

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

ePlan Sheet 1 of 5 Sheets

Plan: **DP1184391**

Plan of Easements within Lots 1153 to 1168, 1174, 1177 to 1180, 1184 & 1186 to 1190 in DP1171491

<u>Full Name and address of Proprietor of land:</u>	Landcom Level 14 60 Station Street PARRAMATTA NSW 2150
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**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 0.9 Wide	1153 1154 1155 1156 1157 1158 1159 1160 1161 1162 1163 1164 1165 1166 1167 1168 1174 1177 1178 1179 1180 1184 1186 1187 1188 1189 1190	1152 1153 1154 1155 1156 1157 1158 1159 1162 1162, 1163 1162, 1164 1163, 1165 1166 1167 1166, 1168 1169 1173 1176 1177 1180 1181 1183 1185 1186 1187 1188 1188 1189

Lengths are in Metres

ePlan Sheet 2 of 5 Sheets

Plan: **DP1184391**

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**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:-
<b>2.</b>	Easement for Support 0.25 Wide	1156 1157 1158 1159 1167 1168	1157 1156 1159 1158 1168 1167
<b>3.</b>	Easement for Support 0.4 Wide	1165	1164

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## Part 2

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

The proprietor of the lot benefited and persons authorised 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 constructing, 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.

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 that any dispute is a civil matter to be resolved with the relevant parties.

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ePlan Sheet 4 of 5 Sheets

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## Part 2

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

Full and free right and liberty for every person who is at any time entitled to an estate or interest in the lot benefited to have any wall presently erected or to be erected on so much of the lot burdened as is marked 'B' on the plan continued in such manner that any structure supported or to be supported in whole or in part thereby shall have the support of the whole of such wall and the footings thereof.

### **Terms of easement, profit à prendre, restriction or positive covenant numbered 3 in the plan.**

Full and free right and liberty for every person who is at any time entitled to an estate or interest in the lot benefited to have any wall presently erected or to be erected on so much of the lot burdened as is marked 'C' on the plan continued in such manner that any structure supported or to be supported in whole or in part thereby shall have the support of the whole of such wall and the footings thereof.

Lengths are in Metres

ePlan Sheet 5 of 5 Sheets

Plan: **DP1184391**

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**Part 2**

SIGNED by me, MATTHEW KENNETH WHITE  
as Delegate of **LANDCOM**  
who hereby declares that he has no notice of the  
revocation of such delegation in the presence of

)  
) *Matt Witt*  
)

*Graham Hall*  
.....  
Signature of WITNESS

*GRAHAM HALL*  
.....  
Name of Witness (BLOCK LETTERS)

.....  
Address of Witness

*22-3-2013*  
.....  
Date of execution

*SUITE 400, 16 CAMBRIDGE ST  
EPPING NSW*

REGISTERED  3-4-2013