Land Registry

Statement of truth in support of an application for registration and/or noting of a prescriptive easement

ST4

Any parts of the form that are not typed should be completed in black ink and in block capitals.

If you need more room than is provided for in a panel, and your software allows, you can expand any panel in the form. Alternatively use continuation sheet CS and attach it to this form.

If a joint statement is made by two or more persons, consequential amendments can be made to the text in the panels (for example, 'I' can be changed to 'we').

Land Registry is unable to give legal advice, but you can find guidance on Land Registry applications (including our practice guides for conveyancers) at www.gov.uk/land-registry.

Insert full name.

Insert full address.

1 I:

of:

make this statement in support of an application to Land Registry for registration and/or noting of an easement based upon prescription.

Place 'X' in one box only.

This is for cases where the legal owner is a company or firm, someone who has died, or is otherwise incapable of making the statement personally. Insert the name and address of the legal owner.

Please specify and enclose any relevant documentation.

See note above.

2 Status of person making this statement

I am

☐ the legal owner of the benefiting land (other than as personal representative)

☐ making this statement on behalf of:

who is currently or was previously the legal owner of the benefiting land but who cannot make this statement for the following reasons:

☐ other:

Place 'X' in one box only.

If applying for entry of a unilateral notice, do not use this form - please use form UN1 instead.

3 Type of application

☐ Registration of benefit of an easement – benefiting land is registered and burdened land is unregistered

☐ Registration of benefit of easement and entry of notice of burden – benefiting land is registered and burdened land is registered

☐ Entry of notice of burden of easement – burdened land is registered and benefiting land is unregistered

4 Title number(s) of the benefiting land (if registered):

Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'. If the benefit of the easement is claimed in relation to unregistered land or part only of the land in the claimant's registered title(s), you must identify the benefiting land by attaching a plan showing the relevant land or (if appropriate) by referring to an existing reference on the title plan. Place 'X' in the appropriate box(es) and complete the first statement if appropriate. Enter reference, for example 'edged red'. If the benefiting land is unregistered, enclose any copy title deeds, if available.	5 Description of the benefiting land: ☐ The land is clearly identified on the attached plan and shown: ☐ The land is unregistered and is comprised in the copy title deeds enclosed
	6 Title number(s) of the burdened land (if registered):
Insert address including postcode (if any) or other description of the property, for example 'land adjoining 2 Acacia Avenue'. If the easement affects unregistered land or part only of the land in one or more registered titles, you must identify the burdened land by attaching a plan showing the relevant land or (if appropriate) by referring to an existing reference on the title plan. Place 'X' in the appropriate box(es) and complete the first statement if appropriate. Enter reference, for example 'edged red'. If the burdened land is unregistered, enclose any copy title deeds, if available.	7 Description of the burdened land: ☐ The land is clearly identified on the attached plan and shown: ☐ The land is unregistered and is comprised in the copy title deeds enclosed
Insert name and address of any known freehold owner of the land or person thought to be the freehold owner, such as the person having the unregistered documentary title to the land or being the registered proprietor of registered land, and/or any tenants and/or mortgagees. If not known, please state this by inserting 'not known'.	8 Identity of the freehold owner of the burdened land or person thought to be the owner and related persons:

Describe the easement claimed to have been acquired by prescription as it might be described in the register. For example, ‘a right of way with or without vehicles for the benefit of [describe benefiting land] over [describe burdened land]’.	9 Easement claimed:
Insert details of the facts relied on to support the claim that an easement has been acquired by prescription.	10 Details of user:
Insert details of date and circumstances in which the user in panel 10 started and finished. Any ‘gaps’ must be specified if the period is not continuous.	11 Period of user:
Place 'X' in one box only and complete the relevant statement if appropriate. Insert details, including dates, and attach any available correspondence or other relevant documentation. If you place 'X' in the second box you are unlikely to establish a claim to the easement by prescription.	12 User without force, secrecy or permission I confirm that ☐ to the best of my knowledge and belief, the user has always been exercised without force, secrecy or permission ☐ the user has not always been exercised without force, secrecy or permission because:
Insert details of any past or present contact with the owner of the burdened land or person thought to be the owner and/or any tenants and/or mortgagees of that land, including dates. If none, please state this by inserting ‘none’. If there has been any dispute concerning the claimed right, please provide details, including dates. Attach copies of all available correspondence or documents relating to the contact or dispute.	13 Contact with freehold owner of the burdened land and related persons:
Insert other relevant details, (if any).	14 Other relevant details

If the person making the statement is unable to sign it, this wording will need to be amended to comply with rule 215A(5) and (6) of the Land Registration Rules 2003. In addition, and in cases where the person making the statement is unable to read, there will need to be an appropriate certificate: see rule 215A(4) and (5).

15 I believe that the facts and matters contained in this statement are true

Signature (of person making this statement): ----------

Print full name:

Date:

WARNING

If the application proceeds, notice of the application (accompanied by a copy of this statement of truth) may be sent by the registrar to the owner of the land or any person thought to be the owner and/or any other person upon whom the registrar considers it necessary or desirable to serve notice.

If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years' imprisonment or an unlimited fine, or both.

Failure to complete this form with proper care may result in a loss of protection under the Land Registration Act 2002 if, as a result, a mistake is made in the register.

Under section 66 of the Land Registration Act 2002 most documents (including this form) kept by the registrar relating to an application to the registrar or referred to in the register are open to public inspection and copying. If you believe a document contains prejudicial information, you may apply for that part of the document to be made exempt using Form EX1, under rule 136 of the Land Registration Rules 2003.

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