

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

**PROCLAMATIONS, RULES AND REGULATIONS**

480H

Vol. CXLI

FRIDAY, MARCH 23, 2018

No. 28B

No. 28B

**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 CHOCOLATE HOLE IN THE  
PARISH OF ST. 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 Chocolate Hole, 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 has been submitted to the Office of Titles at the National Land Agency to have the property brought under the Registration of Titles Act. The Referee of Titles has requested that subdivision

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approval be secured 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 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 Chocolate Hole 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:

<u>Applicant Name</u>	<u>Plan Examination Number</u>	<u>Parcel Size (sq. M<sup>2</sup>)</u>	<u>Place Name</u>	<u>Parish</u>
Milton Francis	356794	4,437.72	Chocolate Hole	Saint Elizabeth

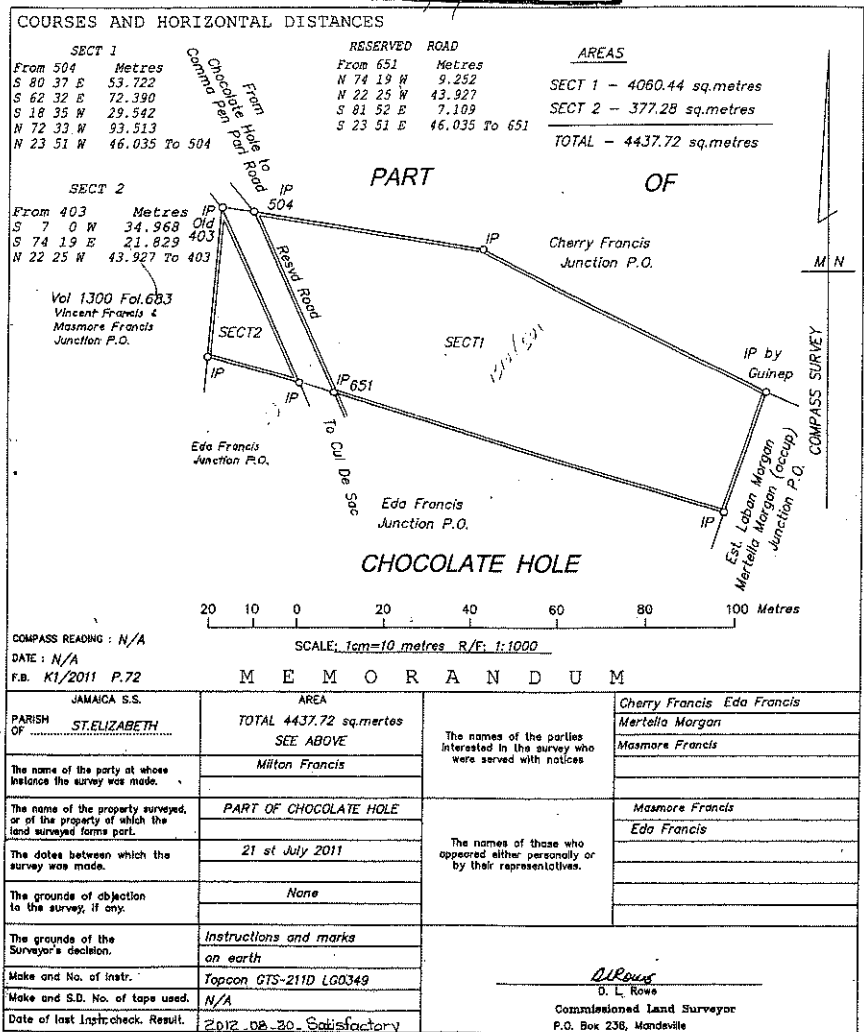
FIRST SCHEDULE, *contd.*

PART II

Plan of land part of Chocolate Hole in the parish of Saint Elizabeth as shown in Part I above.

FIRST SCHEDULE, *contd.*

PART II, *contd.*



M E M O R A N D U M

JAMAICA S.S.	AREA	Cherry Francis Eda Francis
PARISH OF ST.ELIZABETH	TOTAL 4437.72 sq.metres SEE ABOVE	Mertella Morgan
The name of the party at whose instance the survey was made.	Milton Francis	Masmore Francis
The name of the property surveyed, or of the property of which the land surveyed forms part.	PART OF CHOCOLATE HOLE	Masmore Francis
The dates between which the survey was made.	21 st July 2011	Eda Francis
The grounds of objection to the survey, if any.	None	
The grounds of the Surveyor's decision.	Instructions and marks on earth	
Make and No. of instr.	Topcon GTS-211D LG0349	
Make and S.D. No. of tape used.	N/A	
Date of last Instr. check. Result.	2012-08-30 Satisfactory	

D. L. Rowe  
 Commissioned Land Surveyor  
 P.O. Box 236, Mandeville

Amended: 2012/08/31 2013/01/17

## 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 Chocolate Hole to Comma Pen Parochial 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 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 8th day of March 2018.

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