

**Register Search Statement - Volume 10757 Folio 378
29/05/2007 16:44:04**

Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

REGISTER SEARCH STATEMENT Land Victoria

Security no : 124021978402L

Volume 10757 Folio 378

Produced 29/05/2007 04:43 pm

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 515621V.

PARENT TITLES :

Volume 10637 Folio 539 to Volume 10637 Folio 540

Created by instrument PS515621V 15/10/2003

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 2 of a total of 3 equal undivided shares

Sole Proprietor

ROBERT POWER PROPERTIES PTY LTD of 52 NORTHERN HIGHWAY ECHUCA VIC 3564

As to 1 of a total of 3 equal undivided shares

Sole Proprietor

T.M. PROPERTIES PTY LTD of 16 GRIMSHAW STREET GREENSBOROUGH VIC 3088
AC830149V 30/04/2004ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AC830150M 30/04/2004

TOYOTA FINANCE AUSTRALIA LIMITED

TFA (WHOLESALE) PTY LTD

COVENANT AC830149V 30/04/2004

Expiry Date 31/12/2027

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 Planning and Environment Act 1987

AE702551R 01/11/2006

DIAGRAM LOCATION

SEE PS515621V FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

STATEMENT END

AE702551R

01/11/2006 \$94.60 173



APPLICATION FOR RECORDING OF AN AGREEMENT

Section 181(1) Planning & Environment Act 1987

APPLICATION BY:

Responsible Authority for the making
of a recording of an agreement
Section 181(1) Planning & Environment Act 1987

LODGED BY: DIANNE WILLIAMS PTY
SOLICITOR
P.O. BOX 1019
ECHUCA 3564
(03) 5480 1665

CUSTOMER CODE: 39224

TO THE REGISTRAR OF TITLES

The authority or council having made an agreement requires a recording to be made in the Register for the land.

LAND: Certificate of Title Volume 10757 Folio 378

AUTHORITY OR COUNCIL: Shire of Campaspe, Heygarth
Street Echuca Victoria 3564

SECTION & ACT UNDER WHICH AGREEMENT MADE: S. 173 Planning &
Environment Act 1987

A copy of the Agreement is attached to this Application.

DATE: 26-05-06

SIGNED: 
.....
Official of Authority/Council

.....
Office held by **Wayne Harvey**
Chief Executive Officer
Shire of Campaspe
Cnr Hare & Heygarth Sts
Echuca Victoria

men
1/11/06

AGREEMENT

THIS AGREEMENT is made this 26th day of May 2006



BETWEEN

THE MAYOR COUNCILLORS & CITIZENS of the CAMPASPE SHIRE COUNCIL of Corner Heygarth and Hare Streets Echuca Victoria of (hereinafter referred to as "the Shire") of the one part

AND

ROBERT POWER PROPERTIES PTY LTD of 52 Northern Highway, Echuca 3564 and T.M. PROPERTIES PTY LTD of 16 Grimshaw Street, Greensborough, Vic 3088 (hereinafter referred to as "the Owner") of the other part

WHEREAS :

- A. The Owner is the registered proprietor of property situated at and known as 52 Northern Highway, Echuca being Lot 1 on Plan of Subdivision 515621V Parish of Wharparilla and being all that piece of land contained in Certificate of Title Volume 10757 Folio 378 ("the Land").
- B. Planning Permit number 2004-105 was issued 5th May, 2004 ("the Permit") by the Shire to allow use and development of the land for motor vehicle sales and associated internally illuminated business identification signs in accordance with the endorsed plans.
- C. It is a condition of the permit that the Owner must enter into this Agreement with the Shire.

NOW THIS AGREEMENT WITNESESS that :-

- 1. The Shire its successors and transferees has allowed the use and development of the land for motor vehicle sales by the issue of the permit and in accordance with the proposed endorsed plans annexed thereto.
- 2. The Owner for himself his heirs executors administrators and transferees the registered proprietor or proprietors for the time being of the Land covenants with the Shire and VicRoads its successors and transferees that
 - (i) at a time agreed by VicRoads and the Shire, the service road and the ingress/egress points from the Northern Highway must be designed and constructed to a standard acceptable to VicRoads and the Shire
 - (ii) All works must be carried out at no cost to VicRoads

(iii) Prior to the service road coming into use, a single point of access shall be provided from the subject land to the Northern Highway

3. The Owner shall pay all costs associated with the preparation and registration of this Agreement and shall do all things necessary to ensure registration of same.

4. The Owner and the Shire agree that this Agreement is made pursuant to Section 173 of the Planning & Environment Act 1987.

IN WITNESS whereof the parties have hereunto set their hands and seals the day first hereinbefore mentioned.

THE COMMON SEAL of the ~~MAYOR,~~)
~~COUNCILLORS AND CITIZENS of the~~)
CAMPASPE SHIRE COUNCIL was)
hereunto affixed on the 26th of May)
2006 in the presence of)

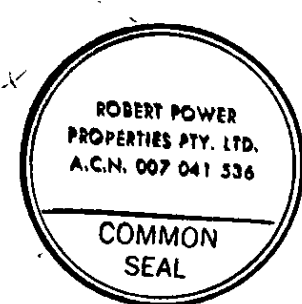
Robert Hillborn
.....
[Signature]
.....
.....

Councillor
Councillor
Chief Executive Officer

EXECUTED by the said ROBERT)
POWER PROPERTIES PTY LTD)
A.C.N. 007 041 536 by being signed by the)
person authorised to sign for the Company)

[Signature]
.....
Sole Director & Secretary

Robert James Power
20 Dickson Street, Echuca



EXECUTED by the said TM PROPERTIES)
PTY LTD A.C.N. 089 456 001 by being)
signed by the person authorised to sign for)
the Company)

[Signature]
.....
Sole Director & Secretary

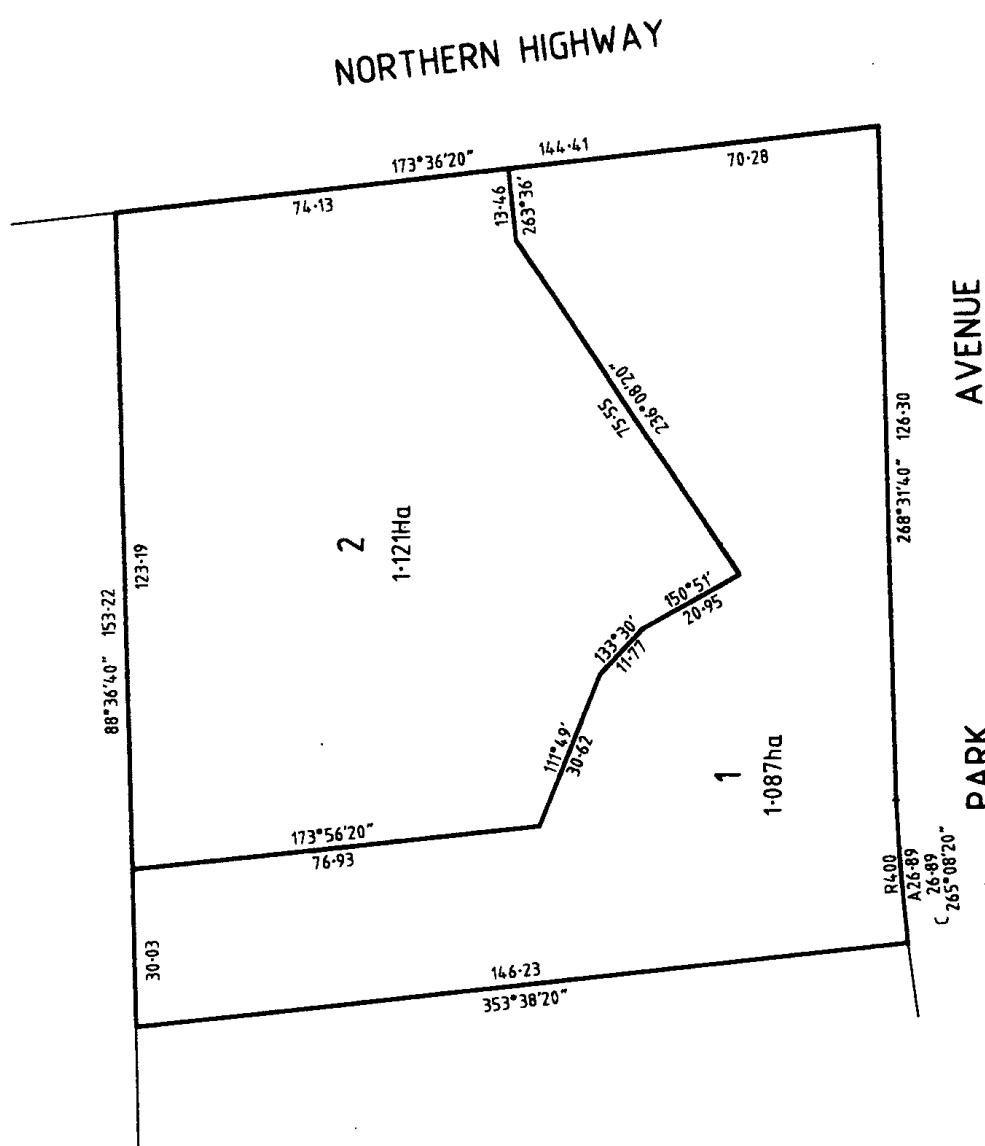
Gavin Paul James Melican
16 Grimshaw Street, Greensborough





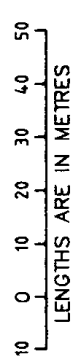
PLAN OF SUBDIVISION

STAGE No. /

PLAN NUMBER
PS 515621V



A.M.G. 55 ZONE

 <p>TOMKINSON • Project Managers • Planners • Surveyors • Engineers 67 MYERS STREET, BENDIGO 3650 TELEPHONE: (03) 94421033 FACSIMILE: (03) 94413646 WEB: www.tomkinson.com.au EMAIL: bendigo@tomkinson.com.au</p>	ORIGINAL SCALE 1:1000 SHEET SIZE A3	LICENSED SURVEYOR (PRINT) PAUL THOMAS TOMKINSON SIGNATURE  DATE 09/07/03 REF 892900 VERSION 03 PLOTTED 09/07/03 A.K.	SHEET 2 OF 2 SHEETS DATE 30 / 7 / 03 COUNCIL DELEGATE SIGNATURE
	 <p>LENGTHS ARE IN METRES</p>		

