

THE ROCK PARK TRUST DEED

Made the seventh day of August One Thousand eight hundred and seventynine between **WILLIAM FREDERICK ROCK** of **HYDECLIFFE, BLACKHEATH IN THE COUNTY OF KENT** wholesale stationer of the first part **JOHN ROBERTS CHANTER OF BARNSTAPLE IN THE COUNTY OF DEVON** of the second part and **THE MAYOR, ALDERMEN AND BURGESSES OF THE BOROUGH OF BARNSTAPLE** aforesaid acting as and for the Urban Sanitary Authority of the said borough of the third part **WHEREAS** by an Indenture dated twentieth day of march One thousand eight hundred and seventyone made between John How of the one part and the said John Roberts Chanter of the other part in consideration of a sum of Three hundred and eighty pounds then paid by the said John Roberts Chanter to the said John How a piece or parcel of ground containing by estimation half an acre or thereabouts situate at Newport in the Parish of Bishops Tawton within the said Borough of Barnstaple and adjoining a certain land then called "Chanters Green" was granted and assigned unto the said John Roberts Chanter his executors, administrators and assigns for the residue of a term of One thousand years then existing therein which said term was created by an Indenture dated the twenty seventh day of November One thousand eight hundred and twenty six **AND WHEREAS** by an Indenture dated the eighteenth day of March One thousand eight hundred and seventy three and made between Mary Lauder of the first part Alexander Lauder and William Otter Smith and Elizabeth his wife (formerly Elizabeth Lauder Spinster) of the second part and the said John Roberts Chanter of the third part in consideration of a sum of One thousand one hundred pounds when, paid by the said John Roberts Chanter to the said Mary Lauder Alexander Lauder William Otter Smith and Elizabeth his wife a certain limekiln with two cottages and buildings thereto belonging and certain clay pits and clay land with the brick yard kiln and sheds adjoining and two cottages or buildings with the offices and drying houses adjoining and with the plots of land in front thereof and also a field or close of land or garden adjoining about one acre one rood all of which said premises are situate near Cooney Bridge in Newport aforesaid and are bounded at the South by Nelson Terrace and adjoining houses on the East by Trafalgar Lawn on the South partly by Slimy Lane partly by the river Taw and on the West by Cooney Gut were granted and assigned under the said John Roberts Chanter his successors and administrators and assigns for the residue of a certain of two thousand years then existing therein **AND WHEREAS** by an indenture date the twelfth day of November One thousand eight hundred and seventy four and made between William Arundell Yeo of the one part and the said John Roberts Chanter of the other part in consideration of a sum of Two hundred and sixty pounds then paid by the said John Roberts Chanter to the said William Arundell Yeo certain pieces of land situate in the parish of Bishops Tawton aforesaid formerly part of an estate called Aclands or Little Pill on the North East side of the River Taw and near to the Mouth of a Stream called Cooney Gut and which said pieces are particularly set out on a plan annexed to the now reciting Indenture and therein coloured pink and contain together four acres and twenty perches thereabouts were granted and conveyed

unto and to the use of the said John Roberts Chanter his heirs and assigns for ever subject to certain reservations and stipulations as to the Roads Rights of way and other covenants therein contained **AND WHEREAS** the said several premises were purchased by the said John Roberts Chanter with monies given by the said William Frederick Rock for the purpose of providing a Public Park and Walks and Recreation Ground for the use of the inhabitants of the Borough of Barnstaple and were conveyed to the John Roberts Chanter to the intent and purpose that he should permit and suffer the land be so used and enjoyed as soon as circumstances would admit **AND WHEREAS** the said several hereditaments have since been paid out planted and completed at the sole expense and cost of the said William Frederick Rock partly in roads partly as a Mall or Walk and the remainder as a Park and Pleasure ground in connection with land at South Walk and the lands called Chanters Green already dedicated to the public and vested in the said Mayor Aldermen and Burgesses of the Borough of Barnstaple aforesaid **AND WHEREAS** the said William Frederick Rock is desirous that the said hereditaments hereinafter limited and described with the Buildings or erection to be called Rock Mount and also the Lodge which has been built at the expense of John Payne his Brother in Law and Partner in business in token of his affection to him and wherein said premises containing altogether about but under eight acres shall be permanently vested in the said Mayor Aldermen and Burgesses of the Borough of Barnstaple aforesaid for the purposes and in manner hereinafter declared **NOW THIS INDENTURE WITNESSETH** that the said John Roberts Chanter at the request of the said William Frederick Rock doth assign unto the said Mayor Aldermen and Burgesses their successors and assigns **FIRSTLY ALL THAT** the said piece or parcel of land and premises by herein before recited Indenture of the twentieth day of March One thousand eight hundred and seventy one expressed to be granted and assigned with its rights members easements and appurtenances **AND SECONDLY ALL THAT** the said field or close of land and other premises comprised in and expressed to be granted and assigned by the herein before in part recited Indenture of the eighteenth day of March One Thousand eight hundred and seventy three with the rights members easements and appurtenances save and accept such part thereof as lies to the East and North of the newly made Carriage Road and is between the said Road and Nelson Terrace and Trafalgar Lawn and also except the full power and authority for the owners and occupiers for the time being of the said excepted part to use the said Carriage Road for all purposes **TO HAVE AND TO HOLD** the premises herein before firstly described with the appurtenances unto the said Mayor Aldermen and Burgesses their successors and assigns for all the rest residue and remainder of the said term of One thousand years now existing within therein as aforesaid or for all other the estate and interest of the said John Roberts Chanter therein **AND TO HAVE AND TO HOLD** the premises secondly hereinbefore described with the appurtenances save and accept and subject as aforesaid unto the said Mayor Aldermen and Burgesses their successors and assigns for all the rest residue and remainder of the said term of two thousand years now existing therein as aforesaid and for all other the estate and interest of the said John Roberts Chanter herein **AND THIS INDENTURE ALSO WITNESSETH** that in further

pursuance of the said request and for the reasons aforesaid the said John Roberts Chanter does hereby grant and convey unto the said Mayor Aldermen and Burgesses **ALL THOSE** pieces of land and premises by the said Indenture of the nineteenth day of November One Thousand eight hundred and seventy four expressed to be granted and conveyed with the rights members and appurtenances **TO HAVE AND TO HOLD** the said premises lastly described with the appurtenances unto the said Mayor Aldermen and Burgesses their successors and assigns **TO THE USE** of the said Mayor Aldermen and Burgesses their successors and assigns for ever subject nevertheless to the reservations and stipulations as to roads and rights of way and other reservations and covenants contained in the hereinbefore recited Indenture of the nineteenth day of November One thousand eight hundred and seventy four **PROVIDED ALWAYS** and it is hereby declared that the said Mayor Aldermen and Burgesses their successors and assigns shall stand possessed of the said several pieces of parcels of land fields hereditaments and premises hereinbefore granted assigned and conveyed or expressed so to be with their rights members easements and appurtenances **UPON TRUST** for ever hereafter to permit and suffer the same to be used as a public Park Walk and Pleasure Grounds according to the interest and meaning of the Sixty fourth section of the Public Health Act one thousand eight hundred and seventy five and any amendments thereof made or to be made but subject to such rules and regulations bye laws and stipulations for the regulation of the same and of all persons resorting thereto as the said Mayor Aldermen and Burgesses their successors and assigns may from time to time and at any time hereafter under the powers given to them by the said or any future act of parliament make order or think proper **PROVIDED NEVERTHELESS** and it is hereby declared that if the said William Frederick Rock shall at any time or times hereafter supply funds for decorating maintaining or extending the said parks, walks or pleasure grounds during his lifetime or by will or otherwise that the representatives trustees or appointees of the said William Frederick Rock shall have full liberty power and authority to enter on all or any part of the said premises for any of such purposes at their discretion without the necessity of applying for obtaining any special permission or authority for so doing **IN WITNESS** thereof the said parties together present have hereunto set their hand and seal the day and year first above written.