

HIGHWAYS ACT STATEMENTS/DECLARATIONS  
SUBMITTED BY MR EVANS AS PART OF HIS EVIDENCE

A Defence Against Alleged Public Rights of Way - Supporting Evidence

Exhibit #13

SECTION 34 (6) HIGHWAYS ACT 1959

STATEMENT

REGARDING LAND AT CRONDALL LANE, FARNHAM, SURREY (OS.1912)  
OWNED BY ALFRED CYRIL FRANCIS EVANS

I am the owner in fee simple of the above land which is edged red on the plan attached hereto and comprises 22.983 acres or thereabouts.

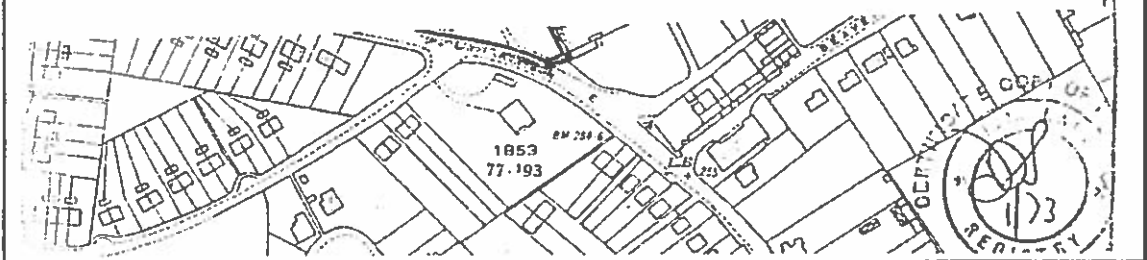
The only footpaths that I recognise over this land are footpath No.6 and footpath No.181, which are marked by blue dotted lines on the plan.

Any other route used by the public across the land is not recognised by me.

Dated this 1<sup>st</sup> day of September 1977.

*Alfred C. F. Evans*

A.C.F. EVANS



A Defence Against Alleged Public Rights of Way - Supporting Evidence

Exhibit #18

I, ALFRED CYRIL FRANCIS EVANS of [redacted] Canada do solemnly and sincerely declare as follows:-

1984  
STATUTORY  
DECLARATION

1. I am the owner of the freehold of the agricultural land edged red on the plan attached hereto situate at the Hart, Farnham, Surrey and marked 'ACTE 1'.

2. I inherited the property about 20 years ago from my mother who in turn inherited the property from her father the late Mr. A.H. Stevens in about 1934.

3. Up to a few years ago the land was used with the adjoining land as hop fields but in recent years has been used for agricultural purposes.

4. I recognize the right of the public to use the public footpaths number 6, 7, and 191 shown on the plan and coloured blue insofar as they affect the land I own, but in recent years since hops ceased to be grown, the public have started to use the paths coloured brown on the said plan. My tenant Mr. Keith Kenward and I are trying to prevent them using such brown paths by putting up notices to show the line of the official public footpaths, which have been already dedicated and I hereby declare that the footpaths coloured brown have not been dedicated for use by the public.

SOLEMNLY  
DECLARED

5. I depose from my knowledge as aforesaid and I make this solemn declaration believing the same to be true and by virtue of the Statutory Declarations Act 1835.

DECLARED  
PROPERTY of the said ALFRED CYRIL  
FRANCIS EVANS at [redacted] CANADA

*Alfred Cyril Francis Evans*

~~the~~ 5th day of APRIL, 1984

Before me  
*[Signature]*  
Commissioner for Oaths.  
NOTARY PUBLIC Francis R. Killo  
of Notary Public and for Notary Public  
the Province of British Columbia 813-400 DUNE STREET  
VICTORIA, B.C.

*As witness, this is true copy  
given & taken*



## A Defence Against Alleged Public Rights of Way - Supporting Evidence

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**DRAFT**

**STATUTORY DECLARATION**

**SECTION 31(6) OF THE HIGHWAYS ACT 1980**

RECEIVED  
NOV 24, 11

I, ALFRED CYRIL FRANCIS EVANS of [REDACTED]  
[REDACTED] Canada [REDACTED] DO SOLEMNLY AND SINCERELY  
DECLARE as follows:

- 1 I am and have been since about the year 1960 the owner of the land situate at The Hart Farnham Surrey shown on the plan attached hereto marked "ACFE 1" and thereon edged red having inherited the same from my mother in about the year 1960 who had previously inherited it from her father the late Mr A H Stevens in about the year 1934.
- 2 In the year 1984 I deposited with Surrey County Council (being the appropriate Council) a Statutory Declaration accompanied by a plan delineating my Property by red edging which stated that I recognised the right of the public to use the public footpaths numbered 6, 7 and 181 shown on the said plan and coloured blue insofar as they affect the land I own but in (then) recent years since hops ceased to be grown the public had started to use the paths coloured brown on the said plan. I recorded the fact that my tenant Mr Keith Kenward and I were trying to prevent the unauthorised use of such brown paths by putting up notices to show the line of the official public footpaths which had already been dedicated and I declared that the footpaths coloured brown had not been dedicated for use by the public
- 3 Since 1984 I confirm that notices have been maintained at the end of the footpaths coloured brown on plan ACFE 1 indicating that they are private ways and not subject to public rights of way.
- 4 No additional ways have been dedicated over the land edged red on the plan attached hereto since the date of my Statutory Declaration executed in the year 1984

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EV 0409 000013762664v1  
24 November 2011

A Defence Against Alleged Public Rights of Way - Supporting Evidence

Exhibit #27 Page 2 of 2

AND I MAKE this solemn declaration conscientiously believing it to be true an by virtue of Statutory Declarations Act 1835

DECLARED by the said ALFRED CYRIL )  
FRANCIS EVANS at )

this day of 2000 )

Before me

Notary Public

NOTE:  
SIGNED COPY  
WITH SURREY COUNTY  
COUNCIL.

SEE LETTER, 23 JAN. 2003  
FROM SURREY C.C. TO  
CATHERINE DAYEY of  
STEVENS & BOLTON STATING  
THAT STAT. DECLARATION  
HAS BEEN ACCEPTED.

**STATUTORY DECLARATION****SECTION 31(6) OF THE HIGHWAYS ACT 1980**

I ALFRED CYRIL EVANS of 2059 Sweet Gale Place, Shawnigan Lake, British Columbia, Canada, VOR 2W3 DO SOLEMNLY AND SINCERELY DECLARE as follows:

- 1 I am and have been since about the year 1960 the owner of the land situate at The Hart, Farnham, Surrey more particularly delineated on the plan accompanying this declaration and thereon edged red having inherited the same from my mother in about the year 1960 who had previously inherited it from her father the late Mr A H Stevens in about the year 1934.
- 2 In or about September 1977 I first deposited with Surrey County Council a statement accompanied by a plan delineating my property by red edging which stated that the only footpaths that I recognised over my land are footpaths numbers 6 and 181 which were marked by a blue dotted line on the plan and that any other route used by the public across the land is not recognised by me.
- 3 In or about April 1984 and January 2003 I deposited with Surrey County Council, being the appropriate Council, a statement accompanied by a plan (Plan A) delineating my property by red edging which stated that the ways coloured purple and numbered 6, 7 and 181 on the second plan (Plan B) had been dedicated as public footpaths in so far as they affect my land.
- 4 No additional ways have been dedicated over the land edged red on Plan A accompanying this declaration since the statement dated 6 January 2003 referred to in paragraph 3 above other than those footpaths marked in purple on Plan B accompanying this declaration and at the present time I have no intention of dedicating any more public rights of way over my property.

AND I MAKE this solemn declaration on the <sup>16</sup> ~~16~~ day of <sup>NOVEMBER</sup> ~~December~~ 2012 conscientiously believing it to be true and by virtue of the Statutory Declaration act 1835

Declared at  
Mill Bay, British Columbia, Canada

[address]

[signature of A Evans]

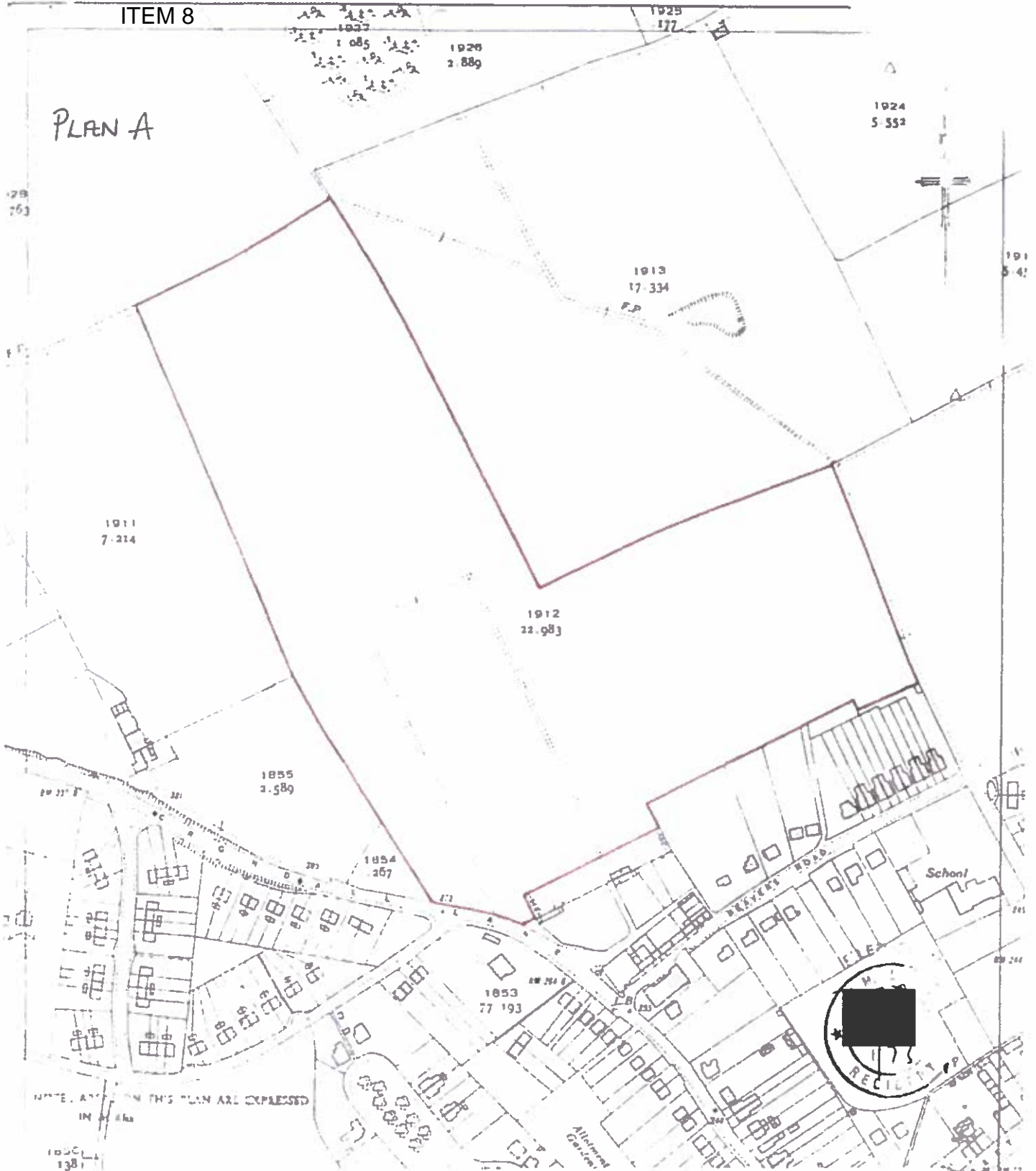
Before me

[Commissioner for Oaths or a Justice of the Peace or Solicitor]

David B. Pope  
Barrister & Solicitor  
PO Box 83 Mill Bay BC  
VOR 2P0 250 743 3245

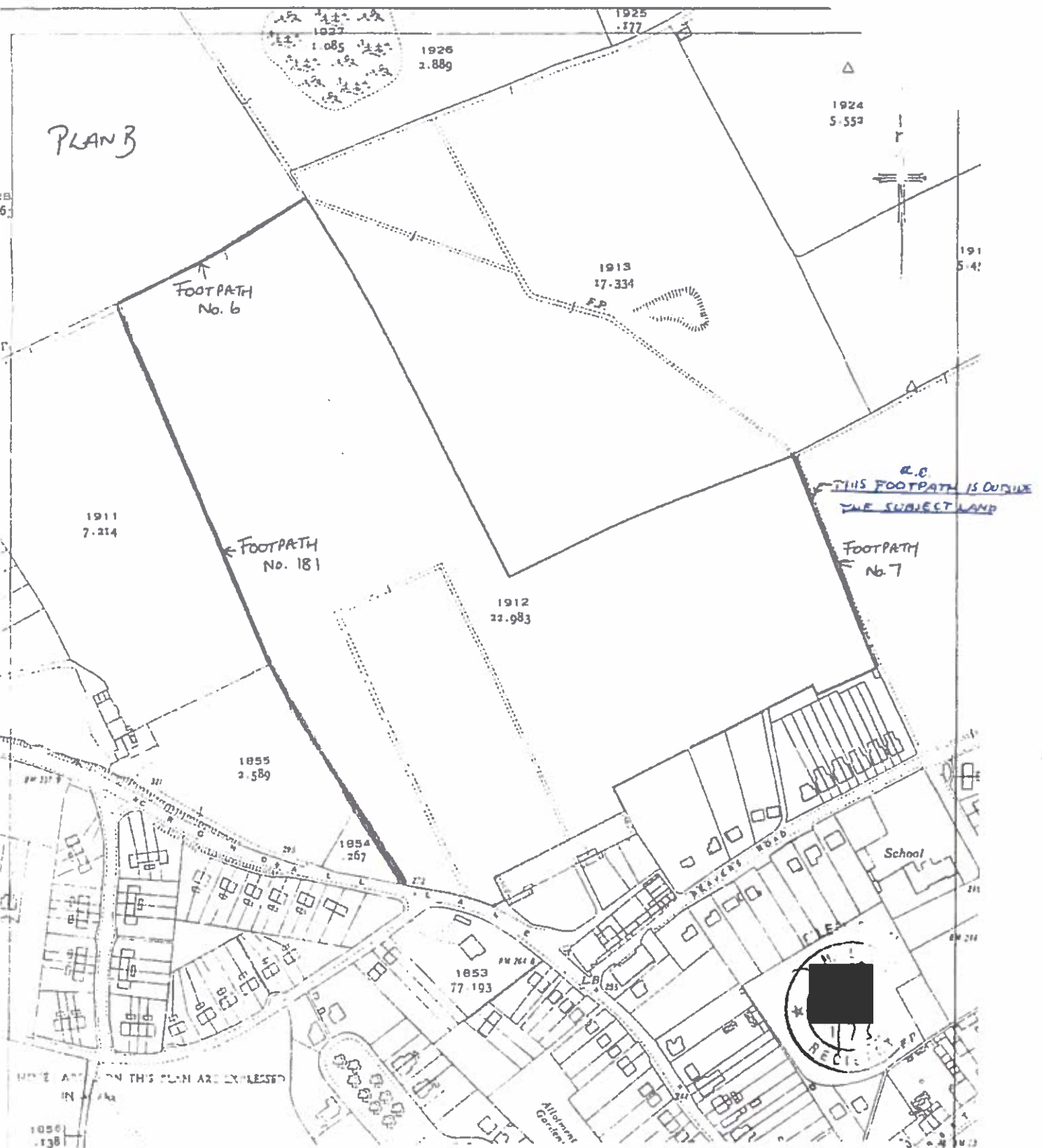
A Notary Public in and for the  
Province of British Columbia

PLAN A



<b>H.M. LAND REGISTRY</b>		<b>TITLE NUMBER</b>	
		<b>SY 424357</b>	
<b>ORDNANCE SURVEY PLAN REFERENCE</b>	<b>COUNTY</b>	<b>SHEET</b>	<b>NATIONAL GRID</b>
Scale		Crown Copyright	

PLAN B



NOTE: ALL DIMENSIONS ON THIS PLAN ARE EXPRESSED IN METERS

H.M. LAND REGISTRY		TITLE NUMBER	
		SY 424357	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
Scale: 1:1000		Crown Copyright	

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