

H2 359

NO,

EASEMENT

ERNEST RAYMOND SJATER HALL and
LIZABETH MARIE HALL

CHRISTOPHER JAMES RAPSON and
NICOLA ZERINA BAKER

MFJ10RJNOIM OF ENCUMBRANCES
J,IE?IS AND INTERESTS

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[26MARJ981]

WIRISBANEZ:

Transferors

8111 of Mortgage lb. 6815873

Transferees

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Particulars entered in the Register

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the y_ofi.- ,Al) In 1984
at Brisbane b/1691/77

Jan Michael Laherty
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of the hnf Dlvlsicri
for WestlC Barl,-i t,
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Registrar of Titles

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H244359

EASEMENT

By its Attorneys

John Anthony

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Witness:
A Uce of the peace.

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RB,Of a

16JUN1984

1 oLg e.C.Alt
(IS - 0/t.N:)

PETER J. SHEEHY
SOLICITOR
SECOND FLOOR
70-72 EAGLE STREET
BRISBANE

Phone: 285 5199

MAY 1984

Paid Vide No.

Paid Vide N-

1.2M

16JUN1984

W. - - -

- 3 -

SIGNED SEALED AND DELIVERED by the said
CHRISTOPHER JAMES SON and NICOLA ZERINA BAKER)
in the presence of 1)

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Correct for the purposes of Registration

Solicitors for the Transferor/

S ferees;

MEMORANDUM OF TRANSFER

G'AANTJ zASEMBNT

20mm R/H13³1s
STAMP DUTIES OFFICE

ERNEST RAYMOND SLATER HALL and ELIZABETH MARIE SLATER, of 1 Savages Road, Brookfield, Brisbane in the State of Queensland, (hereinafter called the transferors) being the Registered Proprietors as joint tenants of an estate in fee simple SUBJECT HOWEVER to such encumbrances, liens and interests as are notified by Memorandum endorsed hereon in all that piece of land situated in the County of Stanley, Parish of Indooroopilly containing an area of 1000 square metres being Easement No. 176374A, Registered Plan No. 196508, and being part of the land contained in Certificate of Title Volume 110 (hereinafter called "the servient tenement") IN CONSIDERATION of the sum of five THOUSAND DOLLARS (5,000.00) paid to them by CHRISTOPHER JAMES RAPSON and NICOLA ZERINA BAXBR of 149 Savages Road, Brookfield in the State of Queensland (hereinafter called "the transferees") the receipt of which is hereby acknowledged, HEREBY TRANSFER AND GRANT to the said transferees (which expressions shall include their successors and assigns, whether the context permits or not) being the registered proprietors of an estate in fee simple (and that piece of land situated in the County of Stanley Parish of Indooroopilly City of Brisbane containing 1000 square metres described as Lot 1 on Registered Plan No. 176374A (hereinafter called "the dominant tenement"), an Easement for all purposes or for any purpose connected with the use, pleasure and enjoyment of the occupation by the Transferees of the dominant tenement. AND IT IS HEREBY AGREED AND DECLARED

1. That for the purposes of this Grant of Easement the expression "for all purposes or for any purpose connected with the use, pleasure and enjoyment of the occupation by the transferees of the dominant tenement" shall mean and include the right to enter upon and remain upon the servient tenement without any restrictions upon the transferees by the transferors as the use to which the servient tenement may be put by the transferees in furtherance of the enjoyment connected with the dominant tenement, and without any restrictions as to the time or duration upon which the transferees may continue with the use and enjoyment of the servient tenement.

2. That in furtherance of the purposes connected with the said use,

the transferees may at their cost upon the servient tenement effect any improvements, of any nature as may be allowable by any Act, Regulation or Ordinance for the time being in force, and for the purpose of effecting such improvements may require the transferors or their successors and assigns where the context permits or requires, for the time being of the servient tenement to do all such acts and

things and execute all such necessary documents as may be necessary to give effect to the terms of this Grant: PROVIDED ALWAYS that the said improvements shall comply with the lawful requirements of any competent authority in that regard.

3, That as between the transferors and the transferees that by any acts or omissions on the part of the transferees they shall not be considered to have abandoned the easement wholly or in part by reason of any act or omission, nor shall they be deemed to have waived the benefit of the easement wholly or in part by any act or omission,

4. That the transferees shall have the right to construct or erect upon the boundary of the servient and dominant tenement a fence or other structure PROVIDED ALWAYS HOWEVER that the said fence or structure shall comply with the lawful requirements of any competent authority in that regard, and provided further that the costs of erection of such fence or structure shall be borne equally between the transferees and the transferors.

5. That the transferees will pay to the transferors a sum equal to a percentage share of any and all general rates, imposed by the Local Authority in respect of the transferors ownership of Lot 1 on Registered Plan No, 196508 being a share equal to the proportion that the area of Easement A bears to the whole of the land contained on Lot 1 on Registered Plan No, 196500. The transferees shall make such payment within 14 days of the receipt of the notice from the transferors of the amount thereof,

6. (SEE BACK HEREOF)

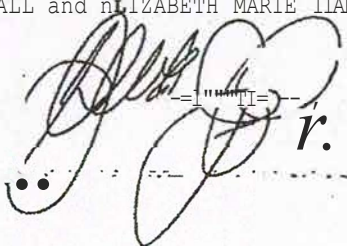
IN WITNESS WHEREOF the transferors and transferees have executed these presents on the nineteenth day of March, 1984.

SIGIL EO SEALED ALID DELIVERED by the said

ELU (EST R Ymam SLJ) TER HALL and ELIZABETH MARIE HALL
in the presence of

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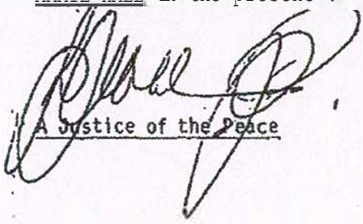
6. The transferees co. pletely Indemnify and save harmless the transferors and their
Successors in title from and against all actions, proceedings, claims, demands, costs;
• losses, damages and eKpense which may be brought **against** or made upon them or any of them or
• which they or any of them suffers, susuins or ls put to by reason of or in consequence of or
fn connection with the grant to the transferees of this easement and by reason of or in
consequence of or fn connection with the exercise or attempted exercise by the transferees
of any of the rights granted by this easementandwlthout limiting the generality of the
preceding provision by reason of or in consequence of or In connection with the use of the
servient tenement and whet er ln respect of any loss of life of of Injury to or da age to any
person or property including any property of the transferors doth hereby release and discharge
the transferors and their successors In title and the transferees doth hereby release and
discharge the transferors and their successors fn title frOlll any such action, proceeding, claim.,
dea, and, cost, loss, damage or expense which but for the provisions hereof mtght be brought against
or made upon the trahsferor\$ and their successors in title,

IHH l!" :E S4H REOF the tran feror.s /, tra_ns_ferees have exec te this_presents on the
Nineteenth day of Harth, 1984,

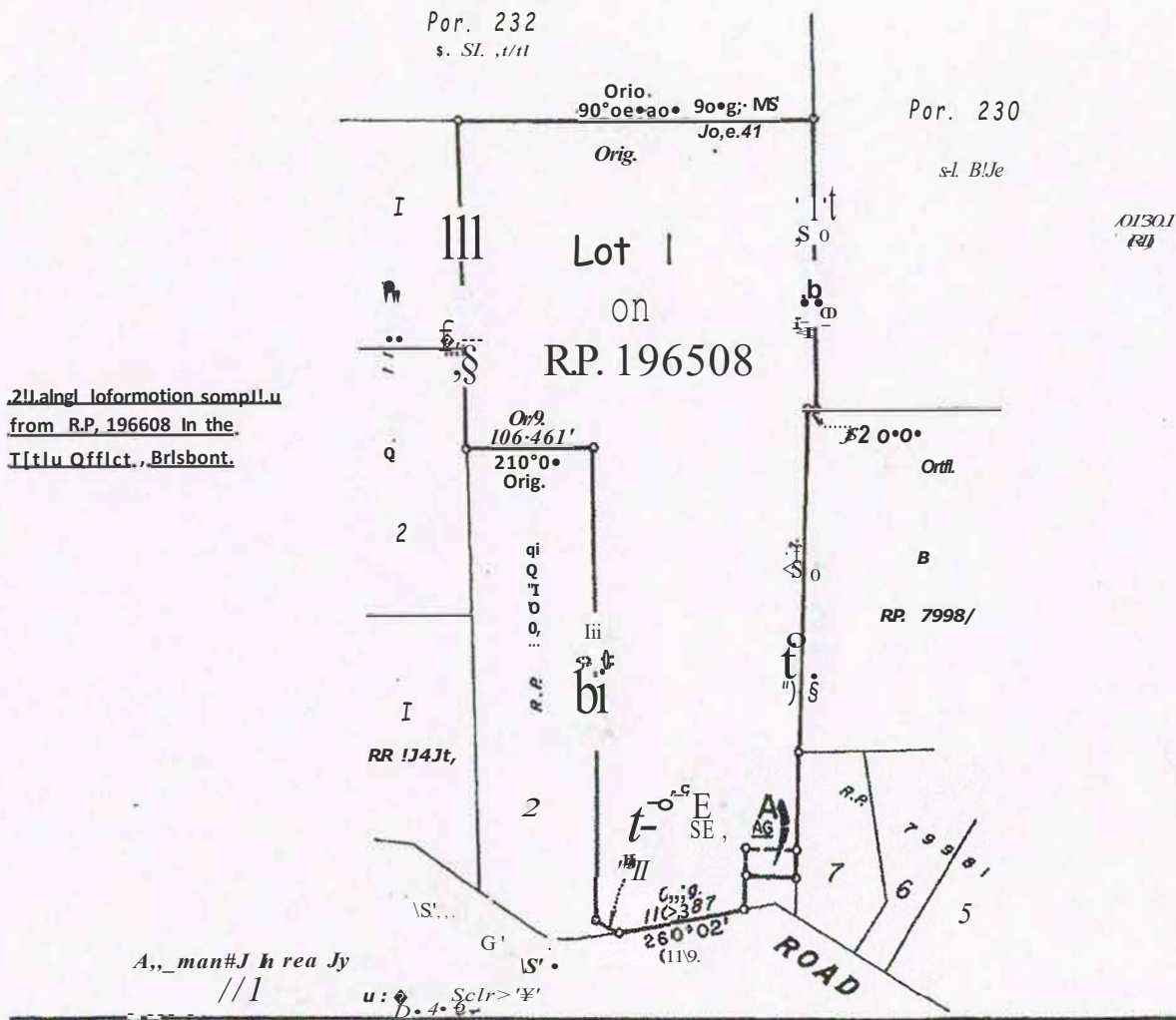
SIG: iED Sealed and delivered by the said)
mm RAYL OO SLATER HALL and ELIZABETH)
MAAIE HALL In the presenc :-)

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A Justice of the Peace

WARNING • FOLDING OR MUTILATING WILL LEAD TO REJECTION • PLAN MAY BE ROLLED



Lot 1
on
R.P. 196508

- Diagram -
sea,, 19760

ORIGINAL PLAN		COVERING		TOWN	
Covering		Port of Lot I on H.P. 196 08		PARISH ...JN, 0. (.) 0, R (.) P, J, ..I. Y. ...	
COUNTY		S. 1. r? 1. t? Y.		REGISTERED PLAN 197600	
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REGISTERED..... PLAN - 197600.....