

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.

EXAMINED

OFFICE USE ONLY

N 12704 RC 16 JUN 2015

22 May 2015 15:36:15 Perth



REG. S. 10(1)(a)

LODGED BY Rockwell Olivier (Perth) Murfett Legal

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ISSUING BOX No. 169T 28A

PREPARED BY Rockwell Olivier (Perth)

ADDRESS Level 8, 40 The Esplanade (Wesfarmers Building) PERTH WA 6000

PHONE No. 9420 7100 FAX No. 9420 7101

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

AB/L

TITLES, LEASES, DECLARATIONS ETC. LODGED HERewith

1.	_____	Received Items Nos. <u>0</u>
2.	_____	
3.	_____	
4.	_____	
5.	_____	
6.	_____	

Receiving Clerk *[Signature]*

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.



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4. COSTS

The Owner must pay the costs of an incidental to the preparation, execution, stamping and registration of this Deed at Landgate including all duties and registration fees.

5. INTERPRETATION

- (a) Reference to the parties includes their personal representatives, successors and lawful assigns.
- (b) Where a reference to a party includes more than one person the rights and obligations of those persons shall be joint and several.
- (c) Headings have been inserted for guidance only and shall be deemed not to form part of the context.
- (d) The Schedule forms part of this Deed.

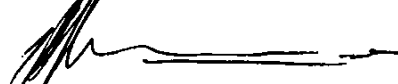
SCHEDULE

Burdened Land

Lots 2136 – 2138, 2140 – 2145, 2185 and 2186 on Deposited Plan 404313


EXECUTED AS A DEED:

Executed for and on behalf of the TRUST COMPANY LTD (ACN 004 027 749) by its duly appointed Attorneys pursuant to Power of Attorney No. M611580 dated 10/04/2014 registered in the State of Western Australia in the presence of:



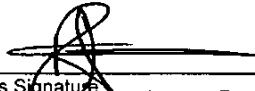
 Attorney Signature
KIMBERLEY HAGUE LAWRENCE

 Attorney Print Name



 Attorney Signature
Tony Aleksovski

 Attorney Print Name




 Witness Signature
Roxy Lee Gommers

 Witness Name
Level 3, 502 Hay Street
Subiaco WA 6008

 Witness Address
Customer Relations Associate

 Witness Occupation



 Witness Signature
Roxy Lee Gommers

 Witness Name
Level 3, 502 Hay Street
Subiaco WA 6008

 Witness Address
Customer Relations Associate

 Witness Occupation


EXECUTED BY MAIN ROADS WESTERN AUSTRALIA

Signed for and on behalf of the COMMISSIONER OF MAIN ROADS by the officer duly delegated this authority by the Commissioner of Main Roads under Section 10B (1) of the Main Roads Act 1930 (as amended) in the presence of:



 Signature:
John B. ELPHICK

 Full Name
MANAGER PROPERTY MANAGEMENT



 (Signature)

 (Full Name)
Officer Main Roads Western Australia
Richard Wolski
LAND ADMINISTRATION MANAGER
Main Roads Western Australia

BLANK INSTRUMENT FORM

**RESTRICTIVE COVENANT IN GROSS
(SECTION 129BA of the TLA)**

(Note 1)

DATED THE 23rd DAY OF March 2015

BETWEEN:

THE TRUST COMPANY LTD (ACN 004 027 749) of Level 4, 35 Clarence Street, Sydney, New South Wales ("Owner")

and

COMMISSIONER OF MAIN ROADS WESTERN AUSTRALIA of Don Aitken Centre, Waterloo Crescent, East Perth, Western Australia ("MRWA")

RECITALS:

- A. The Owner is registered as the proprietor of an estate in fee simple of the land described in the Schedule ("**Burdened Land**").
- B. The Owner has sought and received the Western Australian Planning Commission's approval to subdivide land of which the Burdened Land forms part, to create a number of lots.
- C. The Owner is required as a condition of subdivision approval to restrict motor vehicle access from the Burdened Land to Mandjoogordup Drive.
- D. The Owner enters into this Deed pursuant to section 129BA of the *Transfer of Land Act 1893* (WA) to comply with that condition and MRWA's requirements.
- E. MRWA will have the benefit of this covenant created by this Deed.

OPERATIVE PART

1. OWNER'S COVENANTS

The Owner for itself and its successors in title, with the intention of binding so far as is possible the Burdened Land in the hands of whoever it may come, hereby covenants with MRWA under and by virtue of the provisions of section 129BA of the *Transfer of Land Act 1893* (as amended) for the benefit of MRWA not to use or permit the use of the Burdened Land for vehicular access from the Burdened Land or to the Burdened Land between the points marked "X" to "Y" on Deposited Plan 404313 on the boundary of the Burdened Land.

2. DEED TO BENEFIT AND BIND SUCCESSORS

This Deed continues for the benefit of, and binds, each successor in title of the party, including a person to whom a party's rights and obligations are assigned or transferred.

3. FURTHER ASSURANCE

Each party must promptly at its own cost do all things necessary (including executing all documents) to give full effect to this Deed.

Full Name _____
 Officer Main Roads Western Australia
 Full Name _____
 Officer Main Roads Western Australia