Req:R538423 /Doc:DL H931061 /Rev:03-Apr-1997 /Sts:Q2.OK /Prt:03-May-2013 13:06 /Pgs:ALL /Seq:1 of 4
Ref:lg:will-nroesler tp /Src:W

THIS FORM MAY BE USED WHERE NEW RESTRICTIVE COVENANTS ARE IMPOSED OR EASEMENTS CREATED OR WHERE THE SIMPLE TRANSFER FORM IS UNSUITABLE.

FEES:— £ s. d.
Lodgment 2 : 10 :
Endorsement : 5 :
Certificate 1 : :
P/O : : :
£4 : 15 :

R.P. 13A. No. H 931061

New South Wales

MEMORANDUM OF TRANSFER

(REAL PROPERTY ACT, 1900.)

Exempt from Stamp Duty
for Commissioner of Stamp Duties
9/6/61

SEVEN SHILLINGS SIX PENCE STAMP DUTY

2/11/61

(Trusts must not be disclosed in the transfer.)

Typing or handwriting in this instrument should not extend into any margin. Handwriting should be clear and legible and in permanent black non-copying

NEIGHBOURHOOD CENTRES PTY. LIMITED

D

(herein called transferor)

a If a less estate, strike out "in *fee simple*" and interline the required alteration.

being registered as the proprietor of an estate in fee simple[a] in the land hereinafter described, subject, however, to such encumbrances, liens and interests as are notified hereunder, in consideration of

TEN SHILLINGS

(£ - 10: 0) (the receipt whereof is hereby acknowledged) paid to it by

THE COUNCIL OF THE MUNICIPALITY OF WILLOUGHBY

Lots P/Dm.

do hereby transfer to

b Show in BLOCK LETTERS the full name, postal address and description of the persons taking, and if more than one, whether they hold as joint tenants or tenants in common.

THE COUNCIL OF THE MUNICIPALITY OF WILLOUGHBY of 409 Victoria Avenue, Chatswood

(herein called transferee)

ALL such its Estate and Interest in ALL THE land mentioned in the schedule following:—

c The description may refer to parcels shown in Town or Parish Maps issued by the Department of Lands or shown in plans filed in the Office of the Registrar-General. If part only of the land comprised in a Certificate or Certificates of Title is to be transferred add "and being Lot ... sec. ... D.P. ..." or "being the land shown in the plan annexed hereto" or "being the residue of the land in certificate (or grant) registered Vol. ... Fol. ...".

Where the consent of the Local Council to a subdivision is required the certificate and plan mentioned in the Local Government Act, 1919, should accompany the transfer.

County.	Parish.	Reference to Title. Whole or Part.	Vol.	Fol.	Description of Land (if part only).
Cumberland	Willoughby	Whole	4353	159	
Cumberland	Willoughby	Part	3355	96	Being Lot F in Plan annexed to Transfer No. H.713646
Cumberland	Willoughby	Part	3116	211	Being Lot D in Plan annexed to Transfer No. H.713649
Cumberland	Willoughby	Part	3085	250	Being Lot B in Plan annexed to Transfer No. H.713648
Cumberland	Willoughby	Part	7212	176	Being Lot H in Plan annexed to Transfer No. H.713650
Cumberland	Willoughby	Whole	2113	79	

Now forming whole of land comprised in Certificate of Title Vol. 8305 Fol. 237

Now being part of land comprised in Certificate of Title Vol. 7212 Fol. 176

55966

52040 10,50 W K 1165—A St 3070 V. C. N. Blight, Government Printer

152408

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~~And the transferee covenant(s) with the transferor~~[2]

[2] Strike out if unnecessary, or suitably adjust,
(i) if any easements are to be created or any exceptions to be made; or
(ii) if the statutory covenants implied by the Act are intended to be varied or modified.

Covenants should comply with the provisions of Section 98 of the Conveyancing Act, 1919–1954.

AND the said Transferee doth hereby for itself its successors and assigns or other the registered proprietors for the time being of the land hereinbefore described covenant with the said Transferor its successors and assigns that no portion of the said land shall at any time hereafter be used for any purpose other than Public Car Parking and a Public Baby Health Centre.

The benefit of the foregoing covenant shall be appurtenant to the whole of the land comprised in Certificates of Title

Volume 2842 Folio 185 ✓ Volume 2865 Folio 64 ✓ Volume 5147 Folio 218 ✓
Volume 2876 Folio 215 ✓ Volume 5474 Folio 32 ✓ Volume 6965 Folio 186 ✓
Volume 7814 Folio 109 ✓

and every part thereof.

The burden of the foregoing covenant is upon the land transferred by this instrument.

The aforesaid covenant may be released varied or modified by the registered proprietors for the time being of the land to which the said covenant is appurtenant.

[3] A very short note will suffice.

K 1165—2 Fa 3070—2

ENCUMBRANCES, &c., REFERRED TO:

*

* Covenants see Transfer No. H931061

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324 ORP-1

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If the Transferor or Transferee signs by a mark, the attestation must state "that the instrument was read over and explained to him, and that he appeared fully to understand the same."

Signed at Sydney the 30th day of October 1961.

, Signed in my presence by the transferor THE COMMON SEAL of NEIGHBOURHOOD CENTRES PTY. LIMITED was hereunto affixed pursuant to the Authority of a resolution of the Board of Directors in the presence of :

Secretary

NEIGHBOURHOOD CENTRES LIMITED

Transferor.*

Executed

‡ Execution in New South Wales may be proved if this instrument is signed or acknowledged before the Registrar-General, or Deputy Registrar-General, or a Notary Public, a J.P., or Commissioner for Affidavits, to whom the Transferor is known, otherwise the attesting witness should appear before one of the above functionaries who having received an affirmative answer to each of the questions set out in Sec. 108 (1) (b) of the Real Property Act should sign the certificate at the foot of this page.

Execution may be proved when the parties are resident:—

(a) *in any part of the British dominions outside the State of New South Wales* by signing or acknowledging before the Registrar-General or Recorder of Titles of such Possession, or before any Judge, Notary Public, Justice of the Peace for New South Wales, or Commissioner for taking affidavits for New South Wales, or Mayor or Chief Officer of any municipal or local government corporation of such part, or Justice of the Peace for such part, or the Governor, Government Resident, or Chief Secretary of such part or such other person as the Chief Justice of New South Wales may appoint.

(b) *in the United Kingdom* by signing or acknowledging before the Mayor or Chief Officer of any corporation or a Notary Public.

(c) *in any foreign place* by signing or acknowledging before (i) a British Consular Officer (which includes a British Ambassador, Envoy, Minister, Chargé d'Affaires, Secretary of Embassy or Legation, Consul-General, Acting Consul-General, Consul, Acting Consul, Vice-Consul, Acting Vice-Consul, Pro-Consul, Consular Agent and Acting Consular Agent). (ii) an Australian Consular Officer (which includes an Ambassador, High Commissioner, Minister, Head of Mission, Commissioner, Chargé d'Affaires, Counsellor or Secretary at an Embassy, High Commissioner's Office or Legation, Consul-General, Consul, Vice-Consul, Trade Commissioner and Consular Agent), who should affix his seal of office, or the attesting witness may make a declaration of the due execution thereof before one of such persons (who should sign and affix his seal to such declaration), or such other person as the said Chief Justice may appoint.

THE SEAL of THE COUNCIL OF THE Signed in my presence by the transferee MUNICIPALITY OF WILLOUGHBY was WHO IS PERSONALLY KNOWN TO ME hereunto affixed by resolution of Council carried at Ordinary Meeting No. held on the 9th October 1961.

† Accepted, and I hereby certify this Transfer to be correct for the purposes of the Real Property Act.

Transferee(s).

MAYOR

by TOWN CLERK

MEMORANDUM AS TO NON-REVOCATION OF POWER OF ATTORNEY.

(To be signed at the time of executing the within instrument.)

Memorandum where by the undersigned states that he has no notice of the revocation of the Power of Attorney registered No. Miscellaneous Register under the authority of which he has just executed the within transfer.

Signed at the day of 19

Signed in the presence of—

§ Strike out unnecessary words. Add any other matter necessary to show that the power is effective.

CERTIFICATE OF J.P., &c., TAKING DECLARATION OF ATTESTING WITNESS.*

Appeared before me at , the day of , one thousand nine hundred and the attesting witness to this instrument and declared that he personally knew the person signing the same, and whose signature thereto he has attested; and that the name purporting to be such signature of the said is own handwriting, and that he was of sound mind and freely and voluntarily signed the same.

¶ To be signed by Registrar-General, Deputy Registrar-General, a Notary Public, J.P., Commissioner for Affidavits, or other functionary before whom the attesting witness appears. Not required if the instrument itself be signed or acknowledged before one of these parties.

* If signed by virtue of any power of attorney, the original power must be registered in the Miscellaneous Register, and produced with each dealing, and the memorandum of non-revocation on back of form signed by the attorney before a witness.

† N.B.—Section 117 requires that the above Certificate be signed by each Transferee or his Solicitor or Conveyancer, and renders any person falsely or negligently certifying liable to a penalty of £50; also to damages recoverable by parties injured. Acceptance by the Solicitor or Conveyancer (who must sign his own name, and not that of his firm) is permitted only when the signature of the Transferee cannot be obtained without difficulty, and when the instrument does not impose a liability on the party taking under it. When the instrument contains some special covenant by the Transferee or is subject to a mortgage, encumbrance or lease, the Transferee must accept personally.

No alterations should be made by erasure. The words rejected should be scored through with the pen, and those substituted written over them, the alteration being verified by signature or initials in the margin, or noticed in the attestation.

K 165—2 Sc 3070—3

E324ORP-1
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Ref:lg:will-nroesler tp /Src:W

No. H931061

LODGED BY Mitchell Green & Cooper
92 Pitt St Sydney

FEES.

The Fees, which are payable on lodgment, are as follows:—

(a) £2 where the memorandum of transfer is accompanied by the relevant Certificates of Title or Crown Grants, otherwise £2 5s. 0d. Where such Instrument is to be endorsed on more than one folium of the register, an additional charge of 5s. is made for every Certificate of Title or Crown Grant after the first.

(b) A supplementary charge of 10s. is made in each of the following—
(i) where a restrictive covenant is imposed; or
(ii) a new easement is created; or
(iii) a partial discharge of mortgage is endorsed on the transfer.

(c) Where a new Certificate of Title must issue the scale charges are—
(i) £2 for every Certificate of Title not exceeding 15 folios and without diagram;
(ii) £2 10s. 0d. for every Certificate of Title not exceeding 15 folios with one simple diagram;
(iii) as approved where more than one simple diagram, or an extensive diagram will appear.
Where the engrossing exceeds 15 folios, an amount of 5s. per folium, extra fee is payable.

DOCUMENTS LODGED HEREWITH.

To be filled in by person lodging dealing.

1. _____
2. _____ } Received Docs. Nos.
3. _____ } Receiving Clerk.
4. _____
5. _____
6. _____

PARTIAL DISCHARGE OF MORTGAGE.

(N.B.—Before execution read marginal note.)

I, SUBURBAN CENTRES PTY. LIMITED

mortgagee under Mortgage No. H.871772

release and discharge the land comprised in the within transfer from such mortgage and all claims thereunder but without prejudice to my rights and remedies as regards the balance of the land comprised in such mortgage.

§ This discharge is appropriate to a transfer of part of the land in the Mortgage. The mortgagee should execute a formal discharge where the land transferred is the whole of or the residue of the land in the Certificate of Title or Crown Grant or is the whole of the land in the mortgage.

Dated at Sydney *this* 26th *day of* November 1961.

THE COMMON SEAL of SUBURBAN CENTRES PTY. LIMITED was hereunto affixed pursuant to a resolution of the Directors in the presence of the Director whose name is set opposite hereto and in the presence of:—

Secretary ..... Director Mortgagee.

INDEXED	MEMORANDUM OF TRANSFER
	M.P.D.
Checked by	Particulars entered in Register Book, Vol 8303 Fol 31
Passed (in S.D.B.) by	Volume 2113 Folio 79
Signed by	the 12th day of January 1962 at 5 minutes past 12 o'clock in the [illegible]

Registrar-General

Consult 1+7 Hall St

PROGRESS RECORD.

	Initials.	Date.
Sent to Survey Branch		
Received from Records		
Draft written		
Draft examined		
Diagram prepared		
Diagram examined		
Draft forwarded		
Supt. of Engravers		
Cancellation Clerk		

Vol. Fol.

LEAVE THESE SPACES FOR DEPARTMENTAL USE.

1324ORP

1324ORP