May 2025 (V3)

Buying and Selling Covenanted Properties

Columbus Point (Management Company) Limited (CPMCL) has prepared these notes to assist buyers and sellers of properties that are covenanted to pay for the upkeep of the Columbus Point Water Feature. The notes carry no legal weight or certainty and you are strongly advised to discuss the issues raised with your legal representatives.

- Stephen Rimmer LLP ("Rimmers") is CPMCL's solicitor and conveyancer and act on behalf of CPMCL in regard to the Water Feature and the Register of Members. Telephone: 01323 644222 judy.mcintosh@stephenrimmer.com

- Wishtower Limited act for CPMCL. They communicate with solicitors, manage correspondence, the budgets, invoicing and debt. Wishtower Limited, 23 Marshall Road, Eastbourne, BN22 9AD. Telephone: 01323 312121 info@wishtower.com.

- The CPMCL Company Secretary is Price & Company, 30-32 Gildredge Rd, Eastbourne BN21 4SH. Telephone: 01323 639661 nathancoker@price.co.uk.

- Eaves Property Management is the Property Management company representing the leaseholders' Landlord. Acent Investments Limited. 1-12 Dominica Court is owned by its own management company. Eaves PMs can be contacted at info@eavespropertymanagement.co.uk or 01628 947908.

Leaseholders

As stated above, Eaves PMs are the property manager acting for the lessor (freeholder) of all but 1-12 Dominica Court.

Freeholders

Eaves PMs carry out maintenance on the general estate for freeholders on the development for CPMCL and collect the costs for that work from the freeholders. It is not necessary for a freeholder to buy a Sales Pack. The only information a Vendor will require of is confirmation that there are no arrears of maintenance charges.

They cannot prevent or delay the sale (or purchase) of a freehold property on the development. Upon completion, buyers and sellers should send a Notice of Assignment to Eaves so that they are aware who is the new owner and when completion occurred.

If you are a Member of CPMCL and are selling your property, you should point out to your selling agent, your conveyancer and your purchaser that there is a restrictive Deed of Covenant related to the Water Feature, making your property responsible for 1/369th of the costs of maintaining the Water Feature. You should ensure that your purchaser receives a copy of the current Service Charge invoice related to the Water Feature, and you should inform them of any related outstanding charges or debts.

Most local estate agents and solicitors will be aware of the unique conveyancing issues relating to Sovereign Harbour, and to Columbus Point and the Water Feature in particular.

Purchasing a property in Columbus Point.

The Water Feature & CPMCL

Each of the 369 properties in Anguilla Close, Dominica Court, Grenada Close, Martinique Way, Monserrat Villas, San Juan Court, 2-30 Santa Cruz Drive (even numbers only) and St Kitts Drive, have an obligation to pay for the Water Feature. Upon payment of their charges, Rimmers will provide Replies to Enquiries, relevant documents and a copy of the new Deed of Covenant relating to the Water Feature. Copies of the “old” deed of covenant will not be accepted.

Transfer on Sale. Registration of a Transfer at HM Land Registry will not be possible until Rimmers have received (a) a signed copy of the Deed of Covenant and (b) confirmation that there are no outstanding Water Feature service charges due over the property. **Until then the purchaser’s conveyancer will be unable to register the Transfer of ownership.**

When Rimmers have the signed Deed and confirmation that there are no outstanding charges, they will provide a Certificate lifting the Restriction at the Land Registry, and the purchaser’s conveyancers may register the Transfer of sale to the new owner (along with their mortgage deeds, if applicable) and new Title Deeds will be issued.

Rimmers also deal with Notice of Assignment, which is a form of notice to confirm the address the purchasers will be using for correspondence and importantly the address for any service charge demands.

CPMCL Membership Liabilities.

On completion and receipt of the Deed, CPMCL will issue a Certificate of Membership to the new owner of the property and Wishtower Limited will update their records.

Sovereign Harbour Trust. Purchasers should also be aware that there is also a Deed of Covenant relating to Sovereign Harbour Trust in regard to harbour charges (sea defences). The Trust can be contacted by visiting their website (www.sovereignharbourtrust.co.uk),by email: sovereignharbourtrust@p-p.uk, by telephone: 01323 408047 or by writing to Sovereign Harbour (Sea Defences) CIC, 18 Hyde Gardens, Eastbourne, BN21 4PT.

Directors, Columbus Point (Management Company) Limited
directors@cpmcl.co.uk
www.cpmcl.co.uk