

CASE STUDY MATERIALS

June 2013
Level 3
CONVEYANCING
Subject Code L3-10



CHARTERED INSTITUTE
OF LEGAL EXECUTIVES

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THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

UNIT 10 – CONVEYANCING*

CASE STUDY MATERIALS

Information for Candidates on Using the Case Study Materials

- This document contains the case study materials for your examination.
- In the examination, you will be presented with a set of questions which will relate to the case study materials. You will be required to answer all the questions on the examination paper.
- You should familiarise yourself with the case study materials prior to the examination, taking time to consider the themes raised in the materials.
- You should take the opportunity to discuss the materials with your tutor/s either face to face or electronically.
- It is recommended that you consider the way in which your knowledge and understanding relates to the case study materials.

Instructions to Candidates Before the Examination

- You will be provided with a clean copy of the case study materials in the examination.
- You are **NOT** permitted to take your own copy of the case study materials or any other materials including notes or text books into the examination.
- In the examination, candidates must comply with the CILEx Examination Regulations.

Turn over

* This unit is a component of the following CILEx qualifications: **LEVEL 3 CERTIFICATE IN LAW AND**

ADVANCE INSTRUCTIONS TO CANDIDATES

You are a trainee lawyer with Kempstons Solicitors. You are assisting conveyancing partner Susan Shah in two conveyancing transactions. Your clients, Peter and Selena Proudfoot, are selling their existing property, 32 The Chase, Cattletown to Kate O'Sullivan at the price of £260,000.

At the same time they will be buying 53 Wilson Road, Cattletown from the executors of the late Patricia Smith (deceased) at the price of £400,000. Peter and Selena will be assisted in their purchase by a £200,000 mortgage from Bobbins Bank plc.

Ms Shah has also mentioned to you that Selena's mother, Elsa Ginalski, currently lives with your clients at 32 The Chase. Elsa Ginalski will also be providing your clients with a £100,000 interest free loan towards their purchase of 53 Wilson Road which she will also be occupying with them.

You have been given the following documents:

Document 1 Estate Agent's Particulars of Sale of 32 The Chase

Document 2 Estate Agent's Particulars of Sale of 53 Wilson Road

Document 3 Land Registry Official Entries for 32 The Chase

Document 4 Land Registry Official Entries for 53 Wilson Road

Land Registry Title Plans are **NOT** included and will **NOT** be required for this assessment.

DOCUMENT 1

WADE AND GRAYSON
Estate Agents

Tel: 01873 845000
Fax: 01873 845001

30 High Street
Cattletown
CT5 0JS

Estate Agent's Particulars of Sale

Property:	32 The Chase, Cattletown, CT41 2LS
Seller:	Mr and Mrs P Proudfoot, 32 The Chase, Cattletown, CT41 2LS
Buyer:	Ms K O'Sullivan, 2 Bridge Apartments, Pebblebridge, PB6 3DW
Tenure:	Freehold with vacant possession
Price:	£260,000 plus £1,500 for curtains and a loose antique rug
Commission:	2% (plus VAT) payable on completion
Seller's lawyers:	Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB (ref: Ms S Shah)
Buyer's lawyers:	Paris Andrei, 3 Rapier Street, Cattletown, CT1 3XY (ref: Ms S Patel)
Additional Information:	Ms O'Sullivan is a first time buyer. Sale subject to contract, buyer's mortgage and survey.

DOCUMENT 2

WADE AND GRAYSON
Estate Agents

Tel: 01873 845000
Fax: 01873 845001

30 High Street
Cattletown
CT5 0JS

Estate Agent's Particulars of Sale

Property:	53 Wilson Road, Cattletown, CT6 4TR
Seller:	Mr Philip Lester of 22 The Vern, Pebblebridge, PB53 2TT and Mrs Hilda Skelton of 4 Douglas Street, Cattletown, CT21 2HW, being the executors of the late Patricia Smith (deceased)
Buyer:	Mr and Mrs P Proudfoot of 32 The Chase, Cattletown, CT41 2LS
Tenure:	Freehold with vacant possession
Price:	£400,000
Commission:	2% (plus VAT) payable on completion
Seller's lawyers:	Stone Montague, 85 Exchange Street, Cattletown, CT1 5LL (ref: Mr C Montague)
Buyer's lawyers:	Kempstons Solicitors, Kempston Manor, Kempston, MK42 7AB (ref: Ms S Shah)
Additional Information:	Sale subject to buyers' new mortgage and sale of the buyers' existing property. No forward chain. Sale subject to contract and survey.

DOCUMENT 3

OFFICIAL COPY OF REGISTER ENTRIES

This official copy shows the entries subsisting on the register on **5 June 2013 at 10:33:00**

This date must be quoted as the 'search from date' in any official search application based on this copy.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 5 June 2013.

This title is dealt with by **Land Registry Bilston Office.**

Land Registry

Title Number: CT33452

Edition Date: 12 June 2006

A: Property Register

This register describes the land and estate comprised in this title.

SUNSHIRE

CATTLETOWN

1. (12.06.2006) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being land at 32 The Chase, Cattletown, CT41 2LS.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (12.06.2006) PROPRIETOR: PETER PROUDFOOT and SELINA GINALSKI of 32 The Chase, Cattletown, CT41 2LS.
2. (12.06.2006) The price stated to have been paid on 25 May 2006 was £215,000.

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C: Charges Register

This register contains any charges and other matters that affect the land.

1. (12.06.2006) **REGISTERED CHARGE** dated 25 May 2006.
2. (12.06.2006) **PROPRIETOR**: Pan Euro Bank plc of 36 Exchange Street, Cattletown, CT1 2DF.

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.

DOCUMENT 4

OFFICIAL COPY OF REGISTER ENTRIES

This official copy shows the entries subsisting on the register on **6 June 2013 at 10:42:00**

This date must be quoted as the 'search from date' in any official search application based on this copy.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

Issued on 6 June 2013

This title is dealt with by **Land Registry Bilston Office.**

Land Registry

Title Number: CT67123

Edition Date: 24 August 1998

A: Property Register

This register describes the land and estate comprised in this title.

SUNSHIRE

CATTLETOWN

1. (24.08.1998) The **Freehold** land shown edged with red on the plan of the above Title filed at the Registry and being land at 53 Wilson Road, Cattletown, CT6 4TR.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (24.08.1998) PROPRIETOR: BRIAN SMITH and PATRICIA SMITH of 53 Wilson Road, Cattletown, CT6 4TR.

Turn over

CASE STUDY MATERIALS

C: Charges Register

This register contains any charges and other matters that affect the land.

1. (24.08.1998) A Conveyance of the land in this title dated 6 December 1889 made between (1) The Cattle town Gas Company Limited and (2) Percival Estate Company Limited contains the following restrictive covenant:

'Not to develop or use the land hereby conveyed (or any part thereof) as a public house or beer shop.'
2. (24.08.1998) **REGISTERED CHARGE** dated 1 August 1998.
3. (24.08.1998) **PROPRIETOR**: Cattle town Building Society of 103 High Street, Cattle town, CT1 2DD.

END OF REGISTER

NOTE: The date at the beginning of an entry is the date on which the entry was made in the Register.

End of Case Study Materials