



Title Information: ABN116890

Search summary

Date/Time of search	23 Jul 2026 10:15:11
Transaction numbers	SCO-27532751
User reference	M4300-05/RG

Section A

Property

ABN116890

Date of first registration	03 Dec 2013
Date title sheet updated to	03 Dec 2013
Hectarage Code	0
Interest	PROPRIETOR
Map Reference	NJ7938
Title Number	ABN116890
Cadastral Unit	ABN116890
Sasine Search	12641 and 52692
Property address	WOODHEAD, FYVIE, TURRIFF
Description	Subjects being the area of ground at WOODHEAD, FYVIE, TURRIFF edged red on the Title Plan; Together with the rights contained in Part II the Disposition in Entry 4 of the Burdens Section and with the subsisting rights to real burdens specified in the Schedule below.
Notes	1. The description of the burdened property in each entry of the Schedule of Particulars relative to Subsisting Rights to Real Burdens above should be read in conjunction with the Explanatory Note in the Burdens Section.

Schedule of Particulars Relative to Subsisting Rights to Real Burdens

Entry No	Benefited Property	Real Burdens	Burdened Property
1	the subjects in this Title	Part III of the Disposition to Graham Marshall and another, registered 3 Dec. 2013, in Entry 4 of the Burdens Section	subjects the retained property as defined in the Disposition to Graham Marshall and another, recorded G.R.S. (Aberdeen) 3 Dec. 2013, in Entry 4 of the Burdens Section

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Section B
Proprietorship

ABN116890

GRAHAM MARSHALL and MARY MARSHALL Leazes End, Woodhead, Fyvie, Turriff, AB53 8LT equally between them.

Entry number	1
Date of registration	03 Dec 2013
Date of Entry	15 Nov 2013
Consideration	£40,000
Notes	<div>1. There are in respect of the subjects in this Title no subsisting occupancy rights, in terms of the Matrimonial Homes (Family Protection) (Scotland) Act 1981, of spouses of persons who were formerly entitled to the said subjects.</div> <div>2. There are in respect of the subjects in this Title no subsisting occupancy rights, in terms of the Civil Partnership Act 2004, of partners of persons who were formerly entitled to the said subjects.</div>

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Section C
Securities

ABN116890

There are no entries.

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Section D

Burdens

ABN116890

Number of Burdens: 5

Burden 1

Disposition by Trustees for the Marquess of Aberdeen and Temair to Robert Smith Morrison and Others and their heirs and assignees, recorded G.R.S. (Aberdeen) 8 Dec. 1919, of 27.501 acres, contains the following burdens:

Reserving always to us as Trustees foresaid and our successors and disponees the right to use all existing roads and ways over the lands hereby disposed at present used for the purposes of access to any other parts of the lands baronies and estates of which the subjects hereby disposed form part and also right to use for the water supply, drainage or sewerage of any other parts of the said lands baronies and estates all (if any) existing water pipes and connections drains and sewers in or under the lands hereby disposed with right of access for the maintenance or renewal or alteration of levels thereof upon payment if any surface damages occasioned and declaring that the lands hereby disposed are so disposed subject to all rights of way servitudes easements and water rights affecting the lands hereby disposed.

Burden 2

Disposition by Trustees of John Campbell Gordon, Marquess of Aberdeen and Temair to Trustees for Deacon Court of United Free Church of Scotland, Woodhead, Fyvie and their successors in office and assignees, recorded G.R.S. (Aberdeen) 28 Jan. 1920, of (I.) 23.223 acres and (II.) 0.843 acre, contains the following burdens:

Reserving always to us as the Trustees foresaid and our successors and disponees the right to use all existing roads and ways over the lands hereby disposed at present used for the purposes of access to any other parts of the lands baronies and estates of which the lands hereby disposed form part and also the right to use for the water supply drainage or sewerage of any other parts of the said lands baronies and estates all (if any) existing water pipes and connections drains and sewers in or under the lands hereby disposed with right of access for the maintenance or renewal or alteration of levels thereof upon payment of any surface damages occasioned.

Burden 3

Disposition by Clydesdale Bank Limited to Trustees for Firm of W.J.C. Eddie & Sons and their assignees, recorded G.R.S. (Aberdeen) 5 Jul. 1974, of 1880.12 square metres at Woodhead, Fyvie, contains the following burdens:

(firstly) the boundary wall erected on the easterly boundary of the subjects hereby disposed is the property of the disponees and will be maintained, repaired or renewed by our said disponees and their successors in all time coming and

(secondly) in respect that there has been erected a septic tank within the south easterly corner of the subjects hereby disposed our said disponees and their successors will be permitted in all time coming to connect up the outlet drain from said septic tank to the adjoining field drain belonging to us and to convey the drainage from said septic tank into the said field drain.

Burden 4

Disposition by Graham Cruickshank Ogston to Graham Marshall and another and their executors and disponees, registered 3 Dec. 2013, of ground adjacent to Greenbank, Woodhead, Fyvie, Turriff, being the subjects in this Title, contains the following real burdens and servitudes:

PART I - Definitions

In this Schedule:

"the retained property" means -

(First) subjects lands at Kirkton Croft, Woodhead, Fyvie, described in the Disposition to Robert Smith Morrison and others, recorded G.R.S. (Aberdeen) 8 Dec. 1919; But excepting therefrom (a) subjects ground at Woodhead, Fyvie, described in Disposition to Trustees of W J C Eddie & Sons, recorded G.R.S. (Aberdeen) 5 Jul. 1974 and (b) the subjects hereby disposed; and (Second) subjects formerly United Free Church, Woodhead, aforesaid, described in Disposition to Robert Cruickshank Ogston, recorded G.R.S (Aberdeen) 9 Aug. 1968 under exception of the disposed property.

"the disposed property" means -

The subjects hereby disposed.

"the disponent" means -

Graham Marshall and Mary Marshall, both Leazes End, Woodhead, Fyvie, Turriff, Aberdeenshire and their successors as owners of the disposed property.

"the disponent" means -

Graham Cruickshank Ogston, East Mains of Ardlogie, Woodhead, Fyvie, Turriff, Aberdeenshire and his successors as owners of the retained property

PART II - Servitudes in favour of the disposed property

The following servitudes are imposed on the retained property in favour of the disposed property:

1. A servitude rights over, across and through the retained property to install, use, inspect, maintain, repair and if necessary renew a drainage soakaway, branch mains water pipe, mains electricity cable and such other service conductors as the disponent may reasonably require, including a right of access thereto on all necessary occasions for the inspection maintenance repair and if necessary renewal thereof.
2. A servitude right of access over the retained property for the purpose of inspecting, maintaining, repairing and if necessary renewing all boundary enclosures of the disposed property.

PART III - Real Burdens imposed on the retained property

The following real burdens are imposed on the retained property in favour of the disposed property:

1. The disponent shall contribute a half share of the cost of maintaining repairing and if necessary renewing the boundary enclosure on the eastmost boundary of the disposed property.
2. The disponent shall be prohibited from erecting any building or other erection, with the exception of any boundary enclosure, within one metre of the eastmost boundary of the disposed property.

PART IV - Real Burdens imposed on the disposed property

The following real burdens are imposed on the disposed property in favour of the retained property:

1. The disponent shall contribute one half of the cost of maintaining repairing and if necessary renewing the boundary enclosure on the eastmost boundary of the disposed property.
2. The disponent shall be prohibited from erecting any building or other erection within one metre of the eastmost boundary of the disposed property.

3. The servitude rights contained in Part II of the Schedule shall be exercised in such a way as not to interfere with normal agricultural operations.

4. The disponent will be liable for and shall make good as soon as reasonably practicable all damage caused to the retained property by reason of the exercise of the servitude rights contained in Part II of the Schedule.

PART V - Application to the Lands Tribunal for Scotland

No application will be made to the Lands Tribunal for Scotland under Section 90 (i) of the Title Conditions (Scotland) Act 2003 in respect of the servitudes and real burdens set out in this Schedule for a period of 5 years after the registration of the foregoing Disposition in the Land Register of Scotland.

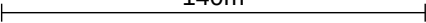
Burden 5

Explanatory Note:

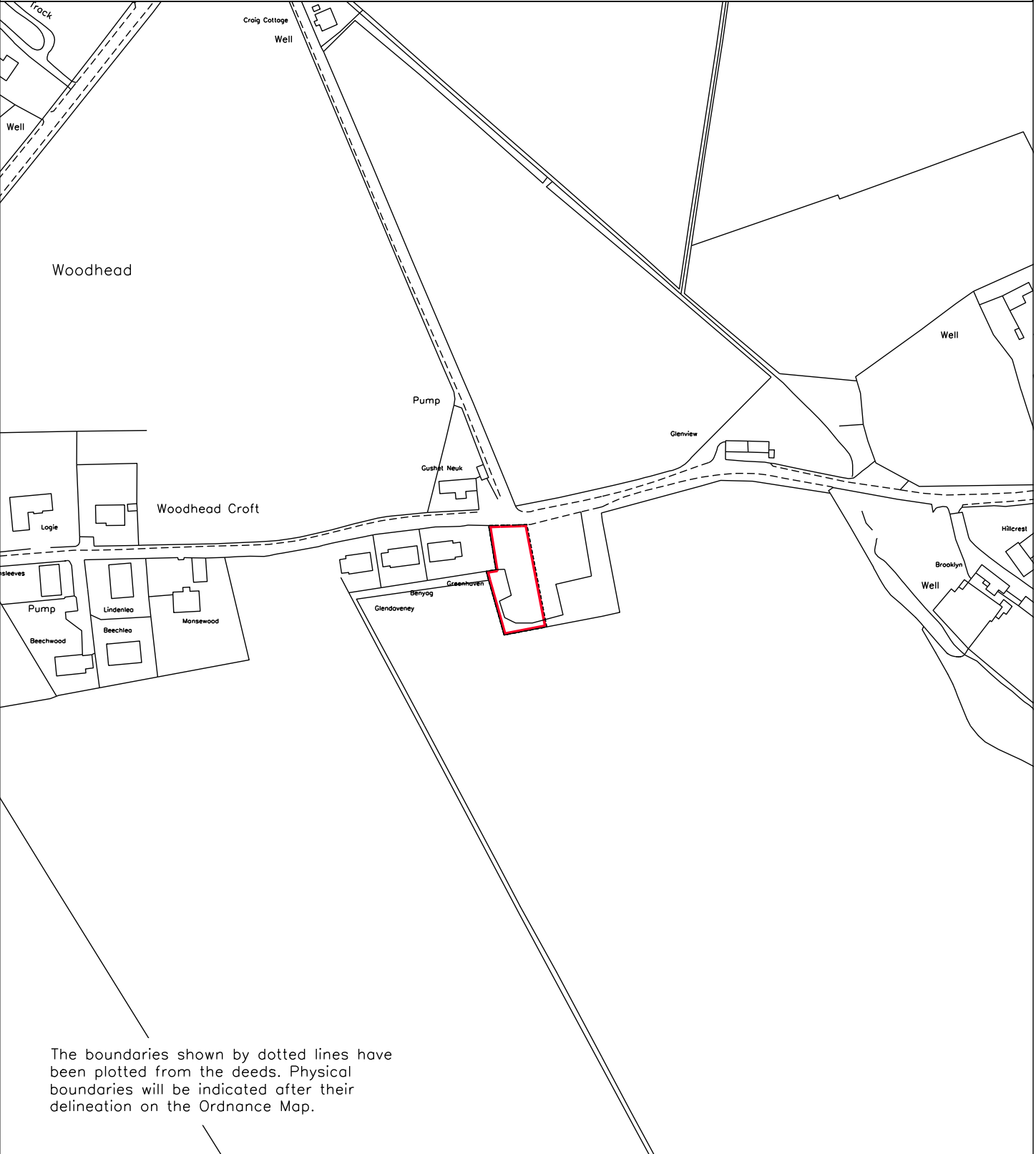
The descriptions of the burdened and benefited properties in any deed registered in terms of sections 4 and 75 of the Title Conditions (Scotland) Act 2003 in this Title Sheet are correct as at the stated date of registration of such deed.

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 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	6468 2/11/2016	ABN116890
	ORDNANCE SURVEY NATIONAL GRID REFERENCE	140m 
NJ7938		Survey Scale
		1/2500

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The boundaries shown by dotted lines have been plotted from the deeds. Physical boundaries will be indicated after their delineation on the Ordnance Map.

ARTICLES OF ROUP

These Articles of Roup apply to the property in Scotland being ALL and WHOLE...

PLOT 1, THE OLD KIRK, WOODHEAD, FYVIE, TURRIFF, AB53 8PN hereinafter referred to as "the Lot");

which subjects are exposed for sale by public Roup by.....

GRAHAM MARSHALL and MARY MARSHALL, spouses residing together at Leazes End, Woodhead, Fyvie, Turriff, AB53 8LT (hereinafter called "the Seller")

and that within the

5 South Charlotte Street, Edinburgh EH2 4AN upon

Two Thousand and

or at such other time or place as the exposure may be adjourned to or unless previously sold privately and that on the following conditions as may be appointed in any Minute to be annexed hereto:-

1. It is expressly declared and accepted by any person bidding at the said public roup that the said General Conditions of Sale which are specified in the Auctioneers Catalogue and any document referred to therein shall apply, to the sale of the Lot only in so far as not inconsistent with the terms of these Articles of Roup and the Minute of Preference and Enactment and any further minute to follow hereon and in the event of any such inconsistency, the terms of these Articles of Roup and Minute of Preference and Enactment and any further minute to follow hereon shall prevail and such parts of the General Conditions of Sale and any documents referred to therein which are so inconsistent shall not apply.

2. The date of entry shall be

Two Thousand and

or such other date as may be agreed between the Seller and the Purchaser when the balance of the purchase price shall be paid notwithstanding that a Disposition or Assignment is not available for delivery to the Purchaser in exchange for the purchase price. By accepting payment the Seller will come under obligation to execute and deliver to the Purchaser a valid Disposition or Assignment in their favour containing all usual and necessary clauses including warrandice from the Seller's facts and deeds only.

3. The Seller's Solicitor is Robyn Gallon, Stewart & Watson, 59 High Street, Turriff, AB53 4EL

4. The Auctioneers are **Braveheart Auctions Ltd.**

Solicitors

Firm's Signature



Witness

Robyn Gallon

Adhibited by

DOUGLAS D PURDIE

PARTNER
STEWART & WATSON

Full Name

ROBYN AIMEE GALLON

Address

59 HIGH STREET

TURRIFF, AB53 4EL