

Approved Form 10

cl. 29
s. 88B

Conveyancing Act 1919

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.

(Sheet 1 of 1 sheet)

Plan: Plan of (heading of plan) covered by Subdivision Certificate No. (add reference as appropriate)

Full name and address of the owner of the land:

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Right of carriage way variable width shown in the aforementioned plan	1 [common property]	[Lot 11 or Lot 2 in first subdivision]
2	Easement for services variable width shown in the aforementioned plan	1 [common property]	[Lot 11 or Lot 2 in first subdivision]
3	Easement to drain water 2 wide shown in the aforementioned plan	5 6 1	Northern Beaches Council

Part 1A (Release)

Number of item shown in the intention panel on the plan	Identity of easement or profit à prendre to be released and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1	Right of carriageway 12 feet wide shown in DP 530864	8/629464 14/858130	9/629464
2	Easement for services variable width shown in DP 858130	14/858130 8/629464	8/629464 and 9/629464 9/629464
3	Easement to drain water 1.2 wide shown in DP 858130	14/858130 8/629464	15/858130 14/858130 and 15/858130
4	Easement to drain water 2 wide shown in DP 732590	14/858130	Northern Beaches Council

Part 2 (Terms)

Terms of easement numbered one in the plan creating easements.

1. Full and free right for the owner of the benefitted lot and every person who is at any time entitled to an estate or interest in the benefitted lot or any part thereof and every person authorised by such person to:

(a) by any reasonable means pass across the lot burdened with or without animals or vehicles or both, but only within the site of the easement, to get to or from the lot benefitted, and

(b) do anything reasonably necessary for that purpose, including:

- entering the lot burdened, but only within the site of the easement, and
- taking anything on to the lot burdened, but only within the site of the easement, and
- carrying out work within the site of the easement, such as constructing, placing, repairing or maintaining trafficable surfaces, driveways or structures.

2. In exercising those powers, the owner of the lot benefitted and every person who is at any time entitled to an estate or interest in the benefitted lot or any part thereof and every person authorised by such person must:

(a) ensure all work is done properly, and

(b) cause as little inconvenience as is practicable to the owner and any occupier of the lot burdened, and

(c) cause as little damage as is practicable to the lot burdened and any improvements on it, and

(d) restore the lot burdened as nearly as is practicable to its former conditions, and

(e) make good any collateral damage.

3. The owner of the lot burdened may install a security gate provided that the owner of the lot benefitted is provided with a security key.

CERTIFIED correct for the purposes of the *Real*)
Property Act 1900 and executed on behalf of)
the corporation named below by the authorised)
person whose signature appears below)
pursuant to the authority specified:)

Basscave Pty Limited

Corporation

Section 127 of the *Corporations Act 2001 (Cth)*

Authority

Signature of authorised person

Signature of authorised person

Name of authorised person (print)

Name of authorised person (print)

Office held

Office held

Signed in my presence by Peter Gordon)
Higgins who is personally known to me)
)

Signature of Witness

Signature of Peter Gordon Higgins

Name of Witness

Address of Witness

Signed in my presence by Rebecca Meta Higgins who is personally known to me)
)
)

.....
Signature of Witness

.....
Signature of Rebecca Meta Higgins

.....
Name of Witness

Address of Witness

Executed by **National Australia Bank Limited** by the authorised person whose signature appears below

.....
Signature of authorised person

.....
Name of authorised person