



COMMONS REGISTRATION ACT 1965

Reference No.52/U/78

In the Matter of Part of Lime Bank
Mostyn, Whitford

DECISION

This reference relates to the question of the ownership of land known as Part of Lime Bank, Mostyn, Whitford being the land comprised in the Land Section of Register Unit No.CL.113 in the Register of Common Land maintained by the former 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 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 8th April 1975.

Mr Hugh Jones, solicitor, of the firm of Messrs. Hugh Jones & Co, Rhyl, appeared on behalf of the Claimant. There was no other appearance. Mr Jones produced the title deeds relating to the land in question, from which it appeared

- (1) that by a Conveyance dated 27th July 1931 the land in question (together with other land) was conveyed to William Evans the younger - the father of the Claimant - in fee simple
- (2) that by an Assent dated 1st November 1950 the surviving Administrator of William Evans the younger, who died on 15th July 1943, assented to the land in question (with other land) vesting in the three children of the deceased - that is, W D Evans, the Claimant and Mrs C Richard - in fee simple on trust for sale and on trust to hold the proceeds of sale for those children in equal shares
- (3) that by a Deed of Appropriation and Assignment dated 20th September 1954 made by the Administrators of Mrs C Richard, who died intestate on 2nd February 1952, the one third undivided share of Mrs C Richard was assigned to her husband L J M Richard absolutely
- (4) that, pursuant to an agreement for partition made between the said W D Evans, the Claimant and the said L J M Richard, the land in question (with other land) was by a Conveyance dated 21st September 1954 conveyed to the Claimant in fee simple.

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



- 2 -

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

15th

day of

October

1975

A handwritten signature in cursive script that reads "A.E. Francis".

Commons Commissioner