

<p>Council Clerk's Certificate</p> <p>I hereby certify that -</p> <p>(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and</p> <p>(b) the requirements of section 348 of the Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, Hunter District Water, Sewerage, and Drainage Act, 1939, as amended</p> <p>have been complied with by the applicant in relation to the proposed <u>SUBDIVISION</u></p> <p>Insert "new road", "subdivision" or "consolidated lot" set out herein</p> <p>Subdivision No. <u>221987</u></p> <p>Date <u>23rd MARCH 1987</u></p> <p>(Signature) <i>[Signature]</i> Council Clerk</p> <p><small>*This part of certificate to be deleted where the application is only for a consolidated lot or the opening of a new road or where the land to be subdivided is wholly outside the areas of operations of the Metropolitan Water Sewerage and Drainage Board and the Hunter District Water Board. Delete if inapplicable.</small></p>	<p>Surveyor's Certificate</p> <p>GREGORY ALAN CRISP</p> <p>of <u>MAKJAP PO BOX 131 QUEANBEYAN</u></p> <p>a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan <u>of Subdivision</u></p> <p>is accurate and has been made <u>under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on 1</u> <u>20th August 1986</u></p> <p>Signature <i>[Signature]</i></p> <p>Surveyor registered under Surveyors Act, 1929, as amended.</p> <p>Datum Line of Azimuth: "A" - "B"</p> <p>*Strike out either (1) or (2). Insert date of survey.</p>	<p>PLAN OF SUBDIVISION OF LOT 1 DP 592402 (COMMON PROPERTY IN S.P. 30211)</p> <p>City: <u>QUEANBEYAN</u> Locality: <u>QUEANBEYAN</u></p> <p>Parish: <u>QUEANBEYAN</u> County: <u>MURRAY</u></p> <p>Reduction Ratio 1: 500 Lengths are in metres</p>	<p>D.P. 747172</p> <p>Registered: <u>14.9.1988</u></p> <p>C.A.: <u>22/1987 OF 23-3-1987</u></p> <p>Title System: <u>TORRENS</u></p> <p>Purpose: <u>SUBDIVISION</u></p> <p>Ref. Map: <u>QUEANBEYAN SH2#</u></p> <p>Last Plan: <u>DP 592402</u></p>
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Signatures, seals and statements of intention to dedicate public roads or to create public reserves, drainage reserves, easements or restrictions as to user.

PURSUANT TO SEC 88B OF THE CONVEYANCING ACT, 1919 IT IS INTENDED TO CREATE:

1. RIGHT OF WAY
2. RIGHT OF WAY 6 WIDE
3. RESTRICTION AS TO USER
4. RESTRICTION AS TO USER
5. RESTRICTION AS TO USER
6. EASEMENT TO DRAIN SEWAGE 2 WIDE

THE COMMON SEAL OF KEVIN NOMINEES PTY LIMITED

NOV 1986 For Commonwealth Development Bank of Australia by its duly appointed Attorney

WALTER GENNARI
Director

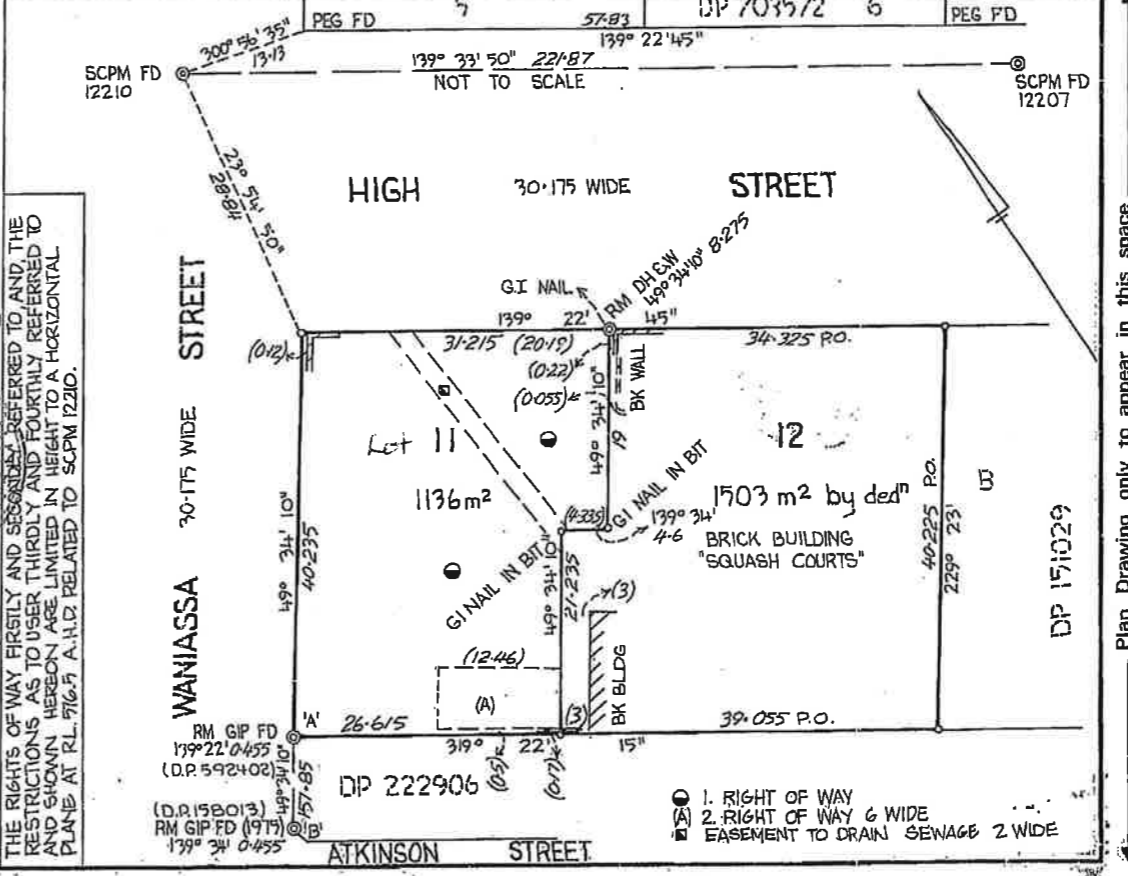
WILLIAM JAMES BURTON
Secretary

JUSTICE OF THE PEACE

THE COMMON SEAL OF HERSA PTY LIMITED

SIGNED in my presence by The NATIONAL AUSTRALIA BANK Limited Mortgages pursuant to Memorandum of Mortgage No T 911310

SIGNED in my presence by The COMMONWEALTH DEVELOPMENT BANK Limited Mortgages pursuant to Memorandum of Mortgage No



M.P.R. SURVEYOR'S REFERENCE Q5748

Plan Drawing only to appear in this space

m²
1503 Lot 3(a)
188 Lot 2
135 Lot 3(b)

Total 1826m²

This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day.

15th September, 1988

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**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER
INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919**

Lengths are in metres (Sheet 1 of 5 Sheets)
Subdivision of Lot 1 Deposited Plan 592402 covered
by Council Clerk's Certificate No 22/1987
Dated 23 March 1987
PLAN: **D.P. 747172**

PART 1

Full Name and Address of the Proprietor of the Land: The Proprietors - Strata Plan 30211
69 High Street, Queanbeyan NSW

1. Identity of easement or restriction firstly referred to in abovementioned plan: Right of Way.

Schedule of lots etc affected

Lots Burdened 11
Lots, name of road or authority benefited:
Lots 1, 2 & 3 in Strata Plan 30211 comprised in Folio Identifiers 1/SP30211, 2/SP30211 and 3/SP30211 respectively.

2. Identity of easement or restriction secondly referred to in abovementioned plan: Right of Way 6 wide.

Schedule of lots etc affected

Lots Burdened 11
Lots, name of road or authority benefited:
Lot 3 in Strata Plan 30211 comprised in Folio Identifier 3/SP30211.

3. Identity of easement or restriction thirdly referred to in abovementioned plan: Restriction as to user.

Schedule of lots etc affected

Lots Burdened 11
Lots, name of road or authority benefited:
Lots 1 & 2 in Strata Plan 30211 comprised in Folio Identifiers 1/SP30211 and 2/SP30211.

4. Identity of easement or restriction fourthly referred to in abovementioned plan: Restriction as to user.

Schedule of lots etc affected

Lots Burdened 11
Lots, name of road or authority benefited:
Lot 3 in Strata Plan 30211 comprised in Folio Identifier 3/SP30211.

5. Identity of easement or restriction fifthly referred to in abovementioned plan: Restriction as to user.

Schedule of lots etc affected

Lots Burdened 11
Lots, name of road or authority benefited:
Lot 3 in Strata Plan 30211 comprised in Folio Identifier 3/SP30211.

[Handwritten signatures]

REGISTERED 14.9.1988



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER
INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919**

Lengths are in metres (Sheet 2 of 5 Sheets)
Subdivision of Lot 1 Deposited Plan 592402 covered
by Council Clerk's Certificate No 22/1987
Dated 23 March 1987
PLAN: **D.P. 747172**

6. Identity of easement or restriction sixthly referred to in abovementioned plan: Easement to drain sewerage 2 wide.

Schedule of lots etc affected

Lots Burdened 11
Lots, name of road or authority benefited:
Lots 1, 2 & 3 in Strata Plan 30211 comprised in Folio Identifiers 1/SP30211, 2/SP30211 and 3/SP30211 respectively.

PART 2

1. Terms of easement as to user firstly referred to in abovementioned Plan:

A. The Terms of Right of Carriageway as set out in Part 1 of Schedule VIII Conveyancing Act 1919 shall apply affecting the whole of Lot 11, subject to paragraphs C and D hereunder.

B. The Terms of Right of Footway as set out in Part 11 of Schedule VIII Conveyancing Act 1919 shall apply, subject to paragraphs C and D hereunder.

C. The Right of Way appurtenant to Lots 1, 2 & 3 Strata Plan 30211 shall be subject to the right of the Registered Proprietor of the said Lot 11 to enter onto the said Lot 11 with all necessary plant, machinery, vehicles, equipment and workmen as may be necessary to erect thereon a multi-storied building. The said proprietor shall be entitled to erect and maintain all such columns necessary for support and to construct all necessary access ramps provided that they shall not impede use of the said carparking spaces or access thereto.

D. The Right of Way shall be limited in height by a horizontal plane at RL 576.5 Australian Height Datum related to SCMM12210.

2. Terms of easement or restriction as to user secondly referred to in abovementioned Plan:

A. The Terms of Right of Carriageway as set out in Part 1 of Schedule VIII Conveyancing Act 1919 shall apply affecting the whole of Lot 11, subject to paragraphs C and D hereunder.

B. The Terms of Right of Footway as set out in Part 11 of Schedule VIII Conveyancing Act 1919 shall apply, subject to paragraphs C and D hereunder.

C. The Right of Way appurtenant to Lots 1, 2 & 3 Strata Plan 30211 shall be subject to the right of the Registered Proprietor of the said Lot 11 to enter onto the said Lot 11 with all necessary plant, machinery, vehicles, equipment and workmen as may be necessary to erect thereon a multi-storied building. The said proprietor shall be entitled to erect and maintain all such columns necessary for support and to construct all necessary access ramps provided that they shall not impede use of the said carparking spaces or access thereto.

D. The Right of Way shall be limited in height by a horizontal plane at RL 576.5 Australian Height Datum related to SCMM12210.

3. Terms of easement or restriction as to user thirdly referred to in abovementioned Plan:

The land burdened shall not be used for any purpose by the proprietor of the land benefited or any person authorised by him, other than the rights of way and/or the parking of motor vehicles.

The exclusive full and free right for every person who is at any time entitled to an estate or interest in possession in the land for which the benefit for this easement is created or any person authorised by him to park motor vehicles on 28 parking spaces provided within the whole of Lot 11, excluding the area designated (A) in the plan, such carparking spaces to be in accordance with the Queanbeyan City Council's Parking Code or Policy together with the right at all times and for that purpose from time to time to go, pass and repass over the land the subject of this restriction.

[Handwritten signatures]

REGISTERED 14.9.1988

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15th September, 1988



**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER
INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919**

Lengths are in metres
PLAN: **D. P. 747172**

(Sheet 3 of 5 Sheets)
Subdivision of Lot 1 Deposited Plan 592402 covered
by Council Clerk's Certificate No 22/1987
Dated 23 March 1987

PART 2 (Continued)

The right to park motor vehicles on 28 parking spaces appurtenant to Lots 1 & 2 in Strata Plan 30211 shall be subject to the right of the Registered Proprietor of the said Lot 11 to enter onto the said Lot 11 with all necessary plant, machinery, vehicles, equipment and workmen as may be necessary to erect thereon a multi-storied building. The said proprietor shall be entitled to erect and maintain all such columns necessary for support and to construct all necessary access ramps provided that they shall not impede use of the said carparking spaces or access thereto.

The right to park motor vehicles on 28 parking spaces shall be limited in height by a horizontal plane at RL 576.5 Australian Height Datum related to SCPM12210.

4. Terms of easement or restriction as to user fourthly referred to in abovementioned Plan:

The land burdened shall not be used for any purpose by the proprietor of the land benefited or any person authorised by him, other than the rights of way and/or the parking of motor vehicles.

The exclusive full and free right for every person who is at any time entitled to an estate or interest in possession in the land for which the benefit for this easement is created or any person authorised by him to park up to four (4) motor vehicles on the carparking area 6 wide and designated (A) in the plan, such carparking spaces to be in accordance with the Queanbeyan City Council's Parking Code or Policy together with the right at all times and for that purpose from time to time to go, pass and repass over the land the subject of this restriction.

The right to park up to four (4) motor vehicles on carparking area 6 wide and designated (A) in the plan appurtenant to Lot 3 in Strata Plan 30211 shall be subject to the right of the Registered Proprietor of the said Lot 11 to enter onto the said Lot 11 with all necessary plant, machinery, vehicles, equipment and workmen as may be necessary to erect thereon a multi-storied building. The said proprietor shall be entitled to erect and maintain all such columns necessary for support and to construct all necessary access ramps provided that they shall not impede use of the said carparking spaces or access thereto.

The right to park four (4) motor vehicles on carparking area 6 wide and designated (A) in the plan shall be limited by a horizontal plane at RL 576.5 Australian Height Datum related to SCPM12210.

5. Terms of easement or restriction as to user fifthly referred to in abovementioned Plan:

A. No building shall be erected on the Lot burdened unless the design of the said building to be erected shall be first approved in writing by the registered proprietor of Lot 3 in Strata Plan 30211. Such approval shall have regard to:-

- (i) The aesthetics of the proposed building;
- (ii) Possible adverse effect any business carried on from time to time in the said Lot 3;
- (iii) The right of the said Lot 3 to light and air;
- (iv) Access from the said proposed building to Lot 3 for prospective customers of the business carried on on Lot 3 from time to time;

The approval of the said registered proprietor of Lot 3 Strata Plan 30211 to any such design shall not be unreasonably withheld.

B. No restaurant, bistro, take-away food outlet or other similar business shall at any time be conducted on the lot burdened by this restriction having regard to any similar business being carried on at any time on the lot having the benefit of this restriction PROVIDED THAT this restriction shall not prevent the proprietor of the lot burdened from installing such kitchen facilities as may be necessary to enable it to prepare and to serve breakfasts (including cooked breakfasts) to patrons of any building erected on the lot burdened.

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REGISTERED 14.9.1988

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**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS AS TO USER
INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE CONVEYANCING ACT 1919**

Lengths are in metres
PLAN: **D. P. 747172**

(Sheet 4 of 5 Sheets)
Subdivision of Lot 1 Deposited Plan 592402 covered
by Council Clerk's Certificate No 22/1987
Dated 23 March 1987

PART 2* (Continued)

6. Terms of easement or restriction as to user sixthly referred to in abovementioned Plan:

Easement to drain sewerage 2 wide.

Name of person empowered to release, vary or modify the easements firstly referred to in the abovementioned Plan:

The Proprietors of Lots 1, 2 & 3 in Strata Plan 30211.

Name of person empowered to release, vary or modify the easements secondly referred to in the abovementioned Plan:

The Proprietor of Lot 3 in Strata Plan 30211.

Name of person empowered to release, vary or modify the easements thirdly and sixthly referred to in the abovementioned Plan:

The Council of the City of Queanbeyan.

Name of person empowered to release, vary or modify the foregoing easement or restrictions as to user fourthly and fifthly referred to in the abovementioned Plan:

The Proprietors of Lot 3 in Strata Plan 30211.

THE COMMON SEAL of THE PROPRIETORS)
STRATA PLAN NO 30211 was hereunto)
affixed on 27 April 1988, in the presence of)
KELVIN NOMINEES PTY LIMITED and HERSA PTY)
LIMITED being the persons authorised)
by Sec 55 of the Strata Titles Act 1973)
to attest the affixing of the seal)



THE COMMON SEAL of KELVIN NOMINEES)
PTY LIMITED was hereunto affixed)
pursuant to a resolution of the Board)
of Directors in the presence of:)



[Signature]
SECRETARY

THE COMMON SEAL of HERSA PTY LIMITED)
was hereunto affixed pursuant to a)
resolution of the Board of Directors)
in the presence of:)



SECRETARY

DIRECTOR

NATIONAL AUSTRALIA BANK LIMITED
BY ITS ATTORNEY

SIGNED in my presence by THE NATIONAL)
AUSTRALIA BANK Limited Mortgagee pursuant)
to Memorandum of Mortgage No T911310)

[Signature]
BARRY THOMAS SHARPE)
ASSISTANT MANAGER)
SECURITIES SERVICES N.S.W.)
CATHERINE MARY COMEFORD)
Securities Services-)
George St., Sydney)
Bank Officer

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15th September, 1988





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Lengths are in metres
PLAN: **D.P. 747172**

(Sheet 5 of 5 Sheets)
Subdivision of Lot 1 Deposited Plan 592402 covered
by Council Clerk's Certificate No 22/1987
Dated 23 March 1987


PART 2 (Continued)

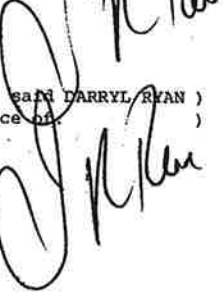
Signed at Sydney the 11th day of
~~September~~ 1987 For Commonwealth Development
Bank of Australia by its duly appointed Attorney
under Powers of Attorney No. 525 Book 2470
(Registrar of Deeds) who declares that he has not
received notice of revocation of the power

Deputy State Manager
New South Wales


WALTER GENNARI
JUSTICE OF THE PEACE


WILLIAM JAMES BURTON

SIGNED by the said **DAVID McNEIL**)
in the presence of 

SIGNED by the said **DARRYL RYAN**)
in the presence of 

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REGISTERED  14.9.1988



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record of a document in the custody of the
Registrar General this day.



15th September, 1988

3