

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.

Plan: **Plan of Subdivision of lot 9 in DP18515**

Full Name and Address of the Owner(s) of the land

MICK WYKROTA
No.12 Mirrool Street North Narrabeen

Covered by Subdivision Certificate No.
dated

Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of the easement, profit 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	Positive Covenant	1-3	Every other lot

Attesting Witness

Plan:

Part 2 (Terms)

Terms of easement, profit à prendre, restriction or positive covenant numbered 1 in the plan

DRAFT ONLY TERMS (Terms to be confirmed by client's solicitor)

TERMS OF THE POSITIVE COVENANT FIRSTLY REFERRED TO:

The registered proprietors of Lot 1, Lot 2 and Lot 3 are jointly responsible for repairs and maintenance of the front section of the shared access driveway (from Mirrool Street entrance to six (6) metres past the access way to Lot 1, so it is kept in safe and functional condition.

Registered proprietors of Lot 2 and Lot 3 are equally responsible for repairs and maintenance of the remaining sections of the driveway to keep it in safe and functional condition.

If it could be proven that a damage was done by the owner of a particular lot (or his guests, associates, tradesmen etc). In which case that owner would be solely responsible to pay for the repairs.

Repairs could be organised by agreement by any of the three owners.

Party empowered This covenant may only be released, varied or modified by the agreement of the registered proprietor (or all the registered proprietors if more than one) of the dominant and servient tenement(s).

Attesting Witness

Plan of Subdivision of lot 9 in DP18515

Plan:

Signature Sheet

Signed in my presence by :

Name of Registered Proprietor:

Signature of Registered Proprietor:

Name of Witness:

Address of Witness:

Signature of Witness: