



In the Matter of piece of land in the parish of Abinger, called Walliswood Green, Mole Valley D.

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. CL.494 in the Register of Common Land maintained by the Surrey County Council of which no person is registered as owner under section 4 of the Commons Registration Act 1965 or under the Land Registration Act.

Following upon the public notice of this reference Mr John P M H Evelyn 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 Guildford on 21 May 1986.

At the hearing Mr A J Sydney, Solicitor, appeared on behalf of Mr Evelyn. No other claimant appeared.

This piece of land is about 7/10 of an acre and is ~~subject~~ <sup>adjacent</sup> to strips of land which are part of the land comprised in CL.50. Ownership of CL.50 is also claimed by Mr Evelyn, and the documents of title and other evidence adduced in support of that claim are referred to in my decision in regard to CL.50 (Reference 236/U/240). Mr Trower, who gave evidence in that case, told me that the piece of land constituting CL.494 appears in the Evelyn Estate Map of 1908 as waste of manor: the evidence given in regard to CL.50 is equally applicable to the question of ownership of CL.494, and on the evidence I am satisfied that Mr Evelyn is the owner of the land in question, I shall accordingly direct the Surrey County Council as registration authority to register him as the owner under section 8 (2) of the Act 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

10<sup>th</sup>

day of

July

1986

L. J. Morris Smith

Commons Commissioner