



R.P. 13.
Act South Wales.
MEMORANDUM OF TRANSFER
(REAL PROPERTY ACT, 1900)

D927103

NOV 22 12 19 1948
Lodgment ... 150
Endorsement 100
Certificate 100
Stamp 150
22.11.48

ROY EDWARD TRASK of Penrith Plasterer

(herein called transferor)

being registered as the proprietor of an estate in *fee simple* in the land hereinafter described, subject however, to such encumbrances, liens and interests as are notified hereunder in consideration of the grant by the Council of the Municipality of Penrith (hereinafter called transferee) of its approval to an application for the subdivision of the lands contained in the undermentioned Certificate of Title doth hereby transfer and grant to the said transferee and its successors an easement or right to use for drainage purposes the surface and subsoil on or under the surface out of

do hereby transfer to the said transferee
All such my Estate and Interest in ALL THE land mentioned in the schedule following :—

County	Parish	Reference to Title (c)			Description of Land (if part only) (d)
		Whole or Part	Vol	Fol	
CUMBERLAND	MULGOA	PART	994	58	ALL THOSE pieces of land of a width of 4 feet and edged red on plan hereto annexed marked "A" and affecting Lots 5 and 6 on Deposited Plan No. 18966 together with full and free

And the transferee covenants with the transferor passage conveyance and running of water soil and drainage over the said pieces of land with full and free right and liberty for the transferee from time to time and at all times hereafter by its officers, servants, workmen and agents to construct lay down make and examine supervise manage relay renew cleanse repair and maintain in and through the said pieces of land and upon or at such depths or levels below the surface as the transferee shall think fit such drains pipes lines and other works fittings and appurtenances thereto (all of which are included in the term "works" wherever hereafter appearing) as in its opinion may be required for drainage purposes and to take up any such works and substitute works in lieu thereof and for any of the purposes aforesaid to enter go re turn pass and repass upon along and over the said pieces of land and make sink excavations and cuttings in and through the said pieces of land and bring and place thereon and remove therefrom such materials implements tools articles and things as the transferee shall think fit without liability to pay compensation to any person for any damage sustained to the said pieces of land through the exercise of any of the powers hereby granted to the transferee and in relation to such rights as are hereinbefore granted to the transferee.

ENCUMBRANCES, &c., REFERRED TO:
NIL.

Signed at Penrith the eight day of July 1948.

Signed in my presence by the transferor
ROY EDWARD TRASK
WHO IS PERSONALLY KNOWN TO ME
Roy Edward Trask
Transferor
A COMMISSIONER FOR AFFIDAVITS FOR NEW SOUTH WALES.

THE COMMON SEAL OF THE COUNCIL OF THE MUNICIPALITY OF PENRITH WAS hereunto affixed this Penrith day of July 1948.

Accepted, and I hereby certify this Transfer to be correct for the purposes of the Real Property Act.
John Allen
MAYOR. "Transferee."
Blair
TOWN CLERK.

THIS SPACE TO BE LEFT FREE FROM NOTATIONS

NOT TO BE ALTERED BY ERASURE - See Foot Note.

(Trusts must not be disclosed in the transfer.)

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

If to two or more, state whether as joint tenants or tenants in common.

If all the references cannot be conveniently inserted, a form of annexure (obtainable at L.F.O.) may be added. Any annexure must be signed by the parties and their signatures witnessed.

If not only of the land comprised in a Certificate of Title is to be transferred add "and being lot sec. D.P. " or "being the land shown in the plan annexed hereto" being the residue of the land in certificate (to be registered Vol. ...)

Where the consent of the local council is required to a subdivision the certificate and plan mentioned in the L.G. Act, 1919, should accompany the transfer.

Strike out if unnecessary. Covenants should comply with Section 88 of the Conveyancing Act, 1919-1943. Here also should be set forth any right-of-way or easement or exception. Any provision in addition to or modification of the covenants implied by the Act may also be inserted.

If the space provided is insufficient a form of annexure should be used.

A very short note will suffice.

If executed within the State this instrument should be 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 to make a declaration in the form overleaf. As to instruments executed elsewhere, see back of form.

Repeat attestation if necessary.

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."

* If signed by virtue of any power of attorney, the original power must be registered, and produced with each dealing, and the memorandum of non revocation on page 2 signed by the attorney before a witness.

† N.B.—Section 117 requires that the above Certificate be signed by Transferee or his Solicitor, and renders any person falsely or negligently certifying liable to a penalty of £50; also to damages recoverable by parties injured. Unless the instrument contains some special covenant by the transferee, the solicitor may sign in cases where it is established that the transferee's signature cannot be obtained without difficulty. The Solicitor must sign his own name and not that of his firm.

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.

"A"

D 927103

PLAN

of drainage easement to be granted
to the Council of the Municipality of Penrith
across Lots 4, 5 & 6. D.P. 18966
Parish of Mulgoa - County of Cumberland

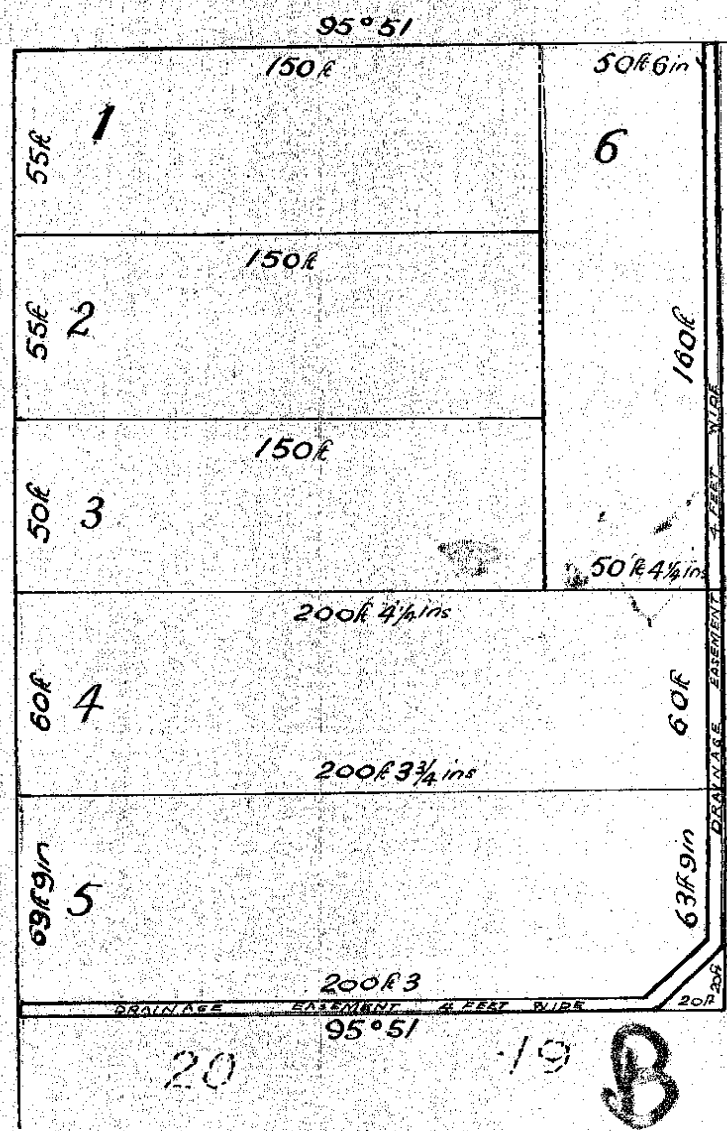
PLAN NOT REFILED

Scale: 40ft to an inch

R. Ed Trask

Lethbridge Street

Doonmore Street



R. Ed Trask Mayor
R. Ed Trask Town Clerk
Sec 23
D.P. 22966

This is the Plan referred to
in Memorandum of Transfer from
Roy Edward Trask to the Council
of the Municipality of Penrith
5th day of July 1948

20 19 B 18

THIS IS the plan marked "A" referred to in the annexed Memorandum of Transfer from
ROY EDWARD TRASK to the COUNCIL OF THE MUNICIPALITY OF PENRITH.
DATED this day of 1948.

No. **D927103**

LODGED BY **L. W. JONES, Solicitor**
14 Martin Place, SYDNEY.

CONSENT OF MORTGAGEE.

1. *mortgagee under Mortgage No.*
 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.

Dated at _____ this _____ day of _____ 19 _____
 Signed in my presence by _____
 who is personally known to me. _____
 Mortgagee.

MEMORANDUM AS TO NON-REVOCATION OF POWER OF ATTORNEY.

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

Memorandum whereby 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.

FORM OF DECLARATION BY ATTESTING WITNESS.

Appeared before me at _____, the _____ day of _____, one thousand nine hundred and forty _____, 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.

May be made before either Registrar-General, Deputy Registrar-General, a Notary Public, J.P., or Commissioner for Affidavits. Not required if the instrument itself be made or acknowledged before one of these parties.

MEMORANDUM OF TRANSFER of
and Grant of easement for drainage
 over part of Lots 5 and 6 in N.P. 18966

Acres _____ roads _____ pitches _____
 Shire **Pearl**
 Municipality **Pearl**
 Parish **Mulgara** County **Cumberland**

The Council of the Municipality of Pearl Transferee.

Particulars entered in Register Book, Vol. **94** Fol. **58**.

the **5th** day of **April**
 at _____ minutes **12** o'clock in the _____

J. W. Jones
 Registrar-General

DOCUMENTS LODGED HEREWITH.

To be filled in by person lodging dealing.

Nature.	No.	Reg'd Propr., M'gor, etc.
<i>Plan</i>		

LEAVE THESE SPACES FOR DEPARTMENTAL USE.

MPD

PROGRESS RECORD.

	Initials.	Date.
Sent to Survey Branch...		
Received from Records...		
Draft written ...		
Draft examined...		
Diagram prepared ...		
Diagram examined ...		
Draft forwarded ...		
Supt. of Engrossers ...		
Cancellation Clerk ...		
Vol. _____	Fol. _____	
Diagram Fees ...		
Additional Folios ...		

If the parties be resident without the State, but in any other part of the British Dominions, the instrument must be signed or acknowledged 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, municipal or local government corporation of such part, or the Mayor or Chief Officer of any corporation 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.

If resident in the United Kingdom then before the Mayor or Chief Officer of any corporation or a Notary Public.

If resident at any foreign place, then the parties should sign or acknowledge before a British Minister, Ambassador, Envoy, Minister Chargé d'Affaires, Secretary of the Embassy or Legation, Consul-General, Consul, Vice-Consul, Acting-Consul, Pro-Consul, or 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.

Attention is specially directed to the provision relating to the attestation of instrument, executed by members of the Forces.

The fees are:—Lodgment fee 12/6 (includes endorsement on first certificate), and 2/6 for each additional certificate included in the Transfer, and £1 for every new Certificate of Title issuing upon a Transfer on sale for a consideration of not more than £1,000, and £1 3s. for a new Certificate of Title in every other case. Additional fees, however, may be necessary in cases involving more than a simple diagram or more than six folios of engrossing.

Tenants in common must receive separate Certificates.

If part only of the land is transferred a new Certificate must issue for that part, and the old Certificate will be retained in the Office. A new Certificate may be taken out for the residue if desired.