

I, CARMEN RYLETT HOCKING, Bank employee, of 1 Oak Terrace, St, Saviour's Lane, Padstow, Cornwall PL28 8BE do solemnly and sincerely declare as follows:-

1. I was born on 5th July 1947, and have lived at No.1 Oak Terrace, St. Saviour's Lane ever since.
2. I am now the owner of No.1 Oak Terrace, St. Saviour's Lane, Padstow, all which property is shown edged red on the plan attached to this Declaration and marked 'A'. At all times there has been a private right of way on foot and with handcarts over and along the land shown hatched green on the plan marked 'A'. To assist, a larger version of this plan is now produced to me marked 'B', and is coloured in the same way as plan A. It is the present route of the right of way which is shown on the plan marked 'A' and 'B'. This right of way has been used by the owners/occupiers, their servants and licensees of the following properties - 1, 2 and 3 Oak Terrace, Courtney Cottage, Underpark, Upsteps, Roses and Mount Pleasant. The right of way has always been private. For as long as I can remember there have been gates at both the top and bottom of the right of way marked private. Those gates have always been in position with their private signs upon them.
3. If I have ever seen anyone other than the persons described above attempting to use the right of way I have challenged their use of it and pointed out that it was a private right of way, and not a public right of way.
4. Specific trespassers whom I have challenged include Mrs. Janet Gerken in the early Summer of 1995, a Mr. McGregor of the Ramblers Associations approximately three years ago, and a Mr. Nigel Rees in September 1986. Trespassers are few and far between.

5. I acquired a one quarter share of No.1 Oak Terrace aforesaid on the 15th December 1988, and the remaining three quarters of the property on the 18th May 1995. I am therefore now the sole owner of No.1 Oak Terrace. since acquiring an interest in the property in December 1988 I have not intended to dedicate the right of way (insofar as it crosses my land) to public use, nor indeed have I dedicated that part of right of way to public use. I do not intend to do so.
6. The precise route of the right of way has changed very slightly over the years. In 1937, the route was shown by a Conveyance dated the 20th January 1937 and made between Annie Maria Blake of the one part and Samuel Paynter Sandry of the other part. A copy of that Conveyance is now produced to me marked 'C'. The route of the right of way can be seen on that plan as being slightly different from route as shown on the plan marked 'A' referred to above.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.

DECLARED at Walsby )  
in the County of Derbyshire )  
this 30th day of November 1995 )

Before me,

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Solicitor/Commissioner for Oaths