



COMMONS REGISTRATION ACT 1965

Reference No 52/U/39

In the Matter of land forming part of  
Lime Bank, Mostyn

DECISION

This reference relates to the question of the ownership of land known as part of Lime Bank, Mostyn near Holywell being the land comprised in the Land Section of Register Unit No CL.6 in the Register of Common Land maintained by the Flintshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr Aneurin Hughes Evans of Limebank Cottages, Mostyn near Holywell claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Mold on 11th April 1973.

Mr Hugh C Jones, Solicitor, Rhyl, appeared at the hearing on behalf of the claimant, whom he called as a witness to produce the documents of title hereinafter mentioned.

The land in question, together with other land, was purchased by the claimant's father, William Evans, in 1931, and was conveyed to William Evans, by a Conveyance dated 27th July 1931. William Evans died intestate in 1944, and, on the death of his widow in 1950, the land in question passed to his three children (William D Evans, the Claimant, and Mrs C Richard) in equal shares. The legal estate in fee simple was vested in the three children on trust for sale by an Assent dated 1 November 1950. On the death of Mrs Richard in 1952, her one-third share passed to her husband. By a Deed of Partition dated 21 September 1954, made between the two surviving trustees for sale, and the three beneficiaries (W D Evans, the Claimant, and Mr Richard) the land in question, together with other land, was conveyed to the Claimant in severalty in satisfaction of his undivided one-third share in the land which formed part of the residuary estate of William Evans deceased.

For these reasons I am satisfied that the said Aneurin Hughes Evans is the owner of the land, and I shall accordingly direct the Flintshire County Council, as registration authority, to register him as the owner of the land under section 3(2) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this

24<sup>th</sup>

day of

May

1973

A. E. Francis

Commons Commissioner