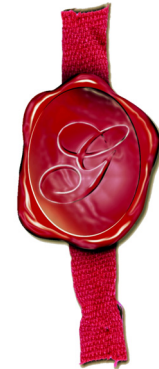


This information contained in this leaflet is general advice only. It cannot be relied upon as a definite statement of the law and you should take specific legal advice on any particular situation.

A Large Print version of this leaflet is available on request

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— Est 1887 —

A Client's Guide to

PREPARING PLANS FOR TITLE DEEDS



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It is essential that a plan for any new Title Deed is completely accurate. When a Solicitor purchases a house for you, the actual process he goes through is to buy the land – any buildings upon the land follow naturally by law.

Sometimes the decision as to exactly what is the boundary is not clear-cut and, on other occasions, comparison with the adjoining title deeds needs to be carried out.

In addition, there are other technicalities, such as rights of access, servitudes for water electricity, drainage and others, and the person preparing the plan should be able to assist us in the process of ensuring that all necessary rights for your comfortable enjoyment of your property are granted at the time of purchase.

An error can be extremely costly, potentially requiring not only that property but sometimes even adjoining properties to have fresh title papers drawn up at your expense. In some cases it can mean losing ownership of part of the property.

Accordingly we always recommend that a professional surveyor or draughtsman draws up all new title plans to ensure the appropriate accuracy. This will usually cost between £60-£140, which we would consider money well invested. On your request we will be pleased to put you in contact with someone known to us to be experienced in these matters.

In addition to being accurate, all new title plans require to comply with certain requirements laid down by the Keeper of the Registers of Scotland.

Every professional who prepares Title Plans should already be familiar with the Keepers requirements, and will have no problems in complying with these. However they can be somewhat complex for someone not experienced in these matters.

Also all title plans to be recorded in the Land Register require to be matched with current Ordnance Survey mapping. A professionally drawn plan may in fact be plotted onto current OS mapping (which can only be done under a licence from the OS), and can then be accepted with no further checks.

If the plan is not drawn onto current OS mapping, the Registers will require the plan to be compared with OS data. A professional plan drawn to current standards will easily pass this process. An old plan or one drawn up by a non-professional may require amendments, causing delays, or may even be completely rejected requiring a new plan to be drawn anyway.

Experience has shown that where, sometimes for reasons of cost, our clients have provided us with the plans, difficulties have resulted and delays have been experienced. We do not say that we will not work with a plan prepared by you or someone known to you but we do strongly urge you to consider using a professional either already known to you or obtained with our assistance.