

APPENDIX B

EXISTING SECTION 88B INSTRUMENT

Instrument setting out Terms of Easement intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

(Sheet 1 of 2 sheets)

Plan: of right of carriageway within
Lot 10 DP5055

Plan of right of carriageway covered by
~~Council Certificate No.~~

**Full name and address of the owner
of the land:**

THE UNITING CHURCH IN
AUSTRALIA PROPERTY TRUST
(NSW)
59 Darley Road, Mona Vale NSW

DP1045166

Part 1

1. **Identity of easement, to be
created and firstly referred to in
the plan:** Right of carriageway
8 wide.

Schedule of Lots etc. affected

Lots burdened

Lot 10 DP5055

**Lots, relevant roads, bodies or
prescribed authorities benefited.**

Pittwater Council
(easement in gross)

Instrument setting out Terms of Easement intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

~~(Sheet 2 of 2 sheets)~~

Plan: of right of carriageway within
Lot 10 DP5055

Plan of right of carriageway covered by
Council Certificate No.

Part 2

Terms of easement, referred to in the plan:-

Full and free right for the body in whose favour this easement is created and every person authorised by it and falling within the definition hereunder of "authorised person" to go, pass and repass at all times and for all purposes with or without horses or vehicles or both over the land indicated herein as the servient tenement and for the purposes aforesaid "authorised person" shall be limited to:-

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For THE UNITING CHURCH IN AUSTRALIA PROPERTY TRUST (NSW)

Member

Member

DP1045166

SHEET 2 OF 2 SHEETS

1. pedestrian members of the public;
2. persons riding horses;
3. motor vehicles (but not trucks exceeding 8.2 tonnes in weight) towing horse trailers and actually being used for the purpose of horse transportation only;
4. cyclists (but excluding motor cyclists); and
5. emergency vehicles;

and the body in whose favour this easement is created shall erect at the eastern and western entrances/exits of the right of carriageway on the eastern and western boundaries of the land burdened by this easement notices in conspicuous positions advising persons of the limitations as to access over the right of carriageway hereby granted to the five categories set out above. Such notices shall be erected and maintained at all times at the cost of the body in whose favour this easement is created.

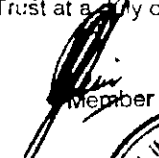
Name of person empowered to release, vary or modify restriction or positive covenant referred to in the plan:

Pittwater Council

THE COMMON SEAL of THE UNITING CHURCH OF AUSTRALIA PROPERTY TRUST (NSW) was hereunto affixed in accordance with its constitution and in the presence of:

THE COMMON SEAL of THE UNITING CHURCH OF AUSTRALIA PROPERTY TRUST (N.S.W.) was hereunto affixed on the 2nd day of September 2002 in pursuance of a resolution of the Trust at a duly convened meeting in the presence of:


Member


Member

Signature of Secretary

Signature of Director

Name of Secretary -- please print

Name of Director - please print

