

ANNEXURE "F"
AFFIDAVIT OF MAROUN ANTOINE DRAYBI – 18 November 2021

COURT DETAILS

Court	Land and Environment Court of New South Wales
Division	Class 1
Registry	Land and Environment Court
Case number	2021/00168725

TITLE OF PROCEEDINGS

Applicant	A & A Development Pty Limited ACN 074 089 240
Respondent	Cumberland City Council

CERTIFICATE IDENTIFYING EXHIBIT

This and the following 3 pages is the annexure marked "F" referred to in the affidavit of Maroun Antoine Draybi sworn before me on 18 November 2021.

Signature of witness



Name of witness

John Micheal Boustany

Address of witness

20 Fennell Street, Parramatta NSW 2150

Capacity of witness

Solicitor

**INSTRUMENT SETTING OUT TERMS OF EASEMENTS AND RESTRICTIONS
ON USE INTENDED TO BE CREATED PURSUANT TO SECTION 88B OF THE
CONVEYANCING ACT, 1919**

Lengths are in metres

Sheet 1 of 3 Sheets

Plan: **DP1241830**

PART 1

PLAN OF CONSOLIDATION OF
LOTS 21 IN DP 1084024, LOT 22 IN
DP 112042, LOT 23 IN SECTION 4
DP 982836, AND LOT 24 IN DP
1084019

~~Certificate No. of~~

Full Name and Address of
Proprietors of the Land

GROUP A8 PTY LTD
(ACN 600275652) a company
duly incorporated in NSW
having its registered office at
Suite 3G 18 Ross Street Parramatta
NSW 2150

PART 1

Number of item shown in the intention panel on the plan	Identity of easement restriction or positive covenant to be created and referred to in the plan	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement to Drain water 1.5 wide limited in stratum	1319	17/4 /982836 18/4/982836

PART 1A

Number of item shown in the intention panel on the plan	Identity of easement restriction or positive covenant to be released	Burdened lot(s) or parcel(s)	Benefited lot(s), road(s), bodies or Prescribed Authorities
1	Easement to Drain water 1.5 wide Dealing (AK98720)	22/112042	17/ 4 / 982836 18/ 4 / 982836


Signature of Cumberland
Council's delegate

Steve Parrotte

Lengths are in metres

Sheet 2 of 3 Sheets

Plan: **DP1241830**

PLAN OF CONSOLIDATION OF
LOTS 21 IN DP 1084024, LOT 22 IN
DP 112042, LOT 23 IN SECTION 4
DP 982836, AND LOT 24 IN DP
1084019

~~Certificate No. _____ of _____~~

PART 2

1. Terms of Easement limited in Stratum number 1 in the abovementioned plan.

Easement to drain water as defined by part 3 of Schedule 8 of the Conveyancing Act 1919 subject to the provision that the easement is limited in height to levels shown below at positions 'H', 'J', 'K', 'L', 'M' and 'N' shown on plan and the erection of a basement wall is permitted within the easement and the pipe may be fixed to the wall by using approved methods. Access to the easement is over The whole of the current parcel and will be restricted to the common property upon registration of a strata plan.

'H' RL 27.73 to RL 25.98

'J' RL 26.23 to RL 25.69

'K' RL 26.05 to RL 25.45

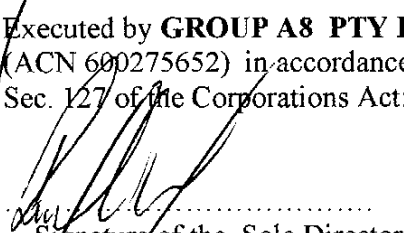
'L' RL 26.05 to RL 21.90

'M' RL 22.40 to RL 21.90

'N' RL 22.30 to RL 21.80

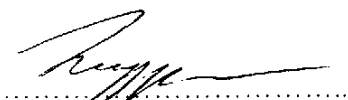
"Cumberland Council (formerly Auburn City Council) is nominated as the Authority with the power to vary or modify the Easement."

Executed by **GROUP A8 PTY LTD**
(ACN 600275652) in accordance with
Sec. 127 of the Corporations Act:


Signature of the Sole Director


RONNEY OVEIK
Name (please print)

.....
Sole Director


Signature of the Witness

TONY YOWAN
Name (please print)

.....
Witness


Signature of Cumberland
Council's delegate

STEVE PANNETT
MAYOR OF CUMBERLAND COUNCIL

20

Lengths are in metres

Sheet 3 of 3 Sheets

Plan: **DP1241830**

PLAN OF CONSOLIDATION OF
LOTS 21 IN DP 1084024, LOT 22 IN
DP 112042, LOT 23 IN SECTION 4
DP 982836, AND LOT 24 IN DP
1084019

Certificate No. _____ of _____

PART 2 (continued)

I certify I am an eligible witness and that the
registered proprietor signed this dealing in my
presence.

Cumberland Council by its authorised delegate
pursuant to s.377 Local Government Act 1993

Signature of witness:

Signature of delegate:

Name of the witness:

Name of delegate:

STEVE HAINES
MANAGER TECH ASSESSMENTS

Address of the witness:

Executed by registered proprietors of the benefited lots

Executed by A&A Development Pty Ltd (ACN 074 089 240)
Pursuant to s 127 of the Corporations Act 2001

Anthony Dragbi
Director

Tony Khattar
Director

I certify that I am an eligible
witness and that Peter Khattar
signed this ~~administrative~~ dealing
in my presence

Signature of witness

Name of witness Raymond Dragbi

Address of witness 24 Grosse St

Parramatta NSW
2150

Witnessed by:

Tamara Linwood
Unit 33 266 George St
Brisbane Qld 4000

Certified correct for the
Purposes of Real Property Act
1900 by the registered
Proprietor, Peter Khattar

SUNCORP METWAY LTD ABN 66 010 831 722
BY ITS DULY CONSTITUTED ATTORNEY
UNDER POWER OF ATTORNEY
BOOK 3859 No. 372
Joanne Partington LEVEL 1

REGISTERED



2.8.2018