
Status: This is the original version (as it was originally enacted).

SCHEDULE 3

(introduced by section 21(2)(b))

FORM OF AFFIXED NOTICE RELATING TO TERMINATION

“TERMINATION OF REAL BURDEN

This notice is intimation that the person who is described below as terminator wishes to free the property which is described below as the burdened property from a real burden which affects that property. The terminator proposes to register a notice of termination so as to extinguish the real burden. A copy of that notice of termination (which among other things describes the real burden fully) is available from the terminator on request.

Name and address of terminator:
(see note for completion 1)

Description of burdened property:
(see note for completion 2)

The real burden and the extent of termination:
(see note for completion 3)

Renewal date:
(see note for completion 4)

If you wish to apply to the Lands Tribunal for Scotland for renewal or variation of the real burden you must do so by not later than the renewal date. If no application is made by then, you may lose any right which you may currently hold to enforce the burden. For further guidance you may wish to consult a solicitor or other adviser.

Signature of terminator:

Date affixed: *..*

Notes for completion of the notice

(These notes have no legal effect)

- 1 The “terminator” is the person who, at any time, is seeking to terminate the real burden. Give the terminator’s name and address (or the terminator’s name and the name and address of the terminator’s agent).
- 2 Describe the property in a way that is sufficient to identify it. Where the property has a postal address the description should include that address. Where the title has been registered in the Land Register the description should refer to the title number of the property or of the larger subjects of which the property forms part. Otherwise it should normally refer to and identify a deed recorded in a specified division of the Register of Sasines.
- 3 Provide briefly a description of the real burden. If the burden is wholly to be terminated say so; otherwise describe the extent of termination.
- 4 Insert the date by which applications for renewal or variation must be made. This can be any date, provided that it is not less than 8 weeks after the last date on which the notice of termination is intimated (intimation by affixing being taken to be given when first the notice is affixed).