

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS & RESTRICTIONS TO BE  
CREATED PURSUANT TO SECTION 88B, CONVEYANCING ACT, 1919**

Lengths are in metres

(Sheet 1 of 5 Sheet)

Plan:

Plan of Subdivision of Lot 121 in  
DP 789400 covered by  
Subdivision Certificate  
No.  
Dated

Full name and address of  
the proprietors of the land:

Bayview Gardens  
36-42 Cabbage Tree Road  
BAYVIEW NSW 2104

**PART 1**

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	Right of Carriageway, Variable Width (R)	201	202
2	Easement for Services, Variable Width (S)	201	202
3	Easement for Drainage of Water 1 Wide (W)	201	202

**PART 2**

1. Terms of the Right of Carriageway firstly referred to in abovementioned plan

Right of Carriageway as set out in Part 1 of SCHEDULE 8 of the Conveyancing Act, 1919, along with the following ;

That the financial maintenance and general upkeep of this easement site be the responsibility of the benefitted lot being Lot 201.

2. Terms of the Easement for Services secondly referred to in abovementioned plan

Easement for Services as set out in Part 11 of Schedule 8 of the Conveyancing Act, 1919, along with the following ;

That the financial maintenance and general upkeep of this easement site and any service pipes within the site of this easement be the responsibility of the benefitted lot being Lot 201.

Approved by Northern Beaches Council

.....  
Authorised Delegate

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3. Terms of the Easement for Drainage of Water thirdly referred to in abovementioned plan

Easement for Drainage of Water as setout in Part 8 of Schedule 8 of the Conveyancing Act, 1919, along with the following ;

That the financial maintenance and general upkeep of this easement site and any stormwater service pipes within the site of this easement be the responsibility of the benefitted lot being Lot 201.

Name of Authority whose consent is required to release, vary or modify easements firstly, secondly and thirdly referred to in the plan.

Northern Beaches Council

Approved by Northern Beaches Council

.....  
Authorised Delegate

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(Sheet 3 of 5 Sheet)

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Plan of Subdivision of Lot 121 in  
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No.  
Dated

**EXECUTION**

**AVEO NORTH SHORE RETIREMENT VILLAGES PTY LTD**

A.C.N :

.....  
Director (Print Name)

.....  
Director (Signature)

.....  
Secretary (Print Name)

.....  
Secretary (Signature)

Authority : Section 127 of the Corporations Act 2001

Approved by Northern Beaches Council

.....  
Authorised Delegate

**DRAFT COPY**

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS & RESTRICTIONS TO BE  
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(Sheet 4 of 5 Sheet)

Plan:

Plan of Subdivision of Lot 121 in  
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No.  
Dated

**EXECUTION**

NORTHERN BEACHES COUNCIL by its authorised delegate pursuant to Section 377 Local Government Act 1993

.....  
Authorised Delegate ( Signature )                      Authorised Delegate (Print Full Name )

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

.....  
Witness ( Signature )    Witness (Print Full Name )

.....  
Address & Occupation of Witness

Approved by Northern Beaches Council

.....  
Authorised Delegate

DRAFT COPY

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(Sheet 5 of 5 Sheet)

Plan:

Plan of Subdivision of Lot 121 in  
DP 789400 covered by  
Subdivision Certificate  
No.  
Dated

**EXECUTION - MORTGAGEE**

DRAFT COPY

Approved by Northern Beaches Council

.....  
Authorised Delegate