



THE  
**JAMAICA GAZETTE**  
**SUPPLEMENT**

**PROCLAMATIONS, RULES AND REGULATIONS**

4021

Vol. CCLI

TUESDAY, JANUARY 30, 2018

No. 10C

No. 9C

**THE REGISTRATION OF TITLES, CADASTRAL MAPPING AND TENURE  
CLARIFICATION (SPECIAL PROVISIONS) ACT**

THE REGISTRATION OF TITLES, CADASTRAL MAPPING AND TENURE  
CLARIFICATION (SPECIAL PROVISIONS) (SECTION 5—PART OF MOUNTAINSIDE  
CALLED KILDARE IN THE PARISH OF SAINT ELIZABETH) ORDER, 2018

In exercise of the power conferred upon the Minister by section 5 of the Registration of Titles, Cadastral Mapping and Tenure Clarification (Special Provisions) Act, 2005, the following Order is hereby made:—

1. This Order shall be cited as the Registration of Titles, Cadastral Mapping and Tenure Clarification (Special Provisions) (Section 5—Part of Mountainside called Kildare, in the parish of Saint Elizabeth) Order, 2018.
2. The Order is required because the landowner has informally subdivided the land as outlined below and has occupied it in its present state. An application was submitted to the Office of Titles at the National Land Agency to have the property brought under the operation of the Registration of Titles Act. The Referee of Titles has requested that

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subdivision approval from the Saint Elizabeth Parish Council or that an Order under section 5(a)(i) of the Registration of Titles, Cadastral Mapping and Tenure Clarification (Special Provisions) Act, 2005 must be furnished. In light of the above the Honourable Minister is being asked to make an Order waiving the requirement for subdivision approval pursuant to section 5 of the said Registration of Titles, Cadastral Mapping and Tenure Clarification (Special Provisions) Act, 2005.

3. The *Local Improvements Act*, the *Natural Resources Conservation Authority Act* and the *Town and Country Planning Act* shall not apply in relation to any transfer or registration of any portion of the land described in Part I of the First Schedule.

4. Any transfer or registration of any portion of the land described in Part I of the First Schedule must be in conformity with the Map described in Part II of the First Schedule and must be subject to the conditions outlined in the Second Schedule.

FIRST SCHEDULE

(Paragraph 2)

PART I

All that parcel of land part of Mountainside called Kildare in the parish of Saint Elizabeth, butting and bounding as appears by survey diagram bearing Examination Number, set out in the table below as follows:

Applicant Name	Plan Examination Number	Parcel Size (M <sup>2</sup> )	Place Name	Parish
Hilret Morrison	360114	1,972.190	Mountainside called Kildare	Saint Elizabeth

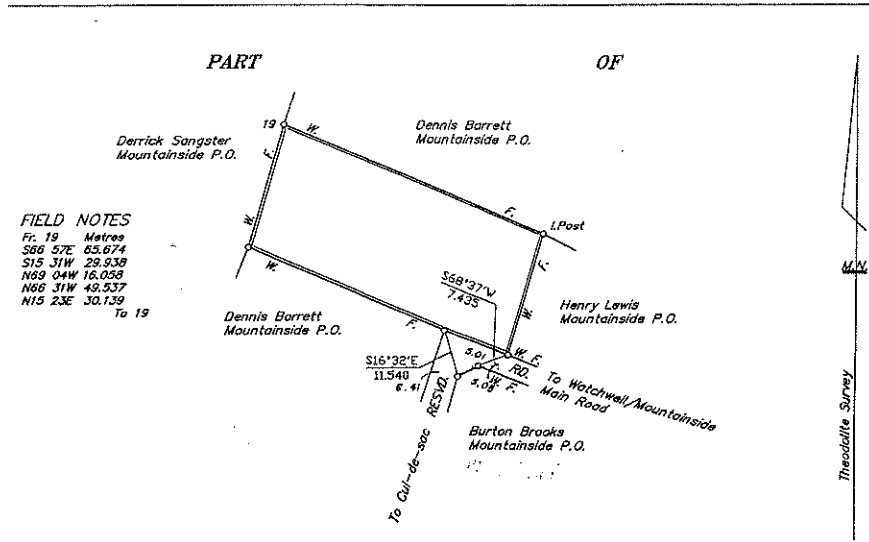
FIRST SCHEDULE, *contd.*

## PART II

Plan of land part of Mountainside called Kildare in the parish of Saint Elizabeth  
as set out in table at Part I above.

FIRST SCHEDULE, *contd.*

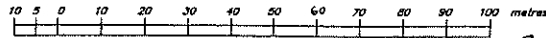
PART II, *contd.*



**FIELD NOTES**  
 Fr. 19 Metres  
 S86 S7E 85.674  
 S15 31W 29.938  
 N69 04W 16.058  
 N66 31W 49.537  
 N15 23E 30.139  
 To 19

NOTE: All marks are I.P.(old) unless otherwise stated.

**MOUNTAINSIDE called KILDARE**



SCALE = 1cm = 10 metres R.F. 1:1000

JAMAICA S.S.

**MEMORANDUM**

249412

PARISH ST. ELIZABETH	AREA 1972.190 Sq. metres		D. Barrett H. Lewis
The name of the party of whose instance the survey was made.	Hilret Morrison	The names of the parties interested in the survey who were served with notices	B. Brooks D. Sangster
The name of the property surveyed or of the property of which the 2nd surveyed forms part.	PART OF MOUNTAINSIDE called KILDARE		
The dates between which the survey was made.	2012/04/03	The names of those who appeared either personally or by their representatives	B. Brooks
The grounds of objection to the survey, if any.	None		
The grounds of the Surveyor's inclusion.	Instructions, and marks on earth	Surveyed By	<i>Patrick Hendricks</i> Patrick Hendricks Commissioned Land Surveyor PATRICK HENDRICKS & ASSOCIATES LTD. Shop 21 Tony Rowe Plaza Junction P.O. Phone 607-8190
Make and No. of instrument	NIKON DTM 310 # 842809		
Type and S.D. No. of tape used.	N/A		
Date of last tape check. Result.	N/A		

Amended

## SECOND SCHEDULE

(Paragraph 3)

*Covenants*

1. There being no breach of existing covenants or supportable objections.

*Details*

2. Submission to and approval by the Local Authority of layout plans indicating the form(s), type(s) of development, phasing and details of each and every type of building to be constructed.

3. Development of any lot within the subdivision must be submitted to the Local Authority in the form of an application with detailed drawings for approval before any such development is undertaken.

*Road, Access and Drainage*

4. That the natural drainage onto the land shall be unimpeded.

5. Drainage resulting from work done on the subdivision shall be satisfactorily intercepted and disposed of before it reaches the main/parochial road.

6. The owners shall not in any manner restrict or interfere with the discharge of storm water from any road onto the land (hereinafter called "the said land") and the road authority shall not under any circumstance be liable to the owner or occupier of the said land for any damage occasioned by the storm water flowing off roadways.

7. No bath water or any water except storm water shall be permitted or allowed to flow from any lot onto any portion of any road, street or land adjacent to the lot, but all such water as aforesaid shall be disposed of by being run into an absorption pit or pits or by evaporation or percolation on the said lot or existing sewer system.

8. Septic Tank, Manholes (M.H.), Trap Gully Basins (T.G.B.), Grease Traps (G.T.) and Inspection Chambers (I.C.) should be constructed according to standards and specifications approved by the Saint Elizabeth Parish Council.

9. No waste (sullage or effluent) disposal shall be permitted to be discharged from any lot onto any roadway or part of any adjoining lands.

10. There being a satisfactory building site on each residential lot, with satisfactory ingress/egress.

11. No factory or other manufacturing enterprises shall be erected on any residential lot.

12. All gates and doors in or upon any fence or opening onto any road shall open inwards.

13. Access to the said land shall be by way of the reserved road leading from the said land to the Watchwell to Mountainside Main Road.

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SECOND SCHEDULE, *contd.*

*Utilities*

14. The provision of adequate domestic water supply shall be the responsibility of the individual lot owners.

15. The owners shall permit the erection of poles and guys to facilitate the extension of electricity and telephone services at all times—these to be erected as near as practicable to the boundary lines.

*Adjustments*

16. The subdivision works shall be undertaken in accordance with the plans and specifications approved by the Saint Elizabeth Parish Council.

17. There shall be no further subdivision of the land without prior approval from the local planning authority.

18. That the landowner makes the necessary arrangements with the relevant authority to comply with requirements for solid waste disposal.

19. Titles are released with the distinct understanding that the Saint Elizabeth Parish Council will not be called upon to maintain or take over the infrastructure, namely roads, drainage, street lights, sewage disposal arrangements, water supplies until they are brought up to a satisfactory condition.

20. The restrictive covenants abovementioned shall run with the said land and shall bind as well the registered proprietors, their heirs, personal representatives and transferees as the registered proprietors and shall enure to the benefit of and be enforceable by the registered proprietors for the time being of the lands or any portion thereof.

Dated this 23rd day of January 2018.

ANDREW HOLNESS, ON, MP,  
Prime Minister and Minister of Economic  
Growth and Job Creation.