

HIGH MEADOW TRUST
MANAGEMENT DOCUMENT

3.11

Rec'd from CHARITY COMMISSION (4/3/07)

PRESENTED

25

1945

762/45 5944



THIS DEED is made the *ten* day of *April*
One Thousand Nine Hundred and Forty-five BETWEEN ANNIE SARAH COSTEKER
TOWNSEND Spinster MARY COSTEKER TOWNSEND Spinster RUTH CATHERINE TOWNSEND
Spinster JOAN ADELINE TOWNSEND Spinster and MARGERY BRUCE TOWNSEND Spinster
all of "Highfield" Petersfield in the County of Hants (hereinafter called "the
Grantors") of the first part HESTER WORTH GIBSON of 34 Station Road Peters-
field aforesaid widow (hereinafter called "Mrs. H. W. Gibson") of the second
part and THE URBAN DISTRICT COUNCIL OF PETERSFIELD in the said County of Hant
(hereinafter called "the Council") of the third part.

W H E R E A S:-

(A) By Conveyance dated the 19th November 1919 between (1) Clarence John Coafrey and (2) Adeline Townsend and the Grantors the property hereinafter described was (with other property) conveyed to the said Adeline Townsend and the Grantors in fee simple as joint Tenants.

(B) By a Deed of Family Arrangement dated the 1st December 1919 between (1) the said Adeline Townsend (2) the Grantors and (3) the said Adeline Townsend Annie Sarah Costeker Townsend and Mary Costeker Townsend it was agreed that the Trusts of the will of the Reverend John Hands Townsend so far as concerned the hereditaments called St. Mary's House Oatlands Park Surrey and the proceeds of sale thereof and the investments of such proceeds (which proceeds were invested in the purchase of the property called "Highfield House" hereinafter mentioned) should henceforth be held upon trust for the said Adeline Townsend and the Grantors as joint tenants.

(C) On the 1st January 1926 the said property became vested in the said Adeline Townsend and the Grantors upon trust for sale and to hold the proceeds of sale thereof upon trust for themselves as joint tenants but subject to a mortgage thereon which has since been discharged.

(D) The said Adeline Townsend died on the 26th April 1940.

(E) By Deed of Family Arrangement dated the 24th March 1941 under the hands and seals of the Grantors and Mrs. H. W. Gibson the property known as "Highfield House" hereinafter mentioned was declared to be held in trust for the Grantors and Mrs. H. W. Gibson in equal shares absolutely.

(F) The Grantors as survivors and Mrs. H. W. Gibson are desirous that the said property hereinafter described shall be conveyed to the Council by way of gift to be held by the Council and their successors as a charitable trust to be known as "The High Meadow" for the purposes authorised by the Recreation Grounds Act 1859 or some of them.

(G) By order dated the 3rd December 1944 under the hand of John Viscount Simon, Lord High Chancellor of Great Britain, it was ordered that the Council should in relation to the Charitable Trust known as "The High Meadow" in the said Urban District of Petersfield for use as an open space under the said Recreation Grounds Act 1859 be included in the expression "Trust Corporation".

for the purposes of the Law of Property Act 1925, the Settled Land Act 1925, the Trustee Act 1925, the Administration of Estates Act 1925, and the Supreme Court of Judicature (Consolidation) Act 1925.

N O W THIS DEED WITNESSETH that in pursuance of the said desire the Grantors as Settlers (to the intent that they may be bound by the same covenant as would be implied against them if this Deed were a Conveyance by way of Settlement) by virtue of the said Act of Parliament hereby convey and grant and Mrs. H. W. Gibson as to her estate and interest in the said property and in the proceeds of sale thereof and as Settlor (to the intent that she may be bound by the same covenant as would be implied against her if this Deed were a Conveyance by way of Settlement) hereby conveys and confirms unto the Council in fee simple free from any trust for sale affecting the same ALL THAT piece or parcel of land situate in the Urban District of Petersfield in the said County of Hants and having frontages to Swan Street Frenchmans Lane and The Borough and being part of Number 165 on the Ordnance Map (1952 Edition) for the Parish of Petersfield and for the purposes of identification more particularly delineated and described in the plan annexed hereto and thereon coloured pink and green.

THE COUNCIL DECLARE that they and other the Trustees hereof for the time being (all of whom are hereinafter included in the expression "the Trustees") will hold the said property in perpetuity upon the trusts following namely:- as public ground for the purpose of recreation under the Recreation Grounds Act 1859 SUBJECT to the following conditions:-

Until the Grantors and Mrs. H. W. Gibson or the survivors of them shall have ceased to own any interest legal or equitable in the messuage and premises known as "Highfield House" and edged blue on the said plan:-

(i) No building or erection shall be made or placed upon any part of the property hereby conveyed save with the previous written consent of the owner for the time being of Highfield House aforesaid.

(ii) Nothing shall be permitted to grow upon the property hereby conveyed which will obstruct the view from Highfield House aforesaid of the Downs situate to the South thereof.

(iii) Only elderly people invalids and children under the age of five years accompanied by an adult or adults shall be permitted to use the said recreation ground.

(iv) The Council will consult with and will give effect to the desires of the Grantors and Mrs. H. W. Gibson as to the manner and method in which the property hereby conveyed shall be developed as a recreation ground and in particular as far as possible preserve the privacy of the said messuage and premises known as "Highfield House" by securing the exclusion of the public from the immediate vicinity of the garden of the said messuage and premises.

(v) The land coloured green on the said plan shall be reserved exclusively for the use of the Grantors and Mrs. H. W. Gibson or the survivors of them.



27th September 1945

ENROLLED IN THE BOOKS OF THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES PURSUANT TO THE PROVISIONS OF SECTION 6(2) OF THE MORTGAIN AND CHARITABLE USES ACT, 1888, AND SECTION 1 OF THE MORTGAIN AND CHARITABLE USES ACT AMENDMENT ACT, 1932.

AND IT IS HEREBY DECLARED that the management of the property hereby conveyed shall be and remain in the Council or in any other person or persons corporation or public body to whom the Council may transfer such management with the consent of the Charity Commissioners for England and Wales.

AND the Grantors hereby acknowledge the right of the Council to production and delivery of copies of the documents set forth in the Schedule hereto

AND IT IS HEREBY DECLARED and 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 value or the aggregate value of the property conveyed or transferred exceeds five Hundred pounds.

IN WITNESS whereof the Grantors and Mrs. H. W. Gibson have hereunto set their hands and seals and the Council has caused its Common Seal to be hereunto affixed the day and year first above written.

THE SCHEDULE before referred to.

1919 November 15th	CONVEYANCE between (1) Clarence John Godfrey and (2) Adeline Townsend and the Grantors.
1919 December 1st	MORTGAGE between (1) the said Adeline Townsend and the Grantors (2) William Costeker Charles Costeker and Mary Costeker.
1919 December 1st	the said DEED OF FAMILY ARRANGEMENT of this date.
1921 July 20th	TRANSFER OF MORTGAGE (endorsed on the last-mentioned Mortgage) between (1) the said William Costeker and Charles Costeker and (2) the said Charles Costeker, Mary Gwendolen Costeker and Edith Phillis Costeker.
1928 April 5th	TRANSFER OF MORTGAGE between (1) the said Charles Costeker, Mary Gwendolen Costeker and Edith Phillis Costeker and (2) the said Annie Sarah Costeker Townsend, Mary Costeker Townsend, Joan Adeline Townsend and Hester Worth Gibson. The said DEED OF FAMILY ARRANGEMENT of this date
1941 March 24th	STATUTORY RECEIPT (annexed to Transfer of Mortgage dated 5th April 1928) under the hands of said Annie Sarah Costeker Townsend, Mary Costeker Townsend, Joan Adeline Townsend and Hester Worth Gibson.
1945 March 16th	

SIGNED SEALED AND DELIVERED by the said ANNIE SARAH COSTEKER TOWNSEND in the presence of

A. S. C. Townsend

SIGNED SEALED AND DELIVERED by the said MARY COSTEKER TOWNSEND in the presence of

Mary E. Townsend

SIGNED SEALED AND DELIVERED by the said RUTH CATHERINE TOWNSEND in the presence of

R. C. Townsend

SIGNED SEALED AND DELIVERED by the said JOAN ADELINE TOWNSEND in the presence of

Joan A. Townsend

SIGNED SEALED AND DELIVERED by the said MARGERY BRUCE TOWNSEND in the presence of

M. B. Townsend

SIGNED SEALED AND DELIVERED by the said HESTER WORTH GIBSON in the presence of

H. W. Gibson

THE COMMON SEAL OF THE URBAN DISTRICT COUNCIL OF PETERSFIELD was hereunto affixed in the presence of

Chairman Clerk



Sealed 17th November 1981

508(S)
81.

County - Hampshire.
Place - Petersfield.
Charity - High Meadow.

L5.
273,289 A/1.

Scheme.

C H A R I T Y C O M M I S S I O N .

In the matter of the Charity known as High Meadow,
at Petersfield, in the County of Hampshire,
regulated by deed of gift dated the 10th April
1945; and -

In the matter of the Charities Act, 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES
HEREBY ORDER that the following Scheme be approved and
established:-

S C H E M E .

1. Administration of Charity. - The above-mentioned Charity and the property thereof specified in the schedule hereto and all other the property (if any) of the Charity shall be administered and managed subject to and in conformity with the provisions of the above-mentioned deed dated the 10th April 1945 as varied or affected by the provisions of this Scheme.

2. Sale. - Subject to the authority of any further Order or Orders of the Charity Commissioners the Trustee of the Charity may sell the whole or part of the land specified in the said schedule and may do and execute all proper acts and assurances for carrying any such sale into effect.

3. Proceeds of sale. - Unless the Commissioners otherwise direct the Trustee shall pay over the proceeds of any such sale as aforesaid for investment in trust for the Charity in the name of the Official Custodian for Charities.

4. Application of income. - (1) The Trustee shall apply the clear income of the Charity in or towards the upkeep and maintenance of the property of the Charity.

(2) Subject thereto the Trustee shall apply the said income for such charitable purposes for the general benefit of the inhabitants of Petersfield as the Trustee from time to time thinks fit.

5. Questions under Scheme. - Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

S C H E D U L E.

Land situate at Petersfield in the County of Hampshire known as High Meadow having frontages to Swan Street, Frenchman's Lane and The Borough being part of the land numbered 165 on the Ordnance Survey map (1932 edition) being the land comprised in the above-mentioned deed of gift dated the 10th April 1945 and made between Annie Sarah Costeker Townsend and four others of the first part Hester Worth Gibson of the second part and The Urban District Council of Petersfield of the third part and recorded in the books of the Charity Commissioners on the 28th September 1945 pursuant to section 29(4) of the Settled Land Act, 1925.

Sealed by Order of the Commissioners this 17th day
of November 1981.

L.S.

1435