

AGENDA ITEM 7.3 (A) ATTACHMENT

SEARCH OF TORRENS TITLE

VOLUME 8749	FOLIO 44
EDITION 4	DATE OF ISSUE 13-Jul-2017

SEARCH DATE : 22-Feb-2021

SEARCH TIME : 12.49 PM

DESCRIPTION OF LAND

Parish of LEWISHAM, Land District of DORSET  
 Lot 44 on Sealed Plan 8749  
 Derivation : Part of Lot 18708 Gtd. to F.J. Walden.  
 Prior CT 3598/1

SCHEDULE 1

M638074 TRANSFER to SCOTT CAMERON ELLIS Registered  
 13-Jul-2017 at noon

SCHEDULE 2

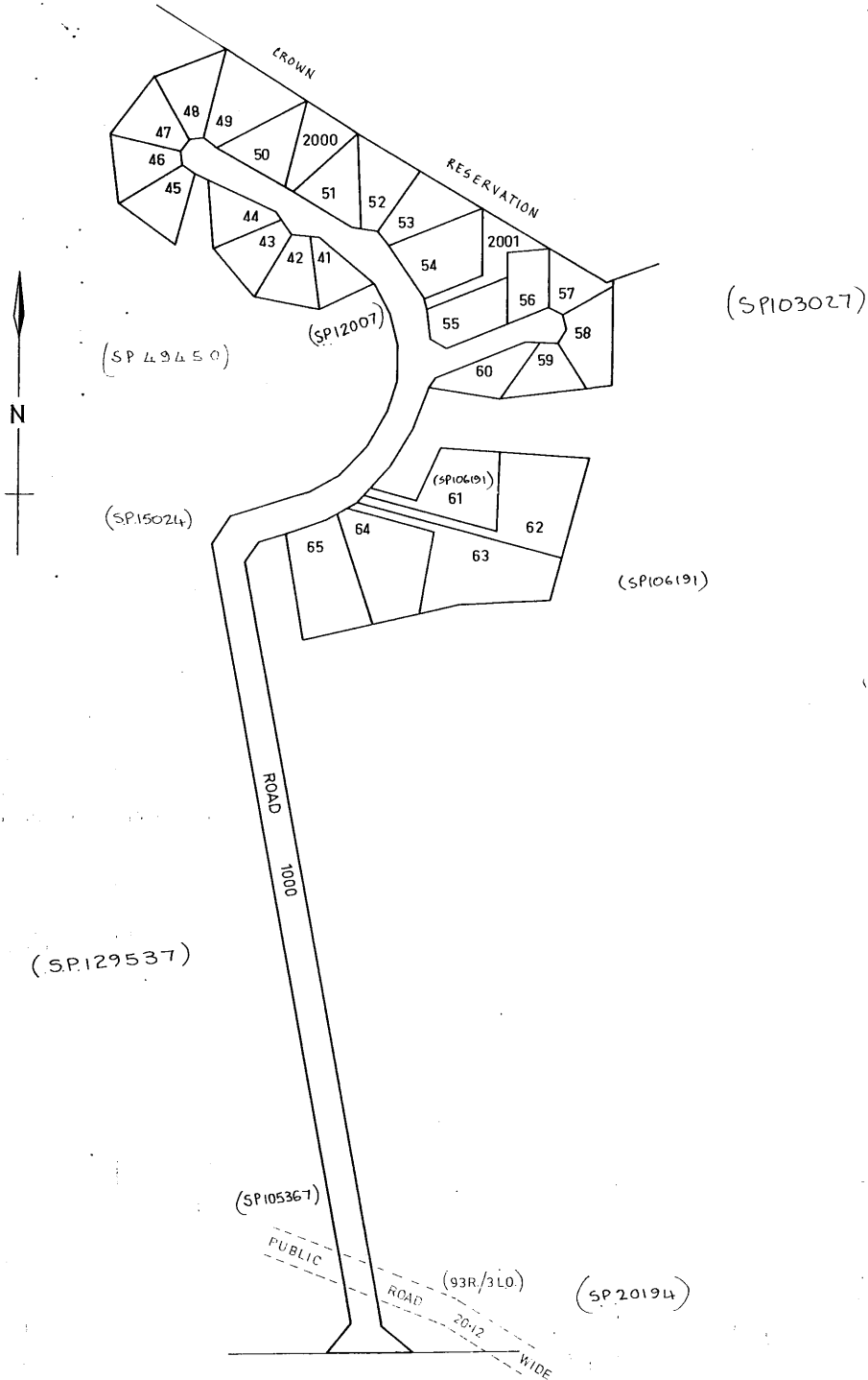
Reservations and conditions in the Crown Grant if any  
 SP 8749 EASEMENTS in Schedule of Easements  
 SP 8749 COVENANTS in Schedule of Easements  
 A570203 FENCING PROVISION in Transfer

UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

Owner: Stuart & McLauchlan Proprietary Limited	PLAN OF SURVEY by Surveyor W. M. CURTIS of land situated in the	Registered Number: <b>S.P8749</b>
Title Reference: Vol 3363 Fol 97	LAND DISTRICT OF DORSET PARISH OF LEWISHAM	Effective from <b>20 APR 1977</b>
Grantee: Lot 18708 Part of 1050 Act Gtd. to A. J. Walden FREDERICK JAMES <i>UJR FNS 2/11/76</i> <i>MEMO 12/1/76</i>	SCALE 1: 2 500 LENGTHS ARE IN METRES	<i>Mitchiner</i> Recorder of Titles

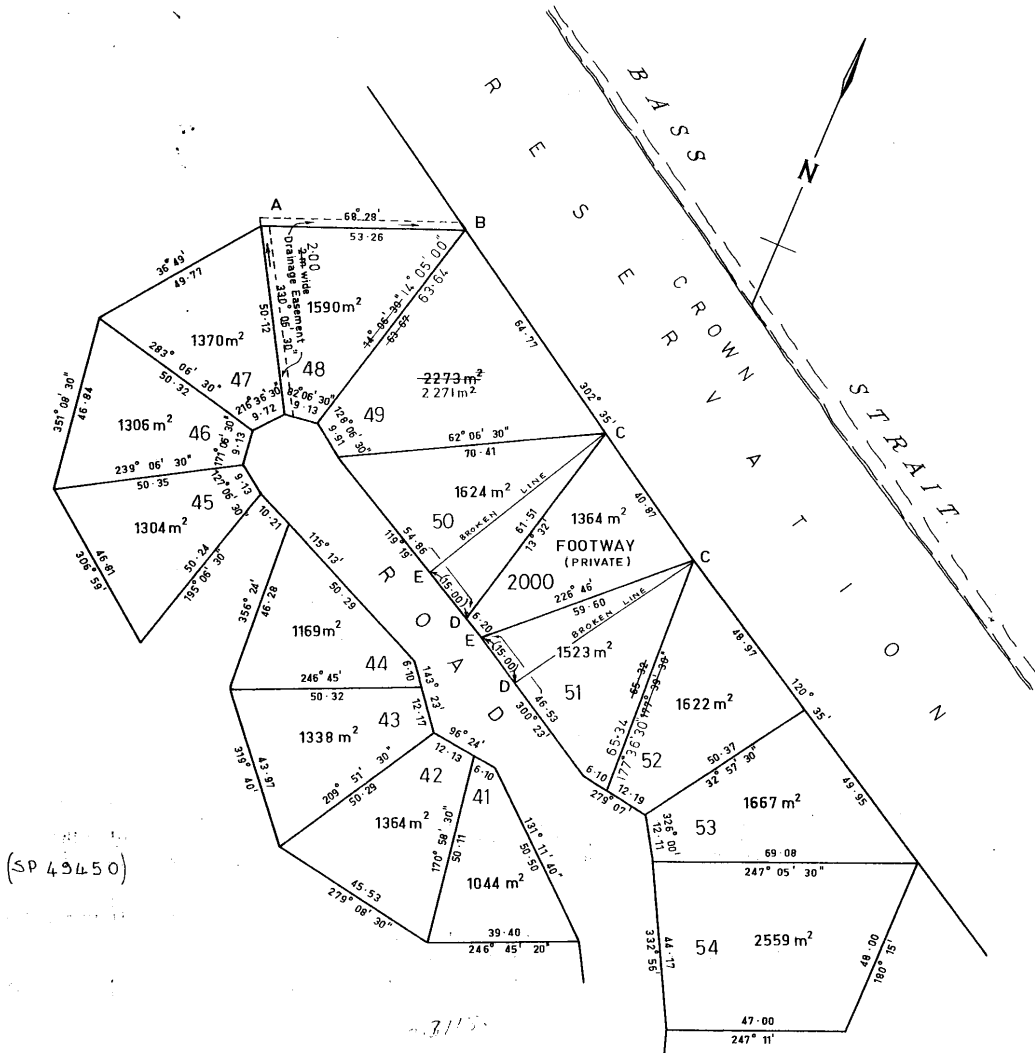
(SP15024)



(536/22<sup>0</sup>)

<p>ANNEXURE SHEET No. 1 (of 3 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 23-6-76 and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: <b>S.P8749</b></p>
<p>Signed for the purposes of identification  Council Clerk <i>[Signature]</i></p>	<p>Surveyor <b>W. M. CURTIS</b> Owner: <b>Stuart &amp; McLauchlan Proprietary Limited</b> Title Reference: Vol 3363 Fol 97</p>	

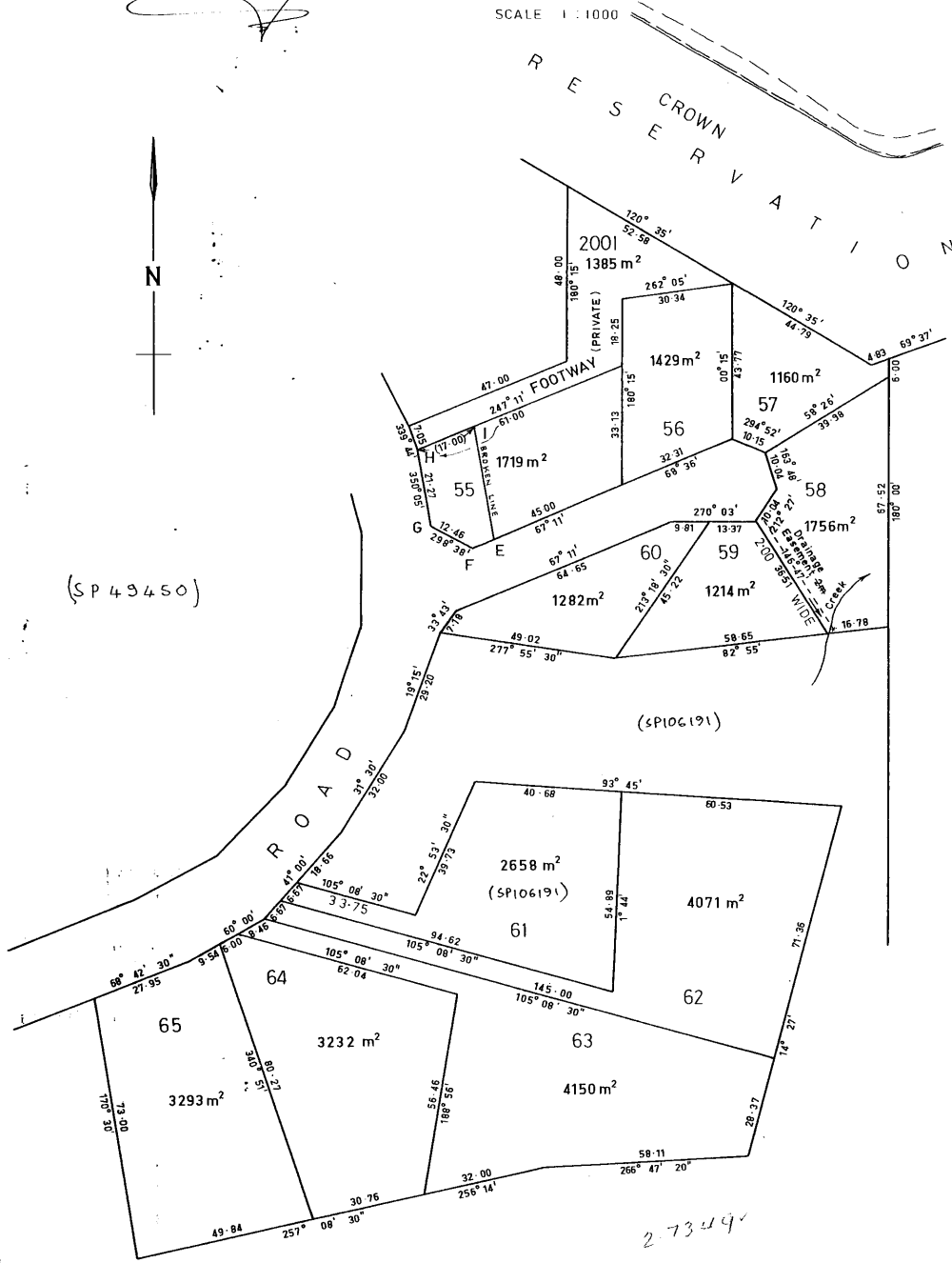
SCALE 1 : 10 00



(SP 49450)

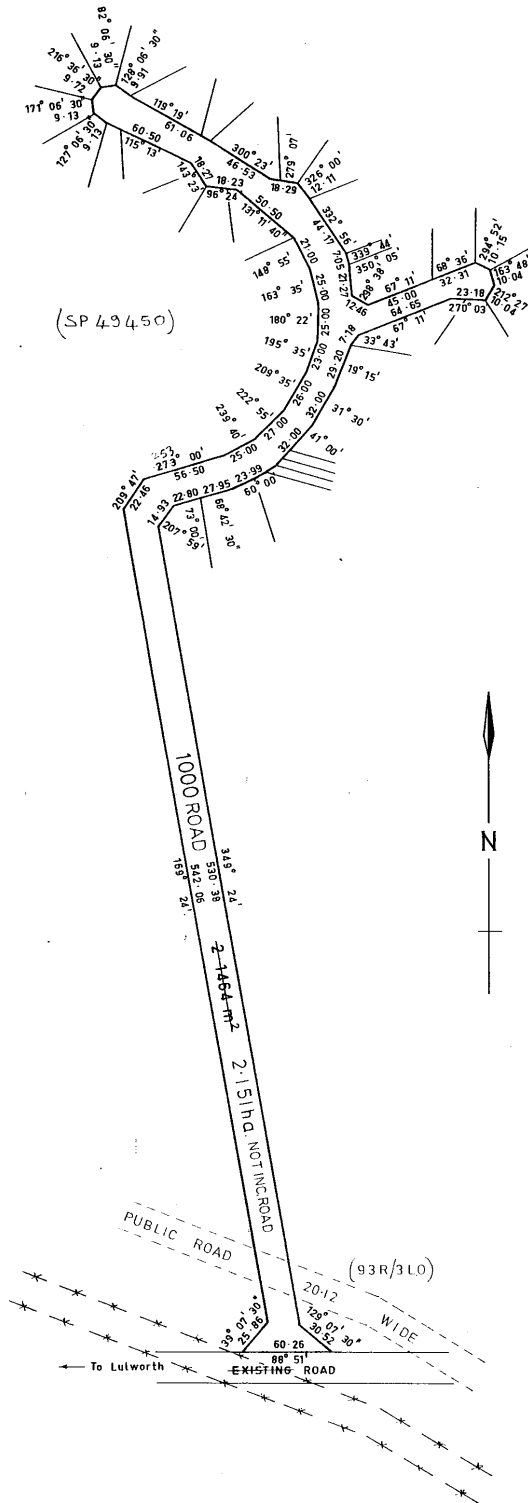
<p><b>ANNEXURE SHEET No. 2</b> (of 3 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 23.6.76 and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: <b>S.P8749</b></p>
<p>Signed for the purposes of identification  Council Clerk <i>[Signature]</i></p>	<p>Surveyor <b>W. M. CURTIS</b> Owner: <b>Stuart &amp; McLauchlan Proprietary Limited</b> Title Reference: <b>Vol 3363 Fol 97</b></p>	

SCALE 1:1000



<p>ANNEXURE SHEET No. 3 (of 3 annexures) to plan by Surveyor</p>	<p>This sheet contains detailed drawings of parcels shown on the index plan to which it is attached, which plan is verified by my certificate dated 23.6.76 and that certificate extends to the detail shown on this sheet.</p>	<p>Registered Number: <b>S.P8749</b></p>
<p>Signed for the purposes of identification  Council Clerk: <i>[Signature]</i></p>	<p>Surveyor: <u>W. M. CURTIS</u> Owner: <u>Stuart &amp; McLauchlan Proprietary Limited</u> Title Reference: <u>Vol 3363 Fol 97</u></p>	

SCALE 1 : 2500



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**SCHEDULE OF EASEMENTS**

5 P 8749  
**PLAN NO.**

NOTE:—The Town Clerk or Council Clerk must sign the certificate on the back page for the purpose of identification.

**S.P8749**

The Schedule must be signed by the owners and mortgagees of the land affected. Signatures should be attested.

**EASEMENTS AND PROFITS**

Each lot on the plan is together with:—

- (1) such rights of drainage over the drainage easements shewn on the plan (if any) as may be necessary to drain the stormwater and other surplus water from such lot; and
- (2) any easements or profits à prendre described hereunder.

Each lot on the plan is subject to:—

- (1) such rights of drainage over the drainage easement shewn on the plan (if any) as passing through such lot as may be necessary to drain the stormwater and other surplus water from any other lot on the plan; and
- (2) any easements or profits à prendre described hereunder.

The direction of the flow of water through the drainage easement shewn on the plan is indicated by arrows.

LOTS 1000 and 48 are each together with a right of drainage over the drainage easement marked AB

LOTS 2000 and 2001 are each subject to a right of footway (appurtenant to Lots 41 to 65 on the plan and the land remaining in Certificate of Title Volume 3363 Folio 97 at the date of acceptance hereof other than the lots in the plan) over the said lots 2000 and 2001. Lots 41 to 65 are each together with a right of footway over Lots 2000 and 2001

**COVENANTS**

The Owner of each lot covenants with the Vendor Stuart & McLauchlan Proprietary Limited and the owners for the time being of every other lot shown on the plan to the intent that the burden of this covenant may run with and bind the covenantor's Lot and every part thereof and that the benefit thereof may be annexed to and devolve with each and every part of every other Lot on the plan and with the residue of the land described in Certificate of Title volume 3363 Folio 97 and each and every part thereof to observe the following stipulations:—

- (1) Not excavate, carry away or remove or permit or suffer

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but so far as concerns covenant No. 16 only so far as the same is binding and capable of taking effect

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to be excavated carried away or removed from the Lot or any part thereof any earth clay stone gravel or sand except such as may be necessary for the purpose of road construction and levelling or filling the said land or for the formation of any building swimming pool or barbecue to be erected <sup>thereon</sup> thereof.

*MM*

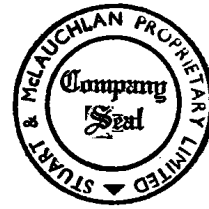
- (2) Not to carry on or permit or suffer to be carried on on any part of the lot any trade or business **except with the consent of the Committee of Management of Tam-O-Shanter Resorts Inc.**
- (3) Not to erect or place upon the lot more than one main building
- (4) Not to erect or place upon the lot or any part thereof any shop building or erection whatsoever for the purpose of selling or offering or exposing for sale therein or thereon any articles wares or merchandise whatsoever
- (5) Not to offer or display upon any wall or fence upon the lot any posters bills or advertisements or erect any hoarding or structures upon the said lot or any part thereof for use as a bill posting or advertising site
- (6) Not to operate on the lot any engine or machinery which makes excessive noise
- (7) Not to erect on the lot any dwelling or building constructed of fibro materials
- (8) Not to erect on the lot any dwelling or building having more than two stories
- (9) Not to erect on any of Lots 41 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 54 any dwelling or building higher than Five point five metres.
- (10) Not to erect on the lot any dwelling containing more than two separate living units or flats
- (11) Not to erect or re-erect on the lot any building whatsoever which ~~shall have been pulled down or demolished on any other land~~
- (12) Not to erect any building on that part of Lot 50 marked CDE that part of Lot 51 marked CDE or that part of Lot 55 marked EFGHI
- MM* (13) Not to erect ~~or grow or permit to grow~~ on the lot any fence ~~or continuous hedge~~ higher than two metres.
- MM* (14) Not to ~~erect~~ <sup>plant</sup> or grow or permit to grow on that part of Lot 50 marked CDE or on that part of Lot 51 marked CDE any <sup>hedges</sup> fences trees plants or shrubs <sup>which normally grow</sup> higher than two metres.
- MM* (15) Not to plant or grow on the Lot in a continuous hedge plants trees or shrubs which normally grow higher than two metres.

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111 (16) (15)

If and when legislation is passed which will permit the closing of roads within the subdivision to the public not to object to the closing of the said roads provided the roads can be used as private rights of carriage way by (inter alia) the owners of all the lots in the subdivision and their visitors, servants, agents and workmen.

THE COMMON SEAL of STUART & McLAUCHLAN PROPRIETARY LIMITED the owner of the land comprised in Certificate of Title Volume 3363 Folio 97 was hereunto affixed in the presence of:



Handwritten signature of K. M. Lauchlan, Director, and handwritten signature of P. J. O'Brien, Secretary.

SIGNED SEALED AND DELIVERED by WALLACE JUSTIN AINSWORTH BRUE as duly constituted Attorney for and on behalf of Mortgagee under Mortgage Number A446918 COMMONWEALTH DEVELOPMENT BANK OF AUSTRALIA/ under Power of Attorney No. 18508 who hereby certifies that he has received no notice of revocation of the said power in the presence of

COMMONWEALTH DEVELOPMENT BANK OF AUSTRALIA BY its Attorney

Handwritten signature of J. J. O'Brien, Assistant Manager, Hobart.

Handwritten signature of Wallace Justin Ainsworth Brue.

THE COMMON SEAL of THE EQUITY TRUSTEES COMPANY of TASMANIA LTD. mortgagee under Mortgage Number A328566 A328556 was hereunto affixed in the presence of:

Handwritten signatures of directors and secretary of The Equity Trustees Company of Tasmania Ltd.



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Certified correct for the purposes of the Real Property Act 1862, as amended.

RITCHIE & PARKER ALFRED GREEN & CO

Solicitor for the Subdivider

This is the schedule of easements attached to the plan of STUART & McLAUCHLAN PROPRIETARY

(Insert Subdivider's Full Name)

LIMITED affecting land in

Certificate of Title Volume 3363 Folio 97

(Insert Title Reference)

Sealed by George Town Municipal Council on 15 Sept 1976

Council Clerk/Treasurer

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