

**COUNCIL'S CERTIFICATE**

The Council of the ~~City of Manly~~ **MANLY** having satisfied itself that the requirements of the Strata Titles Act, 1973 (other than the requirements for the registration of plans) have been complied with approves of the proposed ~~subdivision~~ **strata plan of subdivision** illustrated herein.

~~Consent does not object to the encroachment of the building beyond the alignment.~~

~~This approval is given on the condition that (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) (k) (l) (m) (n) (o) (p) (q) (r) (s) (t) (u) (v) (w) (x) (y) (z) (aa) (ab) (ac) (ad) (ae) (af) (ag) (ah) (ai) (aj) (ak) (al) (am) (an) (ao) (ap) (aq) (ar) (as) (at) (au) (av) (aw) (ax) (ay) (az) (ba) (bb) (bc) (bd) (be) (bf) (bg) (bh) (bi) (bj) (bk) (bl) (bm) (bn) (bo) (bp) (bq) (br) (bs) (bt) (bu) (bv) (bw) (bx) (by) (bz) (ca) (cb) (cc) (cd) (ce) (cf) (cg) (ch) (ci) (cj) (ck) (cl) (cm) (cn) (co) (cp) (cq) (cr) (cs) (ct) (cu) (cv) (cw) (cx) (cy) (cz) (da) (db) (dc) (dd) (de) (df) (dg) (dh) (di) (dj) (dk) (dl) (dm) (dn) (do) (dp) (dq) (dr) (ds) (dt) (du) (dv) (dw) (dx) (dy) (dz) (ea) (eb) (ec) (ed) (ee) (ef) (eg) (eh) (ei) (ej) (ek) (el) (em) (en) (eo) (ep) (eq) (er) (es) (et) (eu) (ev) (ew) (ex) (ey) (ez) (fa) (fb) (fc) (fd) (fe) (ff) (fg) (fh) (fi) (fj) (fk) (fl) (fm) (fn) (fo) (fp) (fq) (fr) (fs) (ft) (fu) (fv) (fw) (fx) (fy) (fz) (ga) (gb) (gc) (gd) (ge) (gf) (gg) (gh) (gi) (gj) (gk) (gl) (gm) (gn) (go) (gp) (gq) (gr) (gs) (gt) (gu) (gv) (gw) (gx) (gy) (gz) (ha) (hb) (hc) (hd) (he) (hf) (hg) (hh) (hi) (hj) (hk) (hl) (hm) (hn) (ho) (hp) (hq) (hr) (hs) (ht) (hu) (hv) (hw) (hx) (hy) (hz) (ia) (ib) (ic) (id) (ie) (if) (ig) (ih) (ii) (ij) (ik) (il) (im) (in) (io) (ip) (iq) (ir) (is) (it) (iu) (iv) (iw) (ix) (iy) (iz) (ja) (jb) (jc) (jd) (je) (jf) (jg) (jh) (ji) (jj) (jk) (jl) (jm) (jn) (jo) (jp) (jq) (jr) (js) (jt) (ju) (jv) (jw) (jx) (jy) (jz) (ka) (kb) (kc) (kd) (ke) (kf) (kg) (kh) (ki) (kj) (kk) (kl) (km) (kn) (ko) (kp) (kq) (kr) (ks) (kt) (ku) (kv) (kw) (kx) (ky) (kz) (la) (lb) (lc) (ld) (le) (lf) (lg) (lh) (li) (lj) (lk) (ll) (lm) (ln) (lo) (lp) (lq) (lr) (ls) (lt) (lu) (lv) (lw) (lx) (ly) (lz) (ma) (mb) (mc) (md) (me) (mf) (mg) (mh) (mi) (mj) (mk) (ml) (mm) (mn) (mo) (mp) (mq) (mr) (ms) (mt) (mu) (mv) (mw) (mx) (my) (mz) (na) (nb) (nc) (nd) (ne) (nf) (ng) (nh) (ni) (nj) (nk) (nl) (nm) (nn) (no) (np) (nq) (nr) (ns) (nt) (nu) (nv) (nw) (nx) (ny) (nz) (oa) (ob) (oc) (od) (oe) (of) (og) (oh) (oi) (oj) (ok) (ol) (om) (on) (oo) (op) (oq) (or) (os) (ot) (ou) (ov) (ow) (ox) (oy) (oz) (pa) (pb) (pc) (pd) (pe) (pf) (pg) (ph) (pi) (pj) (pk) (pl) (pm) (pn) (po) (pp) (pq) (pr) (ps) (pt) (pu) (pv) (pw) (px) (py) (pz) (qa) (qb) (qc) (qd) (qe) (qf) (qg) (qh) (qi) (qj) (qk) (ql) (qm) (qn) (qo) (qp) (qq) (qr) (qs) (qt) (qu) (qv) (qw) (qx) (qy) (qz) (ra) (rb) (rc) (rd) (re) (rf) (rg) (rh) (ri) (rj) (rk) (rl) (rm) (rn) (ro) (rp) (rq) (rr) (rs) (rt) (ru) (rv) (rw) (rx) (ry) (rz) (sa) (sb) (sc) (sd) (se) (sf) (sg) (sh) (si) (sj) (sk) (sl) (sm) (sn) (so) (sp) (sq) (sr) (ss) (st) (su) (sv) (sw) (sx) (sy) (sz) (ta) (tb) (tc) (td) (te) (tf) (tg) (th) (ti) (tj) (tk) (tl) (tm) (tn) (to) (tp) (tq) (tr) (ts) (tt) (tu) (tv) (tw) (tx) (ty) (tz) (ua) (ub) (uc) (ud) (ue) (uf) (ug) (uh) (ui) (uj) (uk) (ul) (um) (un) (uo) (up) (uq) (ur) (us) (ut) (uu) (uv) (uw) (ux) (uy) (uz) (va) (vb) (vc) (vd) (ve) (vf) (vg) (vh) (vi) (vj) (vk) (vl) (vm) (vn) (vo) (vp) (vq) (vr) (vs) (vt) (vu) (vv) (vw) (vx) (vy) (vz) (wa) (wb) (wc) (wd) (we) (wf) (wg) (wh) (wi) (wj) (wk) (wl) (wm) (wn) (wo) (wp) (wq) (wr) (ws) (wt) (wu) (wv) (ww) (wx) (wy) (wz) (xa) (xb) (xc) (xd) (xe) (xf) (xg) (xh) (xi) (xj) (xk) (xl) (xm) (xn) (xo) (xp) (xq) (xr) (xs) (xt) (xu) (xv) (xw) (xx) (xy) (xz) (ya) (yb) (yc) (yd) (ye) (yf) (yg) (yh) (yi) (yj) (yk) (yl) (ym) (yn) (yo) (yp) (yq) (yr) (ys) (yt) (yu) (yv) (yw) (yx) (yy) (yz) (za) (zb) (zc) (zd) (ze) (zf) (zg) (zh) (zi) (zj) (zk) (zl) (zm) (zn) (zo) (zp) (zq) (zr) (zs) (zt) (zu) (zv) (zw) (zx) (zy) (zz)~~

Date: **8<sup>th</sup> SEPTEMBER, 1994**

Subdivision No. **3797/5**

*[Signature]*  
Council Clerk

\*Complete, or delete if applicable.

**SURVEYOR'S CERTIFICATE**

I, **GREGORY KEITH OXLEY** ~~LOVEGROVE OXLEY & PARTNERS~~ **D.O. 2152 BLACKTOWN** a surveyor registered under the Surveyors Act 1929, hereby certify that:

- any wall, the inner surface or any part of which corresponds substantially with any line shown on the accompanying floor plan as a boundary of a proposed lot, exists;
- any floor or ceiling, the upper or under surface or any part of which forms a boundary of a proposed lot, shown in the accompanying floor plan, exists;
- any wall, floor, ceiling or structural cubic space, by reference to which any boundary of a proposed lot shown in the accompanying floor plan is defined, exists;
- any building containing proposed lots erected on the land shown on the accompanying location plan and each proposed lot shown on the accompanying floor plan are wholly within the perimeter of the parcel except to the extent that:
  - (a) the building encroaches on a public place;
  - (b) the building encroaches on land other than a public place, in respect of which encroachment an easement or other right has been created by registered instrument to be created under section 88B of the Conveyancing Act 1919.
- the survey information recorded in the accompanying location plan is accurate.

Signature: *[Signature]*  
Date: **9.6.93**

\*Delete if inapplicable.  
† State whether dealing or plan, and quote registered number.  
This is sheet 1 of my Plan in **THREE (3)** sheets.

**PLAN OF SUBDIVISION OF LOTS 10, 11, 12, 13 & COMMON PROPERTY IN S.P. 12435**

Mun./State : **MANLY** Locality : **MANLY**

Parish : **MANLY COVE** County : **CUMBERLAND**

~~Reduction Ratio 1:~~ Lengths are in metres

**STRATA PLAN 49343**

Registered: **4/5-5-1995**

C.A. **3797/5** OF 8-9-1994

Purpose: **STRATA PLAN OF SUBDIVISION**

Ref. Map: **U1852-342 #**

Last Plan: **SP 12435**

Name of, and \*address for service of notices on, the body corporate: **THE PROPRIETORS-STRATA PLAN N° 12435**

\*Address required on original strata plan only.

**Signatures, seals and statements of intention to create easements, restrictions on the use of land or positive covenants.**

PURSUANT TO SECTION 7 (3) STRATA TITLES ACT, AS AMENDED, AND SECTION 88B OF THE CONVEYANCING ACT, AS AMENDED, IT IS INTENDED TO CREATE:

- RIGHT OF FOOTWAY VARIABLE WIDTH.
- EASEMENT FOR AIR DUCT VARIABLE WIDTH.

**CERTIFICATE OF BODY CORPORATE**

IN PURSUANCE OF THE STRATA TITLES ACT, 1973 THE PROPRIETORS - STRATA PLAN N° 12435 HEREBY CERTIFIES THAT BY A RESOLUTION, PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ABOVE ACT AT A GENERAL MEETING HELD ON THE ..... IT AGREED TO THE SUBDIVISION ILLUSTRATED BY THE PLAN WHICH IS IDENTIFIED BY THE SIGNATURES OF THE WITNESSES TO THE AFFIXING OF ITS SEAL TO THIS CERTIFICATE.

THE COMMON SEAL OF THE PROPRIETORS, STRATA PLAN N° 12435 WAS HEREBY AFFIXED ON THE **16-9-94** IN THE PRESENCE OF *[Signatures]* AND *[Signatures]* BEING THE PERSONS AUTHORIZED BY SECTION 55 OF THE STRATA TITLES ACT, 1973 TO ATTEST THE AFFIXING OF THE SEAL.

*[Signatures]*  
**NICK NICOLAPO**

Witnesses:  
*[Signatures]*

Signed at Sydney the 20<sup>th</sup> day of **SEPTEMBER** 1994 for the Common Proprietors of Strata Plan N° 12435  
I, **DAVID JOHN REID** Attorney for the Proprietors  
Attorney for the Proprietors  
No. 221

Table of mm: 100 110 120 130 140 150 160

**THE PROPRIETORS-STRATA PLAN N° 12435**  
Common Seal

Req:R659749 /Doc:SP 0049343 P /Rev:23-May-1995 /NSW LRS /Pgs:ALL /Prt:26-Oct-2022 15:32 /Seq:1 of 3  
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N  
3  
0  
X  
8  
0  
0  
Y

Plan Drawing only to appear in this space

CERTIFICATE THAT BODY CORPORATE  
AGREES TO THE SCHEDULE  
OF UNIT ENTITLEMENT

IN PURSUANT OF THE STRATA TITLES ACT 1973, THE PROPRIETORS STRATA PLAN NO 12435 HEREBY CERTIFIES THAT IT HAS, BY THE SPECIAL RESOLUTION REFERRED TO IN SECTION 37(4)(a), AGREED TO EACH PROPOSED UNIT ENTITLEMENT & THE PROPOSED AGGREGATE UNIT ENTITLEMENT SHOWN IN THE SCHEDULE HEREWITH WHICH IS IDENTIFIED BY THE SIGNATURES OF THE WITNESSES TO THE AFFIXING OF ITS SEAL HERETO.

THE COMMON SEAL OF THE PROPRIETORS - STRATA PLAN NO 12435 WAS  
HEREONTO AFFIXED ON 16-9-94 IN THE PRESENCE OF  
[Signature] AND [Signature]  
BEING THE PERSONS AUTHORIZED BY SECTION 55 OF THE STRATA TITLES  
ACT, 1973 TO ATTEST THE AFFIXING OF THE SEAL.



SCHEDULE OF UNIT ENTITLEMENT	
LOT NO	UNIT ENTITLEMENT
1	38
2	38
3	38
4	38
5	38
6	38
7	38
8	38
9	35
14	144
15	30
16	84
17	114
18	152
19	53
20	19
21	57
22	8
AGGREGATE	1000

Reduction Ratio 1:

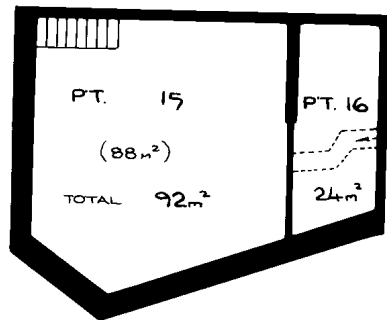
Lengths are in metres

[Signature]  
Registered Surveyor

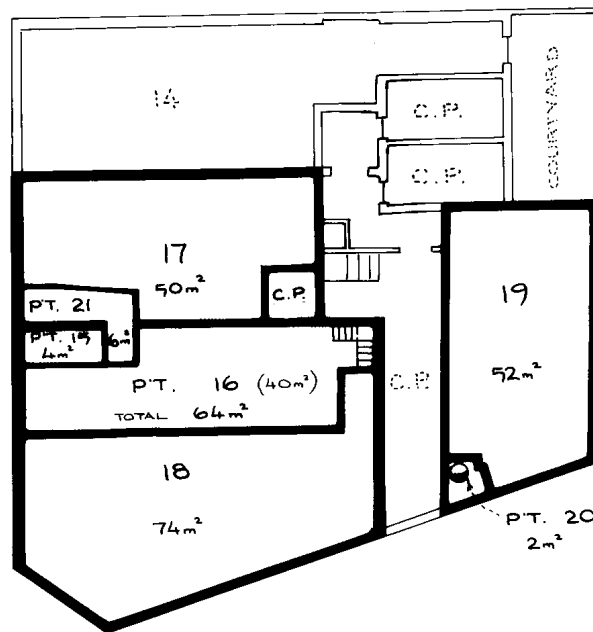
[Signature]  
Council Clerk

STRATA PLAN 49343

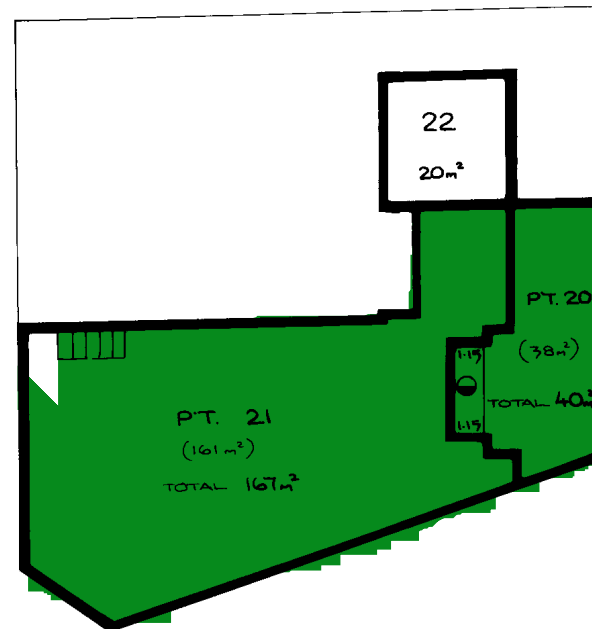
\*OFFICE USE ONLY



BASEMENT



GROUND FLOOR



MEZZANINE FLOOR

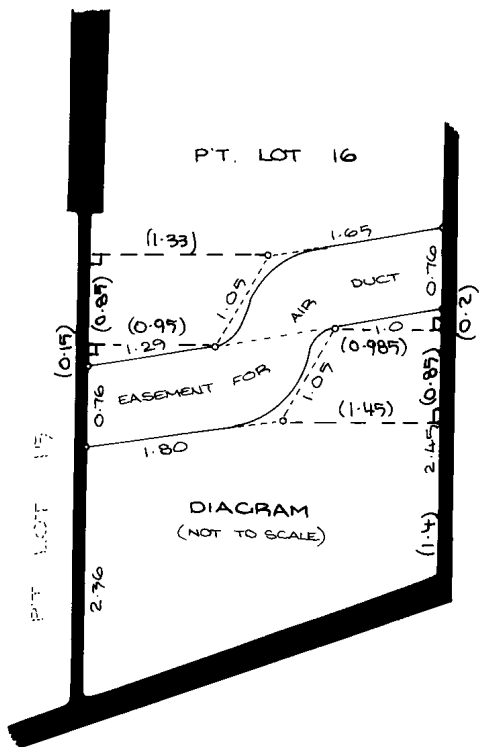


DIAGRAM  
(NOT TO SCALE)

- THE STAIRS WITHIN LOTS 15, 16 AND 21 FORM PART OF THEIR RESPECTIVE LOTS
- NOTE: 1/ C.P. DENOTES COMMON PROPERTY  
2/ ALL AREAS ARE APPROXIMATE  
● RIGHT OF FOOTWAY

Reduction Ratio 1: 200

Lengths are in metres

*G. Eddy*  
Registered Surveyor

*[Signature]*  
Council Clerk

SURVEYOR'S REFERENCE: 13196

PLAN AMENDED IN L.T.O. AT SURVEYORS REQUEST

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INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND  
RESTRICTIONS AS TO USER INTENDED TO BE CREATED PURSUANT TO SECTION 7 (3),  
STRATA TITLES ACT, 1973 SECTION 88B, CONVEYANCING ACT, 1919

Lengths are in metres

(Sheet 1 of 2 Sheets)

PART 1

Strata Plan: **49343**

Subdivision covered by Councils  
Certificate No ~~2435~~ of 8/9/94.  
3797/5

Full name & address of  
proprietors of the land

The Proprietors  
Strata Plan No 12435  
53 East Esplanade  
MANLY NSW 2095  
William Nicolaou  
Nick Nicolaou  
43 Osborne Street  
MANLY NSW 2095

1. Identity of easement firstly  
referred to in abovementioned plan

Right of footway variable  
width

Schedule of lots etc affected

Lots Burdened  
Lot 20

Lots Benefited  
Lot 21

2. Identity of easement secondly  
referred to in abovementioned plan

Easement for air duct variable  
width

Schedule of lots affected

Lots Burdened  
Lot 16

Lots Benefited  
Lot 15

PART 2

1. Terms of easement firstly referred to in abovementioned plan.

Right of footway as described in Schedule 8 of the Conveyancing Act as amended.

SP 49343

2. Terms of easement secondly referred to in abovementioned plan.

An easement for the transmission of air with full and free right, leave, liberty and licence for the dominant tenement and its successors to erect, construct, place, repair, renew, maintain, use and remove air ducts and ancillary equipment for the transmission of air and for purposes incidental thereto within the said easement and to cause or permit air to flow or to be transmitted through and along the said air ducts and for the purposes of erection, construction and placement of the air ducts and ancillary works to enter into and upon the servient tenement at all reasonable times with workmen, materials and implements or with any other necessary things or persons and to place and leave thereon or remove therefrom all necessary materials and implements and things and the Registered Proprietor of the land hereby burdened shall not erect or permit to be erected any erection of any kind or description on or through the said easement.

Person empowered to release vary or modify the easement firstly referred to in abovementioned plan

The Registered Proprietor of Lot 15.

The Common Seal of the Proprietors of Strata Plan 20050 was hereunto affixed in the presence of those persons authorised by Section 55 of the Strata Titles Act, as amended, to attest the affixing of the seal.



Signed in my presence by William Nicolaou and Nick Nicolaou who are personally known to me

*[Handwritten signature]*  
-----  
Signature of Witness

*[Handwritten signature]*  
BILL NICOLAOU  
(WILLIAM)

*[Handwritten signature]*  
NICK NICOLAOU

*GREGORY KEITH OXLEY*  
-----  
Name of Witness (BLOCK LETTERS)

Signed at Sydney the 20<sup>th</sup> day of  
OCTOBER 1994 For Commonwealth  
Bank of Australia A.C.N. 123 123 124 by its  
duly appointed Attorney under Power of  
Attorney Book 4049 No. 321.

*SURVEYOR*  
-----  
Qualification of Witness

*C. A. CAVALLO*  
Witness  
*DAVID JOHN BRIDEKIRK*

REGISTERED  15-5-1995

Council's Certificate  
 The Council of the City of Manly, Municipally known as the City of Manly, having satisfied itself that the requirements for the Strata Titles Act, 1973 (other than the requirements for the registration of plans) have been complied with, approves of the proposed subdivision of the strata plan.

**MANLY**  
 Date: 20th July 1977  
 Subdivision No. 2926  
 Council Clerk

1. RICHARD STEPHEN LOVEGROVE of 5-9 DEVLIN ST RYDE 2112 a surveyor registered under the Surveyors Act, 1929, hereby certifies that—
- any wall, the inner surface or any part of which corresponds substantially with any line shown on the accompanying floor plan as a boundary of a proposed lot, exists;
  - any floor or ceiling, the upper or under surface or any part of which forms a boundary of a proposed lot, shown in the accompanying floor plan, exists;
  - any wall, floor, ceiling or structural cubic space, by reference to which any boundary of a proposed lot is shown in the accompanying floor plan, exists;
  - any building containing proposed lots erected on the land shown on the accompanying location plan and each proposed lot shown on the accompanying floor plan are wholly within the perimeter of the parcel subject to subparagraphs (a) and (b) —
- (a) except to the extent that the building encroaches on a public place;
- (b) ~~and other than a public place in respect of land other than a public place in respect of which eaves and gutters are proposed to be erected by registered owner and gutters of the building encroaches on a public place.~~
- 5- The survey information recorded in the accompanying location plan is accurate.
- Signature: *Richard Lovegrove*  
 Date: 15.4.77  
 State whether dealing or plan, and quote registered number.  
 This is sheet 1 of my Plan in 4 sheets.

Signatures, seals and statements of intention to create easements or restrictions as to user.

*P.M. Walker*  
 20.10.75  
 B. Records

10	20	30	40	50	60	Table of mm			100	110	120	130	140	150	160
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WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION



PLAN OF

PART LOTS 1 & 2 SECTION 1, IN BASSETT DARLEY'S ESTATE, IN FOL 167.

Mun./City: MANLY

Locality: MANLY

Parish: MANLY COVE

County: CUMBERLAND

Reduction Ratio 1: 200

Lengths are in metres



STRATA PLAN 12435

Registered: 21-9-1977

C.A.: N° 2926 OF 20-7-1977

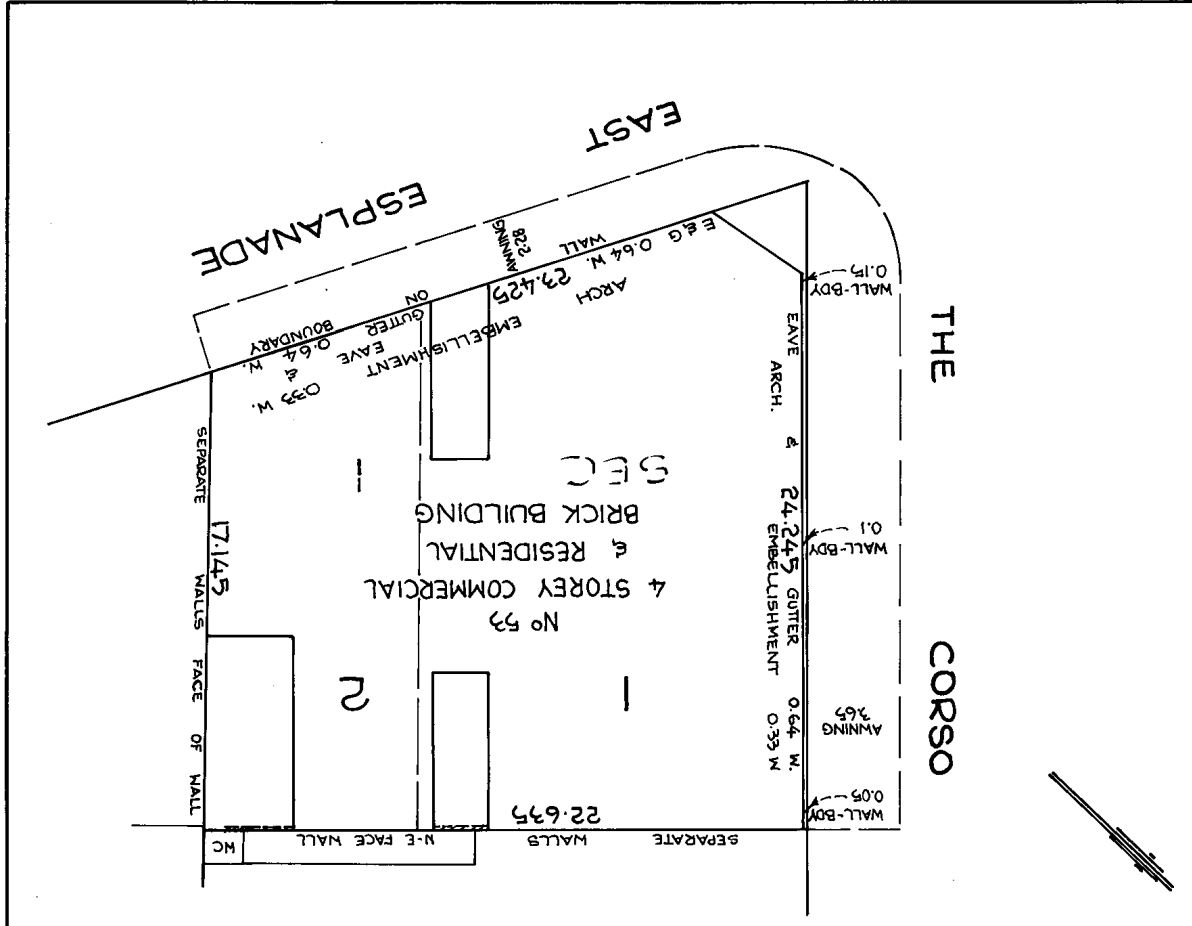
Purpose: STRATA PLAN

Ref. Map: MANLY SH.12 #

Last Plan: D.P. 183397

Name of, and address for service of notices on, the body corporate.  
 THE PROPRIETORS OF STRATA PLAN No 12435  
 No 53 EAST ESPLANADE, MANLY.  
 \*Address required on original strata plan only.

This is sheet 1 of my Plan in 4 sheets.



Plan drawing only to appear in this space.

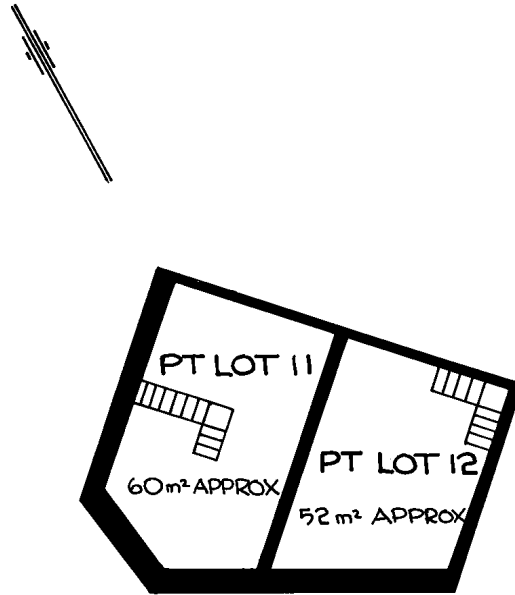
Plan drawing only to appear in this space.

NO 114 W O L N

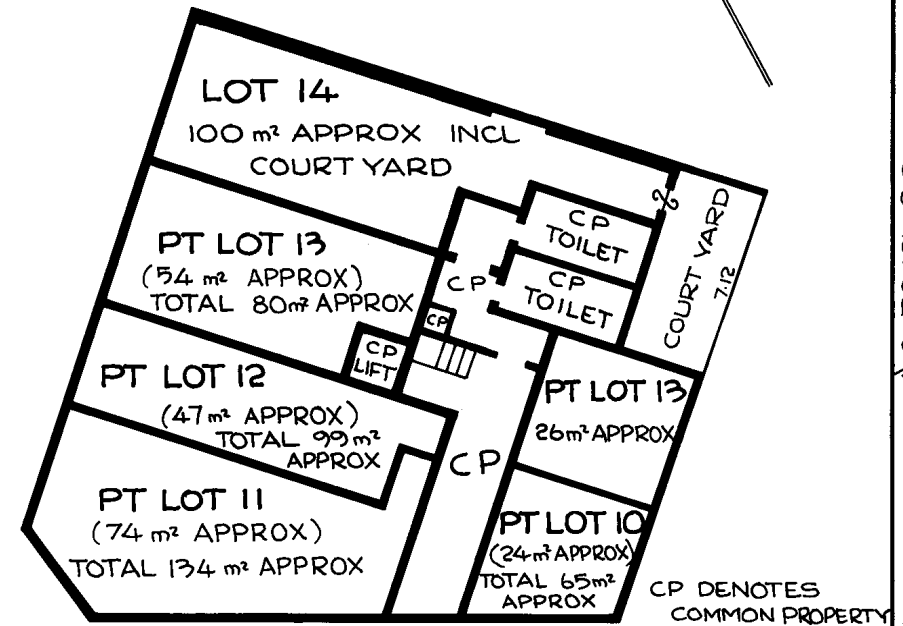
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STRATA PLAN 12435

SCHEDULE OF UNIT ENTITLEMENT	
LOT N <sup>o</sup>	UNIT ENTITLEMENT
1	38
2	38
3	38
4	38
5	38
6	38
7	38
8	38
9	35
10	47
11	182
12	144
13	144
14	144
AGGREGATE	1000



BASEMENT



GROUND FLOOR

TITLE OVER THE COURTYARD EXTENDS TO A HEIGHT OF 2.5 ABOVE THE UPPER SURFACE OF THE CONCRETE SLAB OF THE COURTYARD

CP DENOTES COMMON PROPERTY

Reduction Ratio 1: 200

Lengths are in metres

*Langme*  
Registered Surveyor

*Council Clerk*  
Council Clerk

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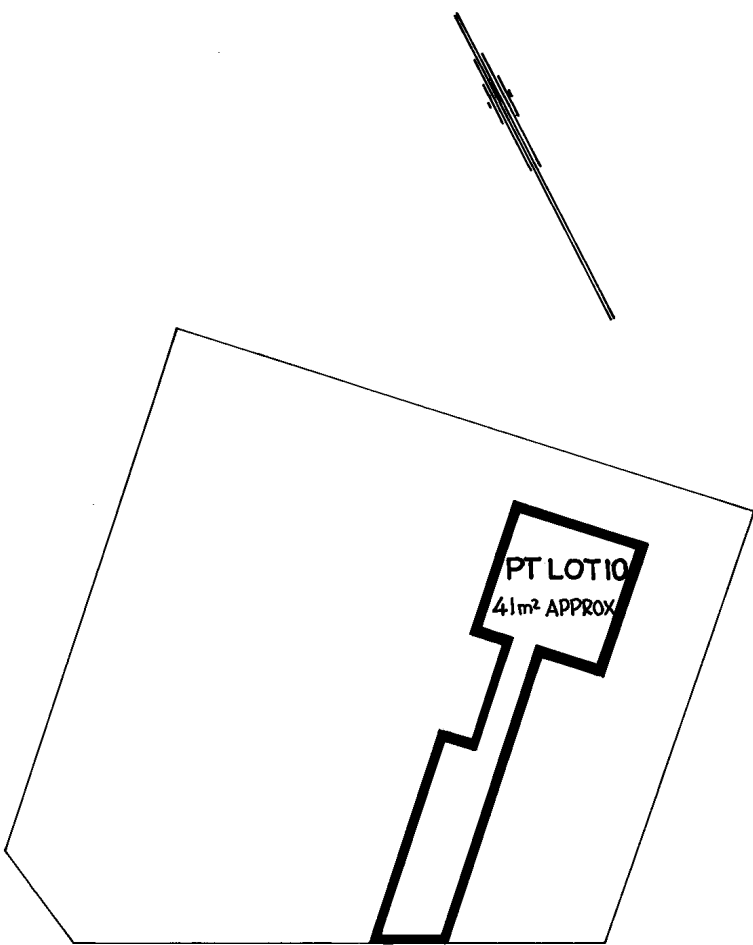
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STRATA PLAN 12435

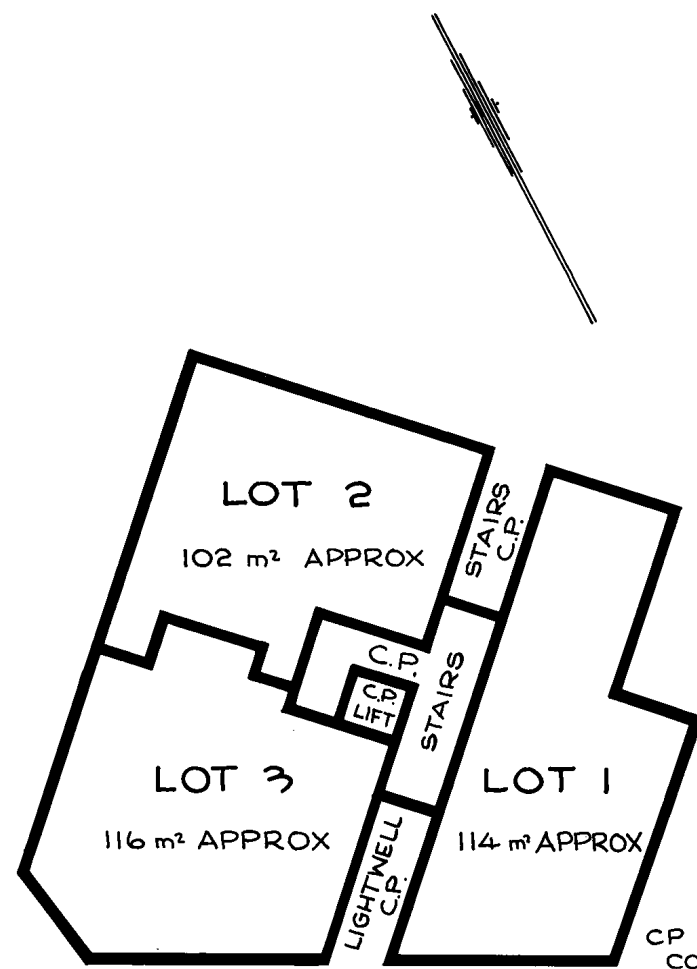
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26/15732 3/11

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MEZZANINE



FIRST FLOOR

CP DENOTES COMMON PROPERTY

Reduction Ratio 1: 200

Lengths are in metres



*Loungue*  
Registered Surveyor

*Conroy*  
Council Clerk

Surveyor's Reference: 20218

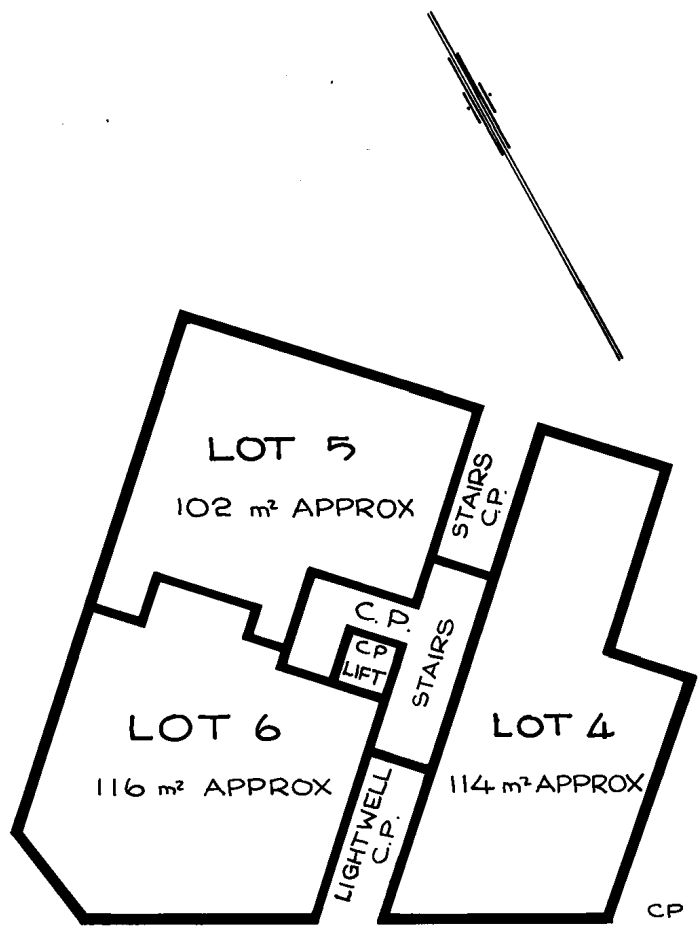


STRATA PLAN 12435

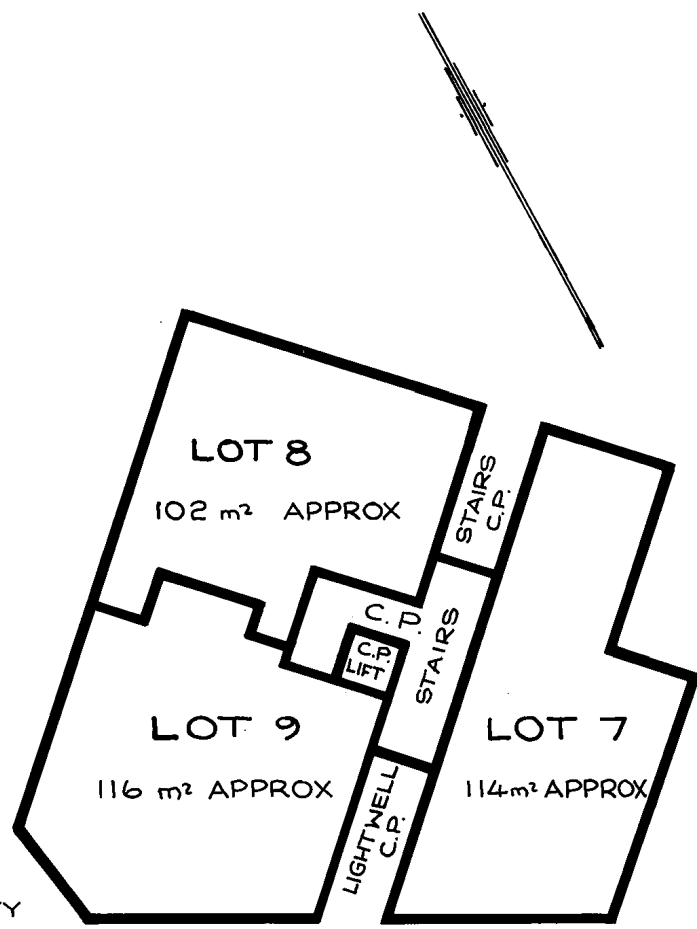
\*OFFICE USE ONLY

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SECOND FLOOR



THIRD FLOOR

CP DENOTES COMMON PROPERTY

Reduction Ratio 1: 200

Lengths are in metres



*Loungue*  
Registered Surveyor

*Cunningham*  
Council Clerk

Surveyor's Reference: 20218