

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 Conveyancing Act 1919.

Lengths are in metres

(Sheet 1 of 10 Sheets)

PLAN: DP1295542

Plan of Subdivision of Lot 2 in DP1281505 and Lot 700 in DP 1297841
 Covered by subdivision certificate no 104/2024/SC
 Date: 3/4/2024

Full name and address of proprietors of land

Legpro 77A PTY LTD
 (ACN 652 267 171)
 Level 45
 25 Martin Place,
 SYDNEY NSW 2000

PART 1 (CREATION)

Number of item shown in the intention panel on the plan	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 to Drain Water 1.5 Wide (A)	415 416 417 418 419 420 401 411 407 408 409 405 412	416 to 421 Inclusive 417 to 421 Inclusive 418 to 421 Inclusive 419 to 421 Inclusive 420 and 421 421 407, 408, 409, 410, 411 407, 408, 409, 410 408, 409, 410 409 and 410 410 406 413
2	Easement to Drain Water (Whole of Lot) (A1)	401	Hills Shire Council
3	Easement for Repairs 0.9 wide (B)	405 407 408 412	406 408 409 413



David Munday, Manager - Subdivision and Development Certification

Signature of authorised person(s)

Name and position of authorised person

The Hills Shire Council

Electronically signed by me David Munday, affixed by me 3/4/2024

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 Conveyancing Act 1919.

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(Sheet 2 of 10 Sheets)

PLAN: DP1295542

Plan of Subdivision of Lot 2 in DP1281505 and Lot 700 in DP 1297841
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PART 1 (CREATION) (CONTINUED)

Number of item shown in the intention panel on the plan	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 :
4	Restriction on the Use of Land	406 & 413	Hills Shire Council
5	Restriction on the Use of Land	All Lots	Hills Shire Council
6	Easement to drain Water 3 wide (C)	411	Hills Shire Council
7	Restriction on the Use of Land	401	Hills Shire Council
8	Positive Covenant	401	Hills Shire Council
9	Restriction on the Use of Land	Every lot	Every other lot

PART 1 A (RELEASE)

Number of item shown in the intention panel on the plan	Identity of easement or profit à prendre, to be released and referred to in the plan.	Burdened lot(s) or parcel(s) :	Benefited lot(s), road(s), bodies or Prescribed Authorities :
1	Right of Access 5 wide created by DP 1295224	Lot 2 DP 1281505	The Hills Shire Council
2	Right of Access Variable Width created by DP 1295224	Lot 2 DP 1281505	The Hills Shire Council



David Munday, Manager - Subdivision and Development Certification

Signature of authorised person(s)

Name and position of authorised person

The Hills Shire Council

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(Sheet 3 of 10 Sheets)

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and Lot 700 in DP 1297841
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Date: 3/4/2024

PART 2 (TERMS)

1. TERMS OF EASEMENT NUMBERED ONE IN THE PLAN

Terms of Easement to Drain Water within the meaning of Schedule 8 Part 3 of the Conveyancing Act 1919 (as amended)

2. TERMS OF EASEMENT NUMBERED TWO IN THE PLAN

Terms of Easement for Drainage of Water as per Schedule 4A Part 7 of the Conveyancing Act 1919 (as amended) together with the following addition:

1. The easement will be extinguished upon the removal of the temporary stormwater management measures to which it relates. The "temporary stormwater management measures" are detailed on the plans approved by The Hills Shire Council as Construction Certificate 110/2023/EC Dated 28/09/2023

Name of authority empowered to release, vary or modify easement numbered two in the Plan:
The Hills Shire Council

3. TERMS OF EASEMENT NUMBERED THREE IN THE PLAN

Terms of Easement for Repairs within the meaning of Schedule 8 Part 5 of the Conveyancing Act 1919 (as amended) together with the following additions:

1. The grant of this easement is made subject to the existence of, and the right of the owner of the lot burdened to construct, eaves and guttering from the structure on the lot burdened, that overhang the site of the easement, or any permanent underground infrastructure associated with the structure on the lot burdened.

2. The grant of this easement is made subject to the right of the owner of the lot burdened to carry out repairs and maintenance or improvements to any landscaping within the site of the easement including installing a security gate at the entrance to the site of the easement from the front of the building structure on the lot burdened.

Name of Authority whose consent is required to release vary or modify the easement numbered three in the Plan is: **The Hills Shire Council**



David Munday, Manager - Subdivision
and Development Certification

Signature of authorised person(s)

Name and position of authorised person

The Hills Shire Council

Electronically signed by me David
Munday, affixed by me 3/4/2024

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 Conveyancing Act 1919.

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(Sheet 4 of 10 Sheets)

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Date: 3/4/2024

4. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED FOUR IN THE PLAN

No development shall be permitted on the lot(s) hereby burdened except for development in accordance with the building envelope plans prepared by Group Development Services, Drawing P00475-SK10 Revision A dated 12/04/2022 approved by The Hills Shire Council.

Name of authority empowered to release, vary or modify the restriction numbered four in the plan is:
The Hills Shire Council

5. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED FIVE IN THE PLAN

No dwelling shall be constructed on the lot(s) hereby burdened unless the registered proprietor has first constructed or has made provision for the construction of a rainwater tank with a minimum capacity of 3,000 litres in accordance with the requirements of The Hills Shire Council.

Name of authority empowered to release, vary or modify the restriction numbered five in the plan is:
The Hills Shire Council

6. TERMS OF EASEMENT NUMBERED SIX IN THE PLAN

Terms of Easement to Drain Water as per Part 7 Schedule 4A of the Conveyancing Act 1919 (as amended) together with the following addition.

1. The easement will be extinguished upon the removal of the temporary stormwater management measures to which it relates. The "temporary stormwater management measures" are detailed on the plans approved by Hills Shire Council as Construction Certificate 110/2023/EC Dated 28/09/2023.

Name of authority empowered to release, vary or modify the Easement numbered six in the plan is:
The Hills Shire Council



Signature of authorised person(s)

The Hills Shire Council

David Munday, Manager - Subdivision
and Development Certification

Name and position of authorised person

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(Sheet 5 of 10 Sheets)

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7. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED SEVEN IN THE PLAN

1. The registered proprietor shall not make or permit or suffer the making of any alterations to the temporary stormwater management measures constructed on the lot(s) burdened without the prior consent in writing of The Hills Shire Council.
2. The registered proprietor shall not erect or suffer the erection of any dwelling house or other structure on the lot(s) hereby burdened unless the temporary stormwater management measures have been removed complying with the requirements of The Hills Shire Council.

The "temporary stormwater management measures" are detailed on the plans approved by 'Land Development Certificates' as Construction Certificate 110/2023/EC Dated 28/09/2023.

Name of authority empowered to release, vary or modify the restriction numbered seven in the plan is:
The Hills Shire Council

8. TERMS OF POSITIVE COVENANT NUMBERED EIGHT IN THE PLAN

The registered proprietor(s) covenant as follows with the Council benefited in respect to the temporary stormwater management measures constructed on the lot(s), that they will:

1. Keep the temporary stormwater management measures clean and free from silt, rubbish and debris;
2. Maintain and repair the temporary stormwater management measures at the sole expense of the registered proprietor(s), so that they function in a safe and efficient manner, until they are no longer required and can be removed complying with the requirements of The Hills Shire Council.

The "temporary stormwater management measures" are detailed on the plans approved by 'Land Development Certificates' as Construction Certificate 110/2023/EC Dated 28/09/2023.

Name of authority empowered to release, vary or modify the covenant numbered eight in the Plan:
The Hills Shire Council



David Munday, Manager - Subdivision
and Development Certification

.....
Signature of authorised person(s)

.....
Name and position of authorised person

The Hills Shire Council

Electronically signed by me David
Munday, affixed by me 3/4/2024

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(Sheet 6 of 10 Sheets)

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9. TERMS OF RESTRICTION ON THE USE OF LAND NUMBERED NINE IN THE PLAN

For so long as LegPro 77A Pty Ltd remains the registered proprietor of any benefited lot, No fence shall be erected on the lot(s) hereby burdened to divide it from any adjoining land owned LegPro 77A Pty Ltd without its consent but such consent shall not be withheld if such fence is erected without expense to LegPro 77A Pty Ltd. This restriction shall remain in force only during such time as LegPro 77A Pty Ltd is the Registered Proprietor of that adjoining land.

Name of person empowered to release, vary or modify the restriction numbered nine in the plan is: The registered proprietors of the lots benefited.



.....
Signature of authorised person(s)

The Hills Shire Council

David Munday, Manager - Subdivision
and Development Certification

.....
Name and position of authorised person

Electronically signed by me David

Munday, affixed by me 3/4/2024

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(Sheet 7 of 10 Sheets)

PLAN: DP1295542

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Date:3/4/2024

**EXECUTED BY
Legpro 77A PTY LTD**

(ACN 652 267 171)

By the authorised persons whose signatures
appear below pursuant to the authority in
section 127 of the Corporations Act 2001



Electronic signature affixed by me, or at my direction on 08/04/2024 in
accordance with section 127 of the Corporations Act 2001

**SIGNATURE OF ELTON MATTHEW HYDER IV
SOLE DIRECTOR AND SECRETARY**



David Munday, Manager - Subdivision
and Development Certification

Signature of authorised person(s)

Name and position of authorised person

The Hills Shire Council Electronically signed by me David
Munday, affixed by me 3/4/2024

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 Conveyancing Act 1919.

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(Sheet 8 of 10 Sheets)

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Date: 3/4/2024

EXECUTED BY MORTGAGEE

Executed by

MBF SME LENDING PTY LTD (ACN 658 177 989)
as mortgagee under registered Mortgage
No.AT430884

By the authorised persons whose signatures
appear below pursuant to the authority in
section 127 of the Corporations Act 2001



Electronic signature affixed by me, or at my direction on 10/04/2024
in accordance with section 127 of the Corporations Act 2001

.....
Signature of Authorised Person
Graham McNamara

.....
Name: (Block Letters)
Office Held: Director



Electronic signature affixed by me, or at my direction on 10/04/2024
in accordance with section 127 of the Corporations Act 2001

.....
Signature of Authorised Person
Andrew Tremain

.....
Name: (Block Letters)
Office Held: Director



.....
David Munday, Manager - Subdivision
and Development Certification

.....
Signature of authorised person(s)
The Hills Shire Council

.....
Name and position of authorised person

Electronically signed by me David
Munday, affixed by me 3/4/2024

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(Sheet 9 of 10 Sheets)

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Date:3/4/2024

**EXECUTED BY
The Hills Shire Council**

THE COMMON SEAL of THE HILLS SHIRE COUNCIL was hereunto

affixed on the 15th day of February 2024


pursuant to a resolution passed on the

6th Day of February 2024 in the presence of


.....
General Manager (Michael Edgar)


.....
Mayor (Dr Peter Gangemi)




.....
Signature of authorised person(s)
The Hills Shire Council

David Munday, Manager - Subdivision
and Development Certification
.....
Name and position of authorised person

Electronically signed by me David
Munday, affixed by me 3/4/2024

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 Conveyancing Act 1919.

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Date: 3/4/2024

**EXECUTED BY
The Hills Shire Council**

By its authorised delegate pursuant to *s.377 /s.378 Local Government act 1993

* Strike out as appropriate



Electronically signed by me David
Munday, affixed by me 3/4/2024

.....
Signature of delegate

David Munday

.....
Name of delegate

I certify that I am an eligible witness & that the delegate signed in my presence.



.....
Signature of Witness

Leanne Pracy

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

.....
3 Columbia Court
Norwest NSW 2153

.....
Address of Witness

REGISTERED:



11/04/2024