



F 680049

**Fees:** \$1000

|             |   |   |
|-------------|---|---|
| Lodgment    | : | : |
| Endorsement | : | : |
| Certificate | : | : |



# MEMORANDUM OF TRANSFER

(REAL PROPERTY ACT, 1900.)

Typing or handwriting in this instrument should not extend into any margin. Handwriting should be clear and legible and in permanent black or blue-black non-erasing ink.

• If a less estate, strike out "in fee simple" and interline the required alteration.

b If to two or more, state whether as joint tenants or tenants in common.

c If all the references cannot be conveniently inserted, a form of annexure (obtainable at I.T.O.) may be added. Any annexure must be signed by the parties and their signatures witnessed.

d If part only of the land comprised in a Certificate or Certificates of Title is to be transferred add "and being lot sec. D.P. " or

"being the land shown in the plan annexed hereto," or "being the residue of the land in certificate (or grant) registered Vol. Eol."

Where the consent of the local council is required to a subdivision the certificate and plan mentioned in the L.G. Act, 1919, should accompany the transfer.

Strike out if unnecessary.  
Covenants should comply with Section 88 of the Conveyancing Acts, 1919-1943. Here also should be set forth any right-of-way or easement or exception.  
Any provision in addition to or modification of the covenants implied by the Act may also be inserted.  
If the space provided is insufficient a form of annexure of the same size and quality of paper as this instrument should be used.

1. A very short note will suffice.

g If executed within the State this instrument should be signed or acknowledged before the Registrar-General, or Deputy Registrar-General, or a Notary Public, a J.P., or Commissioner for Affidavits, to whom the Transferor is known, otherwise the attesting witness should appear before one of the above functionaries who having questioned the witness should sign the certificate on the back of this form.

As to instruments executed elsewhere, see back of form.

#### b Report attestation if necessary.

the Transferor or Trans-  
ferree signs by a mark, the  
attestation must state "that  
the instrument was read over  
and explained to him, and  
that he appeared fully to  
understand the same."

I, JONATHAN SELBY WALKOM of Sydney, Civil Servant 146/57  
(herein called transferor - )

being registered as the proprietor of an estate in *fee simple* in the land hereinafter described, subject, however, to such encumbrances, liens and interests as are notified hereunder, in consideration of Seven hundred and ninety pounds—

(~~790.0.0~~) (the receipt whereof is hereby acknowledged) paid to me by

ALFRED ERNEST MUNT of Woollahra, Contractor and HILDA MARY MUNT his wife

do hereby transfer to the said transferees as joint tenants  
ALL such ~~my~~ Estate and Interest in ALL THE land mentioned in the schedule following:—

| County.    | Parish.    | Reference to Title (c) |      |      | Description of Land<br>(if part only).       | (d) |
|------------|------------|------------------------|------|------|----------------------------------------------|-----|
|            |            | Whole or Part.         | Vol. | Fol. |                                              |     |
| Cumberland | Manly Cove | Part                   | 4804 | 53   | Lots <u>7</u> and <u>8</u> on D.P.<br>23583. |     |

And the transferee covenants with the transferor. The Transferees for themselves and their assigns hereby for the benefit of the adjoining land namely Lots 6 and 9 shown on Deposited Plan No. 23583 and also the land at the rear of the subject lot but only during the ownership thereof by the Transferor his Executors Administrators and assigns other than the Purchasers on sale covenant with the Transferor his executors administrators and assigns that no fence shall be erected on the land hereby transferred to divide it from such adjoining land without the consent of the Transferor his executors administrators and assigns but such consent shall not be withheld if such fence is erected without expense to the Transferor his executors administrators or assigns and in favour of any person dealing with the Transferees or their assigns such consent shall be deemed to have been given in respect of every such fence for the time being erected AND IT IS AGREED that the above covenant may be released varied or modified by the owner or owners for the time being of such adjoining land.

ENCUMBRANCES &c. REFERRED TO.

ENCUMBRANCES, &c., REFERRED TO.

Easement as created by transfer and grant No. F511027 as regards the above Lot 7 only.

Signed at Sydney the 21<sup>st</sup> day of January 1952

\*Signed in my presence by the transferor

WHO IS PERSONALLY KNOWN TO ME

*Milton J. Procter*  
Managing Clerk to Mackinnon & Spence  
Sole, Sydney.

**Signed**

Signed in my presence by the transferee

WHO IS PERSONALLY KNOWN TO ME

† Accepted, and I hereby certify this Transfer to be correct  
for the purposes of the Real Property Act.

a. G. M. t.

S. M. Tennant.  
Transferrel

\* If signed by virtue of any power of attorney, the original power must be registered, and produced with each dealing, and the memorandum of non-revocation on back of form signed by the attorney before a witness.

† N.B.—Section 117 requires that the above Certificate be signed by each Transferee or his Solicitor or Conveyancer, and renders any person falsely or negligently certifying liable in a penalty of £50; also to damages recoverable by parties injured. Acceptance by the Solicitor or Conveyancer (who must sign his own name, and not that of his firm) is permitted only when the signature of the Transferee cannot be obtained without difficulty, and when the instrument does not impose a liability on the party taking under it. When the instrument contains some special covenant by the Transferee or is subject to a mortgage, encumbrance or lease, the Transferee must accept personally.

No alterations should be made by erasure. The words rejected should be scored through with the pen, and those substituted written over them, the alteration being verified by signature or initials in the margin, or noticed in the attestation.

**F 680049**  
 No. \_\_\_\_\_  
 LODGED BY **NICHOLL & HICKS**  
 SOLICITORS  
 THE METROPOLITAN BLDG.  
 55 HUNTER ST. SYDNEY

**CONSENT OF MORTGAGEE.**  
 (N.B.—Before execution read marginal note.)

I, \_\_\_\_\_ mortgagee under Mortgage No. \_\_\_\_\_  
 release and discharge the land comprised in the within transfer from such mortgage and all claims thereunder but without prejudice to my rights and remedies as regards the balance of the land comprised in such mortgage.

This consent is appropriate only to a transfer of part of the land in the Certificate of Title or Crown Grant. The mortgagee should execute a formal discharge where the land transferred is the whole of or the residue of the land in the Certificate of Title or Crown Grant or is the whole of the land in the mortgage.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
 Signed in my presence by \_\_\_\_\_  
 \_\_\_\_\_ who is personally known to me. \_\_\_\_\_ Mortgagee.

**MEMORANDUM AS TO NON-REVOCATION OF POWER OF ATTORNEY.**  
 (To be signed at the time of executing the within instrument.)

Memorandum whereby the undersigned states that he has no notice of the revocation of the Power of Attorney registered No. \_\_\_\_\_ Miscellaneous Register under the authority of which he has just executed the within transfer.

Signed at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
 Signed in the presence of— \_\_\_\_\_

Strike out unnecessary words. Add any other matter necessary to show that the power is effective.

**CERTIFICATE OF J.P., &c., TAKING DECLARATION OF ATTESTING WITNESS.**

Appeared before me at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, one thousand \_\_\_\_\_  
 nine hundred and \_\_\_\_\_ the attesting witness to this instrument  
 and declared that he personally knew \_\_\_\_\_ the person  
 signing the same, and whose signature thereto he has attested; and that the name purporting to be such  
 signature of the said \_\_\_\_\_ is \_\_\_\_\_ own handwriting, and  
 that \_\_\_\_\_ he was of sound mind and freely and voluntarily signed the same.

To be signed by Registrar-General, Deputy Registrar-General, a Notary Public, J.P., Commissioner for Affidavits, or other functionary before whom the attesting witness appears. Not required if the instrument itself be signed or acknowledged before one of these parties.

|                       |                                                      |                                                                             |                                                                                 |                |
|-----------------------|------------------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------|----------------|
| INDEXED               | <b>MEMORANDUM OF TRANSFER</b><br>Subject to Covenant |                                                                             | <b>DOCUMENTS LODGED HEREWITH.</b><br>To be filled in by person lodging dealing. |                |
|                       | Checked by                                           | Particulars entered in Register Book.<br>Volume <u>4804</u> Folio <u>53</u> | 1                                                                               | Received Docs. |
|                       | Passed (in S.D.B.) by                                | the <u>9th</u> day of <u>July</u> 19 <u>52</u>                              | 2                                                                               | Nos.           |
|                       |                                                      |                                                                             | 3                                                                               |                |
|                       |                                                      |                                                                             | 4                                                                               |                |
|                       |                                                      |                                                                             | 5                                                                               |                |
|                       |                                                      |                                                                             | 6                                                                               |                |
| Signed by             | minutes past <u>12</u> clock in the _____ noon       | 7                                                                           | Receiving Clerk.                                                                |                |
| <br>Registrar-General |                                                      |                                                                             |                                                                                 |                |

LEAVE THESE SPACES FOR DEPARTMENTAL USE.

**PROGRESS RECORD.**

|                                  | Initials | Date |
|----------------------------------|----------|------|
| Sent to Survey Branch            |          |      |
| Received from Records            |          |      |
| Draft written                    |          |      |
| Draft examined                   |          |      |
| Diagram prepared                 |          |      |
| Diagram examined                 |          |      |
| Draft forwarded                  |          |      |
| Supt. of Engrossers              |          |      |
| Cancellation Clerk               |          |      |
| Vol. <b>6531</b> Fol. <b>148</b> |          |      |

**EXECUTION OUTSIDE NEW SOUTH WALES.**  
 If the parties be resident without the State, but in any other part of the British Dominions, the instrument must be signed or acknowledged before the Registrar-General or Recorder of Titles of such Possession, or before any Judge, Notary Public, Justice of the Peace for New South Wales, or Commissioner for taking affidavits for New South Wales, or the Mayor or Chief Officer of any municipal or local government corporation of such part, or Justice of the Peace for such part, or the Governor, Government Resident, or Chief Secretary of such part or such other person as the Chief Justice of New South Wales may appoint.  
 If resident in the United Kingdom then before the Mayor or Chief Officer of any corporation or a Notary Public.  
 If resident at any foreign place, then the parties should sign or acknowledge before a British Minister, Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of the Embassy or Legation, Consul-General, Consul, Vice-Consul, Acting-Consul, Pro-Consul, or Consular Agent, who should affix his seal of office, or the attesting witness may make a declaration of the due execution thereof before one of such persons (who should sign and affix his seal to such declaration), or such other person as the said Chief Justice may appoint.

The fees are:—Upon lodgment (a) 1/-, if accompanied by the relevant title or evidence of production thereof, (b) 1/- 5/- otherwise. This fee includes endorsement on the first Certificate. In addition the following fees are payable:—(c) 1/- for each additional Certificate included in the Transfer, (d) 1/- 5/- for each new Certificate of Title issued, (e) 5/- where the Transfer contains covenant purporting to affect the user of any land, (f) 10/- where the Transfer is expressed to be made together with an easement or expressed to reserve an easement or in any way creates an easement, (g) 1/- 5/- where partial discharge of a mortgage is endorsed on the Transfer, (h) 1/- for each additional folio where the Certificate exceeds ten folios, (i) 1/- as approved, in cases involving more than one simple diagram or any diagram other than a simple diagram.  
 Tenants in common must receive separate Certificates.  
 If part only of the land is transferred a new Certificate must issue for that part, and the old Certificate will be retained in the Office. A new Certificate may be taken out for the residue if desired.