DISPOSITION CREATING TITLE CONDITIONS–
UNREGISTERED LAND (WHOLE)

DISPOSITION

by

[ ]

in favour of

[ ]

Property:

Version 2
March 2024

DISPOSITION (creating title conditions)
(Unregistered Land – Whole)

1 Definitions

In this disposition:

["Benefited Property"	means ALL and WHOLE [insert conveyancing description or Title Number of the benefited property];]
Burden Writs	means [ ] [(a) [***specify Seller's descriptive writ / foundation writ / links in title if they contain title conditions***] (b) [***specify any prior burden writs mentioned in the Seller's prescriptive progress / descriptive writ***] (c) [***specify any burden writs mentioned in Legal Report and any other burden writs known***];
["Consenter"	means [ ] residing at [ ];]
"Date of Entry"	means [ ] 20[ ];
"New Burdens"	means the real burdens imposed on the Property set out in [Part 1 of] the Schedule;
"New Servitudes"	means the servitudes benefiting the Property set out in [Part 2 of] the Schedule;
["Plan"	means the Plan of the Property annexed and signed as relative to this disposition;]
"Price"	means [ ] POUNDS (£[ ]) Sterling;
"Property"	means ALL and WHOLE the property known as [ ] [full conveyancing description of property from prior writs] [being the subjects described in and disponed by [Disposition] by [ ] in favour of [ ] dated [ ] and recorded in the Division of the General Register of Sasines for the County of [ ] on [ ]; [and shown [ ] on the Plan] TOGETHER WITH (One) the parts, privileges and pertinents; and (Two) the Seller's whole right, title and interest present and future in and to the property disponed;
"Purchaser"	means [ ] [and [ ]], [both] residing at [ ];
"Schedule"	means the schedule annexed and signed as relative to this disposition;
"Seller"	means [ ] [and [ ]], [both] residing at [ ];

2 Narrative

2.1 The Seller is the proprietor of the Property and the Benefited Property.

2.2 The Seller has sold the Property to the Purchaser for the Price.

2.3 The Seller acknowledges receipt of the Price.

3 Disposition

3.1 The Seller[, with the consent of the Consenter, the [spouse][civil partner] of the Seller, for the purposes of the [Matrimonial Homes (Family Protection) (Scotland) Act 1981 as amended,][Civil Partnership Act 2004,] DISPONES the Property to the Purchaser [equally between them].

3.2 The Schedule forms part of this disposition.

3.3 The Property is disponed with the benefit of the New Servitudes.

[4 Matrimonial Homes/Civil Partnership Declaration]

[The Seller declares that the Property is neither a matrimonial home in relation to which a spouse of the Seller has occupancy rights, the expressions "matrimonial home" and "occupancy rights" having the meanings respectively ascribed to them by the Matrimonial Homes (Family Protection) (Scotland) Act 1981, as amended, nor a family home in relation to which a civil partner of the Seller has occupancy rights under the Civil Partnership Act 2004.]

[5] Burdens

[5].1 The Property is disponed ALWAYS WITH AND UNDER so far as valid, subsisting and applicable the burdens, servitudes, conditions and other encumbrances contained in the Burden Writs.

[5].2 The Property is disponed ALWAYS WITH AND UNDER the New Burdens.

[6] No application to the Lands Tribunal

No application may be made to the Lands Tribunal for Scotland under section 90(1)(a)(i) of the Title Conditions (Scotland) Act 2003 in respect of the New Burdens or New Servitudes for a period of [five] years after the date of registration of this disposition in the Land Register of Scotland.

[7] Entry

The Property is sold WITH ENTRY and VACANT POSSESSION on the Date of Entry.

[8] Warrandice

The Seller grants warrandice: IN WITNESS WHEREOF this disposition [consisting of [ ] pages][together with the Plan [and] Schedule] annexed is executed by [ ] [me] [us] at the place and on the date undernoted in the presence of the undernoted witness:

_____	(Seller)	X _____
_____	(witness)	X _____
_____	(name of witness)	_____
_____	(address of witness)	(place of signing)
_____		_____
_____		(date of signing)

This is the Schedule referred to in the Disposition by [ ] in favour of [ ] of [ ]

Part 1

New Burdens affecting the Property

The following real burdens are imposed on the Property in favour of the Benefited Property:

1

2

Part 2

New Servitudes benefiting the Property

The following servitudes are imposed on the Benefited Property in favour of the Property:

1

[subject to the following servitude conditions:]

2

[subject to the following servitude conditions:]