

Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B of the Conveyancing Act 1919.

Lengths are in Metres

Sheet 1 of 3 Sheets

Plan: Plan of Subdivision of Lot 2247 DP1184495 covered by Council's Subdivision Certificate No. of

Full Name and address of the owner(s) of the land: Landcom
Level 14
60 Station Street
PARRAMATTA NSW 2150

Part 1

	Identity of Easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan: -	Burdened lot(s) or parcel(s): -	Benefited lot(s), road(s), bodies or Prescribed Authorities: -
1.	Easement for Access, Maintenance and Overhang 0.9 Wide	97 102 106	98 103 107
2.	Restriction on the Use of Land	97 to 107 inclusive	Penrith City Council

Part 2

Terms of easement, profit à prendre, restriction or positive covenant numbered 1 in the plan.

An Easement for Overhang as set out in Schedule 8 Part 10 together with:-

The proprietor of the lot benefited and persons authorized by him may:

- (a) enter upon the burdened lot but only within the site of this easement.
- (b) do anything reasonably necessary for the purpose of renewing, replacing, painting, repairing and maintaining the dwelling adjacent to this easement.
- (c) remain on the site of this easement for any reasonable time for the said purposes.

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Authorised Officer

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Part 2 (cont.)

In exercising those powers the proprietor of the lot benefited must:

- (a) ensure that all work is done properly and carried out as quickly as practicable; and
- (b) cause as little inconvenience to the proprietor or occupier of the burdened lot; and
- (c) cause as little damage as possible to the burdened lot and any improvement on it and
- (d) restore as nearly as is practicable the burdened lot to its former condition; and
- (e) make good any collateral damage; and

The proprietor of the burdened lot shall not place any obstructions within the site of the easement nor erect any building or other structure of any kind on or over the site of the easement except for any eave and/or gutter and/or roof structure attached to any dwelling that has been granted development approval by Penrith City Council, and

The owner of the lot burdened and the owner of the lot benefited acknowledge that it is not the responsibility of Penrith City Council to determine any dispute in relation to the Easement for Access, Maintenance and Overhang and any dispute is a civil matter to be resolved with the relevant parties.

Terms of easement, profit à prendre, restriction or positive covenant numbered 2 in the plan.

- a) The lots shall not be developed as individual lots but as street block groupings to house and land package builders.
- b) Dwellings shall not be constructed on the lots unless such construction is in accordance with the architectural plans approved vide DA 14/0933.

The Authority having the power to release, vary or modify the terms of the easement and restriction numbered 1 and 2 in the abovementioned plan is Penrith City Council.

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Authorised Officer

Plan:

Plan of Subdivision of Lot 2247 DP1184495
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No. of

Part 2 (cont.)

SIGNED by me:

as Delegate of Landcom who hereby
declares that he/she has no notice of the
revocation of such delegation in the presence of

)
)
)
)

Landcom
by its Delegate

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Signature of WITNESS

.....
Name of Witness (BLOCK LETTERS)

.....
Address of Witness

.....
Date of execution

APPROVED BY PENRITH CITY COUNCIL

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Authorised Officer