

Recording Requested By:

And, when recorded, mail this deed and tax statements to:

Name:

City & State:

Zip Code:

Telephone:

PARTY WALL AGREEMENT

THE STATE OF CALIFORNIA

COUNTY OF _____

WHEREAS, Owner _____ of _____
(Street Address)

_____, referred to herein as
(City, State, Zip Code)

Owner A, is the owner of real property on which a garage is located, said real property being described herein as Exhibit A, and made a part of this Agreement by reference thereto; and

WHEREAS, Owner _____ of _____
(Street Address)

_____, referred to herein as
(City, State, Zip Code)

Owner B, is the owner of real property on which a garage is located, said real property being described herein as Exhibit B, and made a part of this Agreement by reference thereto; and

WHEREAS, both of the above described units constitute one building structure separated by a Party Wall as defined herein; and

WHEREAS, in order to maintain a high quality garage while insuring a consistent, harmonious character to such properties and the preservation of their suitability to each Owner of his unit, it is deemed desirable to place certain restraints on the hereinabove described properties.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That the above referenced Parties do hereby adopt and prescribe the following covenants and restrictions which

Understanding The Role Of A Party Wall Surveyor In Preventing And Resolving Neighbour Disputes

Party wall disputes can be a significant source of tension between neighbours. The involvement of a party wall surveyor can be crucial in both preventing and resolving these disputes. A party wall surveyor is a professional who specialises in matters related to party walls, which are walls shared by adjacent properties. Their expertise helps ensure that any construction or renovation work affecting a party wall is conducted smoothly and in accordance with legal requirements.

The Party Wall etc. Act 1996 is the primary piece of legislation governing party wall matters in England and Wales. This Act provides a framework for preventing and resolving disputes between neighbours related to party walls, boundary walls and excavations near neighbouring buildings. When a homeowner plans to carry out work that might affect a party wall, they must serve a notice to their neighbour, informing them of the proposed works. This is where a party wall surveyor comes into play.

One of the primary roles of a party wall surveyor is to assess the proposed work and its potential impact on the neighbouring property. They review the construction plans and determine whether the work falls within the scope of the Party Wall etc. Act 1996. If the work does require adherence to the Act, the surveyor ensures that the necessary notices are correctly served and that the legal procedures are followed.

Once a party wall notice is served, the adjoining neighbour has the option to consent, dissent or do nothing. If they dissent or fail to respond within 14 days, a dispute is deemed to have arisen. At this point, the appointment of a party wall surveyor becomes essential. Both neighbours can agree on a single surveyor, or each can appoint their own surveyor. If two surveyors are appointed, they will work together to agree on the terms of the work.

The surveyor(s) will then prepare a party wall award, which is a legal document outlining the rights and responsibilities of each party. This award covers the scope of the work, the time frame, and the manner in which the work should be carried out to minimise disruption and damage to the adjoining property. It also includes provisions for the surveyors to inspect the work during and after its completion.

A key aspect of the party wall surveyor's role is to act impartially and fairly to both parties. Their duty is not to side with either the building owner or the adjoining owner, but to ensure that the works are carried out in a way that is fair and compliant with the law. This impartiality is crucial in maintaining trust and resolving disputes amicably.

In cases where damage occurs to the adjoining property as a result of the work, the [party wall surveyor](#) assesses the damage and determines the appropriate remedial actions. They ensure that any necessary repairs are carried out and that the adjoining owner is compensated for any loss or inconvenience suffered. This aspect of their role is vital in preventing disputes from escalating and fostering good neighbourly relations.

The involvement of a party wall surveyor can also help prevent disputes from arising in the first place. By providing professional advice and ensuring that the correct procedures are followed, surveyors help homeowners understand their obligations and the rights of their neighbours. This proactive approach reduces the likelihood of misunderstandings and disagreements, creating a smoother construction process.

Furthermore, party wall surveyors are equipped with the knowledge and experience to handle complex situations. For example, they can provide guidance on how to deal with historical or listed buildings, where additional considerations may apply. Their expertise ensures that all legal and technical aspects are addressed, preventing potential legal issues in the future.

Effective communication is another essential part of a party wall surveyor's role. They facilitate clear and open dialogue between neighbours, addressing concerns and queries promptly. This communication helps to build trust and cooperation, making it easier to reach agreements and avoid conflicts.

In conclusion, the role of a party wall surveyor is multifaceted and crucial in preventing and resolving neighbour disputes related to party walls. Their expertise in the Party Wall etc. Act 1996, impartiality, and professional approach ensure that construction work is carried out smoothly and fairly. By appointing a party wall surveyor, homeowners can navigate the complexities of party wall matters with confidence, safeguarding their property and maintaining good relationships with their neighbours.



Should I Select A Celebration Wall Surface Surveyor For The Next-door Neighbors' New Extension? This be utilized as a device to both defend and validate monetary insurance claims made during the building jobs. The preparation of such a survey takes, usually, between 2 and 3 hours. The cost is normally around £ 500, depending upon whether you and your property surveyors have selected a fixed-fee setup. [newline] Whichever the situation, the adjacent owner's land surveyor bills a hourly fee for their attendance. The act needs that you give influenced neighbours either one month's or two months' notice, relying on the sort of task and the wall-work entailed. The adjacent owner must be made aware of the details of the works being implemented.

Knock Down & Rebuild Structure Over Public Method

As the Building Proprietor, you are also responsible for the Adjoining Owner's reasonable property surveyor fees (similar amount). You are lawfully responsible for preparing and serving Notifications on all affected neighbours. You can serve them on your own, or designate us to do it for you. Notifications have to be valid and effectively offered-- an invalid Notice restarts the clock.

What to do before a surveyor comes?

These should be agreed prior to jobs begin. Yes-- chimney bust removal affects structural security. You need Structure Control authorization and Party Wall compliance. They're different procedures and run in parallel.

- However, if you dissent or do not react, the Act requires surveyor consultation.
- Events might feel much more certain having a committed land surveyor advocating for their rate of interests.
- What happens if one neighbour insists on having their very own property surveyor?
- You consent however ask for an Arrange of Condition-- a pre-works document of your home.

All charges revealed are fixed-- no surprise bonus. Land surveyor's charge paid by the building proprietor-- not you. No survey of your property is performed. A pre-works problem study of the components of your property that may be at threat or close to the proposed jobs. The legal shipment of a Notice to the Adjoining Owner-- can be by hand, article, or e-mail (if consented). The day of service starts the 14-day feedback period.

Each Side Designates Its Own Land Surveyor

A surveyor records your residential [Dispute Resolution Expertise by Party Wall Solutions](#) property's condition prior to jobs start. A pointer letter can be sent offering 10 extra days; if there's still no reaction, just Choice 3 stays. The individual (or business) carrying out the proposed building works. They are lawfully in charge of offering Notifications and covering land surveyor costs under the Act.