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.

L861298 E
20 Feb 2012 09:53:50 Midland
REG $ 160.00

Lodged By	~~EARNSHAW LAWYERS~~
Address	15 THE CRESCENT MIDLAND, WA, 6056 SURE SETTLEMENTS PO Box 2235 MIDLAND 6936 Ph: 9274 0044 Fax: 9274 0544
Phone No.	9274 0622
Fax No	9274 0544
E-Mail	~~david@earnshawlawyers.com.au~~
Reference No.	
Issuing Box No.	505R (Sure Settlements)

Prepared By	EARNSHAW LAWYERS
Address	15 THE CRESCENT MIDLAND, WA, 6056
Phone No.	9274 0622
Fax No.	9274 0544
E-Mail	david@earnshawlawyers.com.au
Reference No.	
Issuing Box No.	505R (Sure Settlements)

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

4/7

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

1. letter of consent
2.
3.
4.
5.
6.

Received Items

Nos. 1

Receiving Clerk

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.

REGISTRAR OF TITLES WESTERN AUSTRALIA

EXAMINED

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Landgate
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EXECUTED BY THE PARTIES AS A DEED the day and year first hereinbefore written.

Signed by: John Richard AITKEN
in the presence of:

Signature of witness

DOROTHY ALEXANDRA HARPER
Name of Witness

2 MOULTON TRAIL
Address of witness

ELLENBROOK 6069

NURSE
Occupation of Witness

John Richard AITKEN

Signed by: Nyaree BLAKENEY
in the presence of:

Signature of witness

DOROTHY ALEXANDRA HARPER
Name of Witness

2 MOULTON TRAIL
Address of witness

ELLENBROOK 6069

NURSE
Occupation of Witness

Nyaree BLAKENEY

Signed by: Patrick James Seymour IRWIN
in the presence of:

Signature of witness

DOROTHY ALEXANDRA HARPER
Name of Witness

2 MOULTON TRAIL
Address of witness

ELLENBROOK 6069

NURSE
Occupation of Witness

Patrick James Seymour IRWIN

Signed by: Caroline Francesca Jane IRWIN
in the presence of:

Signature of witness

DOROTHY ALEXANDRA HARPER
Name of Witness

2 MOULTON TRAIL
Address of witness

ELLENBROOK 6069

NURSE
Occupation of Witness

Caroline Francesca Jane IRWIN

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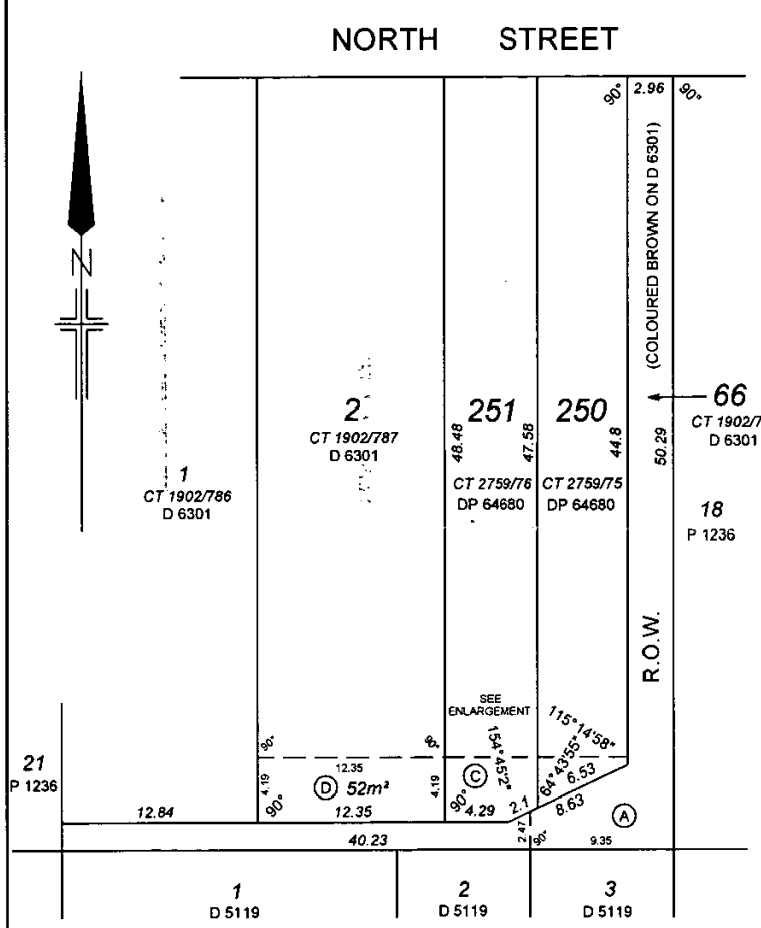
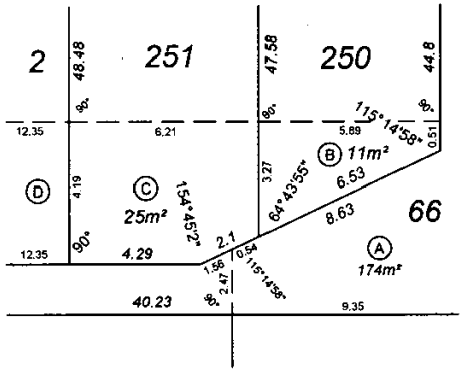
VERSION	AMENDMENT	AUTHORISED BY	DATE

FOR INTEREST PURPOSES ONLY



PRELIMINARY



ENLARGEMENT
Not to Scale

INITIAL INTERESTS

SUBJECT	PURPOSE	STATUTORY REFERENCE	ORIGIN	LAND BURDENED	BENEFIT TO	COMMENT
(A)	EASEMENT		DOC	LOT 66 ON D 6301	LOT 3 ON D 5119	
(B)	EASEMENT		DOC	LOT 250 ON DP 64680	LOTS 1 & 2 ON D 6301 AND LOT 251 ON DP 64680	
(C)	EASEMENT		DOC	LOT 251 ON DP 64680	LOTS 1 & 2 ON D 6301	
(D)	EASEMENT		DOC	LOT 2 ON D 6301	LOT 1 ON D 6301	

TYPE FREEHOLD

PURPOSE INTEREST

PLAN OF
EASEMENT AND/OR OTHER INTERESTS OVER LOTS 2 & 66 ON D 6301 AND LOTS 250 & 251 ON DP 64680

This plan is subject to examination and final approval by DLI

SSA YES/NO

DISTRICT SWAN FILE

TOWNSITE

LOCAL AUTHORITY CITY OF SWAN

LOCALITY MIDLAND

FORMER TENURE	ON	FIELD BOOK
	INDEX BG34 (2) 22.32	

SCALE: 1:300 AT A3 SIZE
ALL DISTANCES ARE IN METRES
6 3 0 3 6 9 12

SURVEYOR'S CERTIFICATE - Reg 54
I RICHARD GEORGE DELANY
hereby certify that this plan is accurate and is a correct representation of the -
(a) *survey; and/or
(b) *calculations from measurements;
[* delete if inapplicable]
undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.

LICENSED SURVEYOR DATE

Freshwater Bay Investments Pty Ltd trading as
Midland Survey Services
ACN 105 274 226
ABN 92 105 274 226
3 VICTORIA STREET
MIDLAND WA 6056
Tel : (08) 9374 7777
Fax : (08) 9274 2545
Email : survey@midlandsurveys.com.au
DRG No. C0375 10825-D001 Rev B

LODGED	TYPE OF VALIDATION
DATE	FULL AUDIT
	LEGAL COMPONENT
FEE PAID	DOCKET
	CERTIFIED CORRECT
ASSESS No.	I.S.C.
	F.S.C.

IN ORDER FOR DEALINGS

SUBJECT TO

FOR INSPECTOR OF PLANS & SURVEYS AUTHORIZED LAND OFFICER DATE

APPROVED

INSPECTOR OF PLANS & SURVEYS AUTHORIZED LAND OFFICER DATE

APPROVED BY WESTERN AUSTRALIAN PLANNING COMMISSION

Delegated Under S.16 P & D Act 2005 Date

Landgate
Western Australian Land Information Authority

DEPOSITED PLAN
67470

SHEET 1 OF 1
VERSION 1

c. the right to enter upon and walk, drive and pass through and over the Servient Tenement at all reasonable times, whether in person or by such contractors as may from time to time be authorised by the Grantor, for the purpose of accessing the property of the Grantee.

2. In exercising the powers conferred on the Grantee as set out in the preceding clause, the Grantee must:
   a. cause as little inconvenience and damage as is practicable to the Servient Tenement;
   b. remedy and make good any damage to the Servient Tenement which may result from the exercise of the said powers.

3. Each party agrees to notify the other party as soon as is practicable of any faults or maintenance requirements in respect of the affected land.

4. The Grantor covenants with the Grantee so as to bind the land of the Grantor not at any time to do or suffer anything to be done upon the Servient Tenement whereby the affected land and the proper and effective use thereof by the Grantee may be obstructed or interfered with.

5. The parties agree that no party shall transfer or sell or agree to sell their property without first requiring that the transferee enter into and execute a deed covenanting with the remaining party to be bound by and to observe and perform all the covenants and conditions of this deed.

6. In the event of any dispute between the parties arising out of or incidental to this deed, or in the event that the parties cannot agree on any matter upon which agreement is required pursuant to this deed, the issue thereby arising shall be referred to and determined by an arbitrator nominated by:

   a. the President for the time being of the Law Society of Western Australia; or
   b. a person nominated by the President for the time being of the Law Society of Western Australia,

   at the direction of the parties or either of them.

7. LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS

   1. EASEMENT BEENFIT SEE DIAGRAM 6301 AND SECTION 167A OF THE TLA.
   2. MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD SEE INSTRUMENT J091903.

MORTGAGEE'S CONSENT

AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN 005357522) of 77 St Georges Terrace, Perth, 6000, in the State of Western Australia, being the Mortgagee under Mortgage J091903 HEREBY CONSENTS to this easement.

DATED this day of 2011.

LISA JUPP
ACTING MANAGER

Signed by AUSTRALIA & NEW ZEALAND BANKING GROUP LTD

SEALED With the seal of
the Attorney of AUSTRALIAN AND NEW ZEALAND BANKING GROUP LIMITED A.C.N. 005 357 522 and signed by him/her on behalf of the said Bank under Power of Attorney No. I486779 in the presence of:

Australia and New Zealand Banking Group Limited by its Attorney

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Lynda Lloyd
Lloyd
An Officer of the said Bank

of the s

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FORM B2

FORM APPROVED
NO. B4682

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED

$38

ABN 99 593 347 728
WESTERN AUSTRALIA DUTY
TSF 24/01/12 08:52 003082099-001 VG N
DUTIABLE VALUE $ **********2,000
DUTY $ **************38.00

BLANK INSTRUMENT FORM

DEED OF EASEMENT

(Note 1)

THIS DEED OF EASEMENT is made the 4th day of NOVEMBER 2011

BETWEEN

JOHN RICHARD AITKEN and NYAREE BLAKENEY both of 157 Great Eastern Highway, South Guildford in the said State as joint tenants (the Grantor, which expression shall extend to and include the successors in title and assigns of the Grantor where the context so admits or requires)

AND

PATRICK JAMES SEYMOUR IRWIN and CAROLINE FRANCESCA JANE IRWIN both of 50 Harper Street, Woodridge in the said State as joint tenants (the Grantee, which expression shall extend to and include the successors in title and assigns of the Grantee where the context so admits or requires)

WHEREAS:

A. The Grantor is the registered proprietor for the time being of an estate in fee simple subject to the encumbrances set out at clause 7 of this easement, in all that piece of land being Lot 2 on Diagram 6301 and being the whole of the land comprised in Certificate of Title Volume 1902 Folio 787, more commonly known as 45 North Street, Midland in the said State (the land to be burdened, the ***Servient Tenement***).

B. The Grantee is the registered proprietor for the time being of an estate in fee simple in all that piece of land being Lot 1 on Diagram 6301 and being part of the land comprised in Certificate of Title Volume 1902 Folio 786, more commonly known as 47 - 49 North Street, Midland in the said State (the land to be benefited, the ***Dominant Tenement***).

C. The Grantor has agreed to grant the Grantee an easement over that part of the Servient Tenement as shown and marked "D" on Deposited Plan 67470 ("the affected land") to enable the Grantee to access and pass over the affected land on the terms of this deed.

NOW THIS DEED WITNESSES:

1. In consideration of the covenants of the Grantee set out in this deed, the Grantor grants to the Grantee and their agents, employees, contractors and invitees, in perpetuity so as to bind the land of the Grantor:
   a. the right to access and pass over the affected land by foot, motor vehicle and what ever means the Grantee may access the land of the Grantor;
   b. the right to enter and pass through any gates on the affected land by foot or motor vehicle or by what ever means

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Australia and New Zealand Banking Group Limited
A.C.N. 005 357 522

ANZ

MORTGAGE OPERATIONS WA
9th Floor, Exchange Plaza
Sherwood Court
PERTH 6000

Telephone: 9268 2089
Facsimile: 1800 249 586

10/2/2012

The Registrar of Titles
Department of Land Administration
Land Titles Division
P O Box 2222
MIDLAND 6936

Dear Sir,

CERTIFICATE OF TITLE: VOLUME 1902 FOLIO 787
CUSTOMER – John Richard Aitken and Nyaree Blakeney
OUR REF: 405491

The above Certificate of Title is a non issue.

ANZ Banking Group Ltd, as mortgagee of mortgage J091903 hereby consents to the registration of the following documents:

- Deed of Easement

Lodged by: Earnshaw Lawyers
In favour of: John Richard Aitken and Nyaree Blakeney

ANZ Banking Group Ltd requests that, in accordance with the request by the Registered Proprietor/s to the Register of Titles in the above mortgage, NO duplicate of title be issued at the conclusion of this transaction.

Thank you for your assistance in this matter. For all enquiries, contact Lisa Jupp

Yours faithfully,

Lisa Jupp
ANZ MORTGAGE PROCESSING WA

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