

INSTRUCTIONS

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

OFFICE USE ONLY

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28 Nov 2014 08:30:00 Midland



REG \$ 180.00



Lodged By

TAYLOR SMART

1 Regal Place

EAST PERTH WA 6004

(08) 9325 8266

(08) 9325 2895

ggiles@taylorsmart.com.au

Address

Phone No.

Fax No

GBG:

E-Mail

218U

Reference No.

Issuing Box No.

999L

Prepared By

Taylor Smart

1 Regal Place

East Perth WA 6004

Address

Phone No.

(08) 9325 8266

Fax No.

(08) 9325 2895

E-Mail

ggiles@taylorsmart.com.au

Reference No.

GBG:BG:34459

Issuing Box No.

218U

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.

4/16
JAB

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

1.	_____	Received-Items
2.	_____	Nos.
3.	_____	
4.	_____	
5.	_____	Receiving Clerk
6.	_____	

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

EXAMINED



ANNEXURE A

Easement(s) for the proposed development of Lot 12 Westralia Gardens, Rockingham for the benefited lots set out below to be placed on the certificate(s) of title of the proposed lot(s) specifying car parking rights. Notice of this easement(s) is to be included on the deposited plan. The easement(s) are to state as follows:

Burdened Lot "Servient Tenement"	Benefited Lot "Dominant Tenement"	Easement Area
Lot 901 on the Plan	Lots 900, 902, 903, 904, 905, 906 and 907 on the Plan	Area marked C on the Plan within Lot 901 Area marked D on the plan within Lot 901 up to a height of 7.15m (AHD)
Lot 902 on the Plan	Lots 900, 901, 903, 904, 905, 906 and 907 on the Plan	Area marked C on the Plan within Lot 902 Area marked D on the plan within Lot 902 up to a height of 7.15m (AHD)
Lot 903 on the Plan	Lots: 900, 901, 902, 904, 905, 906 and 907 on the Plan	Area marked C on the Plan within Lot 903
Lot 904 on the Plan	Lots 900, 901, 902, 903, 905, 906 and 907 on the Plan	Area marked C on the Plan within Lot 904
Lot 905 on the Plan	Lots 900, 901, 902, 903, 904, 906 and 907 on the Plan	Area marked C on the Plan within Lot 905
Lot 906 on the Plan	Lots 900, 901, 902, 903, 904, 905 and 907 on the Plan	Area marked C on the Plan within Lot 906
Lot 907 on the Plan	Lots 900, 901, 902, 903, 904, 905 and 906 on the Plan	Area marked C on the Plan within Lot 907

1. Each person who for the time being owns or is entitled to an estate or interest in possession in the land indicated as a Servient Tenement in the above table hereby grants to the person who for the time being is the owner or is entitled to an estate or interest in possession in the land indicated as the corresponding Dominant Tenement the right with respect to the relevant Easement Area:
 - (a) for them, their tenants, servants, agents, workmen and visitors to park motor vehicles in the car bays set out on the Easement Area provided always that exclusive rights of parking may be granted to owners of lots that form part of the Dominant Tenement as may be determined by the Owner; and
 - (b) to have the use and enjoyment in co-operation with the other occupants of the Lots that comprise the Land any gardens area that may be constructed on any podium on the Easement Area.
2. Each person who for the time being owns the land indicated as the Servient Tenement in the above table shall bear the responsibility and cost of the repair and maintenance of the Easement herein granted.

AUSTRALIAN AND NEW ZEALAND BANKING GROUP LTD being the Caveator under Caveat L376151 and Caveat L390437 hereby CONSENTS to this Deed and to the easement contained herein.

Dated: 24 day of November 2014

Executed for and on behalf of
Australia and New Zealand Banking
Group Limited ABN 11 005 357 522 under
Power of Attorney dated 29 April 2003 and
registered in Western Australia
I486779PA by.....MARK STEPHEN MURRELL
who certifies that he/she is a Manager
and that he/she has not received
notice of revocation of that Power

In the presence of:

.....
An Officer of the said Bank

CONSENTS

WALTHAMSTOW PTY LTD (ACN 008 814 453) being the Mortgagee under Mortgage K744788 and Mortgage L113056 CONSENTS to this Deed and to the easement contained herein.

Dated: 21st day of November 2014

Executed for and on behalf of WALTHAMSTOW PTY LTD (ACN 008 814 453)

Signature of Director

Signature of Director/Secretary

Print Name of Director

Print Name of Director/Secretary

to the said party for the purpose of
Australia and New Zealand Banking
Group Limited ABN 11 002 327 522 under
Power of Attorney dated 29 April 2003 and
registered in Western Australia
I 486770PA by
who certifies that he/she is a Manager
and that he/she has not received
notice of revocation of that Power

in the presence of:-

An Officer of the said Bank

3. **Separate and Distinct Easement**

Each Easement is a separate and distinct Easement and if any Easement or its application to any personal circumstance is or becomes invalid or unenforceable then the remaining Easements will not be affected and each remaining Easement will be valid and enforceable to the fullest extent permitted by law.

SCHEDULE

The Land:

Lot 12 on Diagram 86777 and being the whole of the land described in Certificate of Title Volume 2009 Folio 854.

Encumbrances:

As to Lots 900 to 907:

- Easements pursuant to Section 136C as set out in Deposited Plan 402801;
- Mortgage K744788;
- Mortgage L113056;
- Caveat L376151; and
- Caveat L390437.

EXECUTED as a Deed:

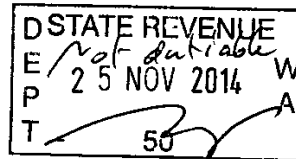
EXECUTED by **WALTHAMSTOW PTY LTD (ACN 008 814 453)** pursuant to section 127 of the Corporations Act 2001, as Attorney for **IULIANO HOLDINGS PTY LTD (ACN 009 102 112)** PA M757 665:

STEVEN ALICK MASEL
DIRECTOR

TONY MASEL
DIRECTOR

BLANK INSTRUMENT FORM**Deed of Easement**

(Note 1)

THIS DEED is made on 24 day of November, 2014

BY:

WALTHAMSTOW PTY LTD (ACN 008 814 453) as Attorney for IULIANO HOLDINGS PTY LTD (ACN 009 102 112)
of 90 Holland Street, Fremantle, Western Australia

BACKGROUND:

- A. The Owner is the registered proprietor of the land described in the Schedule of this Deed ("the Land") subject to the encumbrances referred to in the Schedule.
- B. The Owner has subdivided the Land and has lodged a plan of subdivision with the Western Australian Planning Commission which has been approved and is now known as Deposited Plan 402801 ("the Plan").
- C. In accordance with Section 136C of the Transfer of Land Act the Owner requires each of the Lots on the Plan to be encumbered by the benefit and burden of the easements set out in Annexure A hereto ("the Easements") so that the Easements will be noted on the Plan and on each Certificate of Title that issues for the Lots.

OPERATIVE PART:

This Deed witnesses as follows:

1. Certificates of Title

Each Certificate of Title which issues for a Lot on the Plan is to be encumbered by the benefit and the burden of the Easements which will run with the Land described in the Certificate of Title for the benefit of the other lots on the Plan.

2. Easements

The Owner intends that the burden of the Easements is to:

- (a) run with each Lot for the benefit of each and every other Lot on the Plan; and
- (b) be enforceable against the registered proprietor of a Lot by the Owner and every subsequent registered proprietor of the Lots on the Plan.