INSTRUCTIONS

- 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
- 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.
- A separate attestation is required for every person signing this
 document. Each signature should be separately witnessed by
 an <u>Adult Person</u>, The address and occupation of the witness
 must be stated.



LODGED BY

ADDRESS

BRITTEN PARTNERS

SOLICITORS

Suite 1, 14 Leura Street NEDLANDS WA 6009

Ph: 6389 1622 Fax: 6389 1644

FAX No

PHONE No.

REFERENCE No.

0263

ISSUING BOX No.

288 B. R.

PREPARED BY

BRITTEN PARTNERS

SOLICITORS

ADDRESS

Suite 1, 14 Leura Street NEDLANDS WA 6009 Ph: 6389 1622

Ph: 6389 1622 Fax: 6389 1644

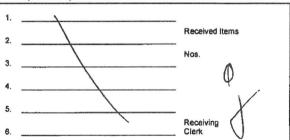
PHONE No.

FAX No.

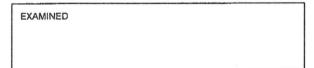
INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY.



TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH



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.







Chief beautive officer	of Shire of Augusta. Margaret River. officed in The presence of:
Striffe President	

- The Developer must pay for the costs of preparation, execution and stamping of this deed, including stamp duty assessed hereon.
- 3. In this deed the following words will have the following meanings:

"Burdened Land" means Lots 1, 24, 25 and 9000 on the Plan;

"Party" means a party to this deed named above;

"Plan" means Deposited Plan 59391;

"Road" means the road abutting the Burdened Land known as Wallcliffe Road;

In this deed:

- 4.1. words importing the singular number or plural number include the plural number and singular number respectively and words importing the masculine gender includes the feminine gender and the neuter gender;
- 4.2. a reference to a clause is a reference to a clause of to this deed and references to this deed include the recitals:
- 4.3. a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns;
- 4.4. the words "include", "includes" and "including" and the expression "in particular" do not limit the generality of the subject matter which precedes them or to which they refer.
- 4.5. where a party to this Deed is required to do any act matter or thing, they will be personally liable to perform that act, matter or thing only while they remain as registered proprietor of the land concerned.

Lagan.

SIGNED AS A DEED

SIGNED by

MARY EITHNE TERESA L

in the presence of:

Witness (Sign):

Print Name:

Michael Britten

Address:

Suite 1, 14 Leura Street NEDLANDS WA 6009

Solicitor

Occupation:

FORM B 2 FORM APPROVED

WESTERN AUSTRALIA TRANSFER OF LAND ACT 1893 AS AMENDED

BLANK INSTRUMENT FORM

RESTRICTIVE COVENANT

(Note 1)

ABN 66 012 878 629 WESTERN AUSTRALIA STAMP DITY DEE 15/04/08 14:26 002931014-001 SD \$ #####20.00 PEN \$######.00

THIS DEED OF RESTRICTIVE COVENANT is made on the 10 day of find 2008 BETWEEN
MARY EITHNE TERESA LAGAN of 39 Havendale Crescent, Dianella ("Developer")
AND
SHIRE OF AUGUSTA-MARGARET RIVER of 49 Town View Terrace, Margaret River ("Authority")
IN CIRCUMSTANCES WHERE

- The Developer is registered as proprietor of the Burdened Land;
- The Burdened Land is situated within the district of the Authority; B.
- C. The Western Australian Planning Commission has approved a subdivision of the Developer's land, which includes the Burdened Land.
- The Developer is required by the Authority to restrict access from the Burdened Land to the Road. D.
- E. This Deed is entered into by the Parties in satisfaction of the Authority's requirements.

OPERATIVE PART

- 1. The Developer for itself and its successors in title (including but not limited to the registered proprietor(s) for the time being of the Burdened Land or any part of it) HEREBY COVENANTS with the Authority pursuant to Section 129BA of the Transfer of Land Act:
 - 1.1. not to use or permit the use of the Lots 24, 25 or 9000 on the Plan for access from those lots to the Road between the points marked "F" and "G" on the Plan; and
 - 1.2. not to use or permit the use of Lot 1 on the Plan for access from that lot to the Road between the points marked "J" and "K" on the Plan.