted or lectures or addresses delivered on any part of the said piece of land nor permit the same or any part thereof to be used except as a public park or for any other purposes except for recreation and enjoyment.

(d) Not to do or suffer any act or thing upon the said piece of land which may be or grow to the annoyance damage or disturbance of the Settlor or her Tenants or Lessees or the Owners or Occupiers of any adjoining or neighbouring property. AND IT IS certified that the transaction hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value or aggregate amount or value of the property conveyed or transferred exceeds five hundred pounds.

IN WITNESS whereof the Settlor has hereunto set her hand and seal and Albert Henry White and John Atkins and Eli Goodyear respectively Chairman and two members of the Parish Council have hereunto set their hands and seals the day and year first above written.

Signed Sealed and Delivered)
by the above named The Right)
Honourable Beatrice Mary)
Countess of Portsmouth in the) Signed B.M. Portsmouth
presence of)
A.J. Briant, 46 Queen Anne's Gate,)
Westminster, Solicitor.)

Signed, sealed and Delivered by) Signed A.H. White
the above named Albert Henry) John Atkins
White, John Atkins and Ele) Eli Goodyear.
Goodyear in the presence of)
Alfred Cook of St. Mary Bourne,)
Clerk to the Parish Council.)