G 393979 T
10 Feb, 1997 15:32:43 Perth

REG. $ 60.00

TRANSFER

INSTRUCTIONS

1. Page 2 of this document may be used:
   1.1 If insufficient space in any section hereon; Appropriate headings should be shown. The boxed sections should only contain the words "see page ..."
   1.2 To set forth Easements created as appurtenant to the land (commencing with the words "together with"). Reservations created encumbering the land (commencing with the words "reserving to")or any Restrictive Covenant hereby created. Any Sketch contained thereon must be initialled by all parties.
2. If further space is required Additional Sheet Form B1 should be used with appropriate headings. Additional Sheets shall be numbered consecutively and bound with this document by staples along the left margin prior to execution by the parties.
3. 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.
4. The Duplicate Certificate of Title or Crown Lease is required to be produced or if held by another party then arrangements must be made for its production.

NOTES

1. DESCRIPTION OF LAND
   Lot and Diagram/Plan/Strata Plan number or Location name and number to be stated.
   Extent—Whole, part or balance of the land comprised in the Certificate of Title to be stated.
   The Volume and Folio or Crown Lease number, to be stated.
2. ESTATE AND INTEREST
   State whether Fee Simple, Leasehold or as the case may be in the land being transferred. If share only, specify.
3. ENCUMBRANCES
   To be identified by nature and number, if none show "nil".
4. TRANSFEROR
   State full name of the Transferor/Transferors (Registered Proprietor) as shown on Certificate of Title or Crown Lease.
5. CONSIDERATION
   To be expressed in words.
6. TRANSFEREE
   State full name of the Transferee/Transferees (PURCHASER) and the address/addresses to which future notices can be sent. If a minor state date of birth. If two or more state tenancy eg: Joint Tenants, Tenants in Common. If Tenants in Common specify shares.
7. TRANSFEREE'S, TRANSFEROR'S EXECUTION
   A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and description of the witness must be stated.

NEW TITLE or ENDORSING INSTRUCTION

Restrictive Covenant
NEL

EXAMINED

LODGED BY RADISICH SETTLEMENTS
55 ULLAPOOL ROAD,
MOUNT PLEASANT. 6153

ADDRESS

PHONE No. 364. 9316

FAX No.

REFERENCE No. Gail

ISSUING BOX No. 101

PREPARED BY RADISICH SETTLEMENTS
55 ULLAPOOL ROAD,
MOUNT PLEASANT. 6153

ADDRESS

PHONE No. 364.9316 FAX No.

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

3-3

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

1. Lellin
2.
3.
4.
5.
6.

Received Items

Nos. 1

Receiving Clerk

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 Book.

INITIALS OF SIGNING OFFICER

REGISTRAR OF TITLES WESTERN AUSTRALIA

REGISTRAR OF TITLES

16747/6/94–10M–OC/663

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845
Landgate
www.landgate.wa.gov.au

ATTESTATION SHEET PAGE 4

Dated this 4th day of February 1997

TRANSFEROR/S SIGN HERE (Note 7)

Signed

In the Presence of

PETER C. YOUNG
Commissioner for Declarations W.A.

Signed

In the Presence of

TRANSFEREE/S SIGN HERE (Note 7)

Signed

In the Presence of

Signed

In the Presence of

The Common Seal of D C CORPORATION PTY LTD was hereunto affixed by authority of its Directors in the presence of : ACN 073 602 552.

Director .....

~~Secretary~~ .....

DC CORPORATION PTY LTD
A.C.N. 073 602 552
COMMON SEAL

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845

Landgate
www.landgate.wa.gov.au

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845

Landgate
www.landgate.wa.gov.au

RADISICH SETTLEMENTS

LICENCED REAL ESTATE SETTLEMENT AGENTS

LICENSEE: Gail S. Radisich
Commissioner for Declarations

PO Box 935
Canning Bridge, W.A. 6153
Telephone 364 9316
Fax 364 9316

4th February, 1997

The Registrar
Land Titles Office
MIDLAND.

Dear Sir,

Re : **KIRKHAM TO D C CORPORATION PTY LTD**
LOT 44 - WASTERHALL FREEN DEVELOPMENT,
CLAYMORE CLOSE, GUILDFORD

In relation to the abovementioned restrictive covenants re the abovementioned development, we hereby confirm that the necessry solicitor's letter is contained in Transfer G 271174.

Yours faithfully,

G.S. RADISICH

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845

Landgate
www.landgate.wa.gov.au

OFFICE USE ONLY

INSTRUCTIONS

1. 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 used.
3. 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.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult person. The address and occupation of the witness must be stated.

LODGED BY

ADDRESS

PHONE No.

FAX No.

REFERENCE No.

ISSUING BOX No.

PREPARED BY

ADDRESS

PHONE No. FAX No.

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

TITLES, LEASES, DECLARATIONS ETC. LODGED HEREWITH

1. _____ Received Items
2. _____
3. _____ Nos.
4. _____
5. _____
6. _____ Receiving Clerk

ENDORSING INSTRUCTION

EXAMINED

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 Book.

INITIALS OF SIGNING OFFICER

REGISTRAR OF TITLES

16748/6/92–3M–L/5696

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845

Landgate
www.landgate.wa.gov.au

all trees and lawn areas are to be reticulated and maintained on the street verge in the front of the Land and that traditional garden layouts are established and maintained in the front yard of the Land in accordance with the Special Guidelines Collective;

17. shall ensure that the ground levels of the Land shall not be changed more or less than 0.5 of a metre from the existing ground levels as at the date of settlement of the sale of the Land to the transferee by the transferor without first obtaining the transferor's permission.

AND all of these restrictive covenants shall apply mutatis mutandis to any extension, alteration or other building works on or relating to the Land.

It is further agreed and declared by and between the transferor and transferee as follows:-

1. that the covenants and restrictions herein contained or implied shall run with and bind the Land from the date of the creation of this restrictive covenant and shall (but only to the extent permitted by law) ensure for the benefit of and be enforceable by each and every registered proprietor for the time being of all the Land the subject of the land and every part thereof;

2. that in any case any of the covenants or restrictions herein contained shall be bound by law or be invalid or void or unenforceable such covenants or restrictions shall not in any way affect or prejudice any other covenants or restrictions or provisions herein contained which shall remain in full force and effect;

3. the term "the transferor" shall mean and include the transferor and his, her or their respective executors, administrators, transferees and assigns and the registered proprietor or registered proprietors for the time being of the land comprised in the remaining lots in the Waterhall Green Development;

4. the term "the transferee" shall mean and include the transferee and his, her or their respective executors, administrators, transferees and assigns and the registered proprietor or proprietors for the time being of the Land;

5. the singular shall include the plural and vice versa, words importing any gender shall include all other genders, and when two (2) or more people or corporate bodies own or are the registered proprietors of the Land their liability hereunder shall be joint and several;

6. a person shall not be liable for any breach of the restrictions imposed herein which has been committed after that person has been in equity parted with his interest in the Land;

7. the costs of the preparation of this restrictive covenant shall be paid by the transferor;

8. the land subject to the burden of the restrictions above is the Land hereby transferred;

9. the land having the benefit of the restrictions above are all the Lots shown in the plan of Subdivision number 21355 and Diagram number 90820 (together the "Plan") of which the Land forms part save and except the Land and Lot 51 on Diagram number 90820.

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845
Landgate
www.landgate.wa.gov.au

5. shall construct all fences, walls and screens in such a material and to such a design which will minimise the visual impact when viewing from the outside of the Land and will comply with the following:-

   (a) general boundary fences shall be no more than 1,700 mm in height;

   (b) boundary fences shall be constructed of timber of such types as open paling and standard paling, or as otherwise accepted by the transferor;

   (c) front fences and gates shall be of timber construction and of such types as are post and rail with timber panels, post and rail with cyclone mesh, authentic woven wire or picket or material of traditional federation style;

   (d) front fence and gates shall be no more than 1,200 mm in height;

   (e) fibre cement sheet fencing or metal sheets shall not be used to construct any fences or gates whatsoever;

6. shall ensure that no rainwater tank or tanks are to be inside of public view and that such tanks shall be of a colour and construction which matches the dwelling;

7. shall ensure that no commercial vehicles, caravans, boats or boat trailers are to be parked forward of the building line of any dwelling and no commercial vehicle exceeding 2.5 tonnes tare weight is parked in any lot or street front of the Land except to load or unload goods and that no vehicle owned by any person in residence of the Land shall use the street or verge as permanent parking;

8. shall ensure that any clothesline shall be screened from view of the road, public access way or designated area of public open space;

9. shall ensure that any letterbox is constructed of brick or timber or other material approved by the transferor and shall match the type and colour of material used in construction of the dwelling and is located adjacent to the driveway of the Land and is clearly marked;

10. shall ensure that there shall be no business sign or trade name sign displayed on the Land;

11. shall not construct any incinerator on the Land unless it is in compliance with the requirements of the Shire of Swan and is situated away from public view;

12. shall ensure that all refuse and storage bins shall be screened from public and street view;

13. shall ensure that any television antenna, where possible, is concealed within the roof space of the dwelling and shall not allow more than one external aerial on the dwelling;

14. shall ensure that any solar water heating system shall be integrated within the profile of the main roof of the dwelling and shall be of a colour matching the roof of the dwelling;

15. shall ensure that all airconditioning units shall be located below eaves line and screened from public view on any dwelling and that any evaporative cooler or ducted airconditioning system shall be located out of public view and shall be of a colour matching the roof of the dwelling;

16. shall ensure that any garden area on the Land shall be landscaped within 6 months of the initial occupation of the dwelling by any person and shall be kept in good order and that

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845
Landgate
www.landgate.wa.gov.au

FORM B2 3

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED.

BLANK INSTRUMENT FORM

(Note 1)

The transferee acknowledges that the land which is the subject of this transfer ("Land") is sold subject to the following covenants which are designed to protect and enhance the area for the benefit of all owners of adjacent land. The transferee covenants and agrees with the transferor that the restrictive covenants shall be included in any transfer of the Land. The transferee acknowledges that the restrictive covenants run with the Land and that the performance of the restrictive covenants is charged against the Land.

The transferee hereby covenants and agrees for himself, his successors in title, transferees, assigns, administrators and executors with the transferor, its successors in title, transferees and assigns and as a separate covenant with the registered proprietor or proprietors in succession of the land adjacent to the Land THAT the transferee and any subsequent purchasers of the Land (the "Transferee"):-

1. shall not construct or erect on the Land or any part of it any dwelling unless the dwelling is a single residential house (save where these restrictive covenants burden Lot 42 on Plan 21355 in which case a duplex dwelling is permitted) which complies with the Special Covenant Guidelines attached to the contract for sale and purchase of the Land and is in accordance with the Guildford Design and Development Guide, together called the Special Guidelines Collective and the dwelling:-

   1.1 shall be compatible in appearance and materials with each other dwelling in the development known as the Waterhall Green Development;

   1.2 shall have external walls built of clay bricks of a colour approved by the transferor or other materials as agreed between the transferee and the transferor subject to the Special Guidelines Collective;

   1.3 shall be built with roof materials of zincalume or colourbond custom orb of a colour and pitch approved by the transferor or as otherwise agreed and in accordance with the Special Guidelines Collective;

2. shall construct any garage, toolstore, shed or other out-building in a complimentary style of matching materials to the dwelling and in order to comply with the Special Guidelines Collective;

3. shall construct any carport or verandah in timber or masonary to match the dwelling and in order to comply with the Special Guidelines Collective;

4. shall comply with building height restrictions pursuant to the Special Guidelines Collective and the Shire of Swan requirements and ensure the positioning and set back of the dwelling and out-buildings shall also comply with the Special Guidelines Collective and Shire of Swan requirements;

S.I

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845
Landgate
www.landgate.wa.gov.au

THE TRANSFEROR for the consideration herein expressed HEREBY TRANSFERS TO THE TRANSFEREE the estate and interest herein specified in the land above described subject to the encumbrances as shown hereon. (Inst. 2)

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845

Landgate
www.landgate.wa.gov.au

FORM T2

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED.

TRANSFER OF LAND

INSTRUMENT DATED 14/Jan/97 $1102.50
VAL $63000.00 CHTLS $0.00 VGO N
15817402 COMMISSIONER OF STATE TAXATION

EXTENT	VOLUME	FOLIO

WESTERN AUSTRALIA STAMP DUTY
04/Feb/97 15817502 SD $*********5.00

DESCRIPTION OF LAND (Note 1)

LOT 44 ON PLAN 21355 — WHOLE — 2083 — 466

ESTATE AND INTEREST (Note 2)

Fee Simple

ENCUMBRANCES (Note 3)

Nil

TRANSFEROR (Note 4)

STUART NEVILLE KIRKHAM

CONSIDERATION (Note 5)

SIXTY THREE THOUSAND DOLLARS ($ 63,000.00)

TRANSFEREE (Note 6)

D C CORPORATION PTY LTD ACN 073 602 552 OF 4 BAUMEA WAY, ELLENBROOK

LANDGATE COPY OF ORIGINAL NOT TO SCALE 16/11/2026 09:29 AM Request number: 70654845
Landgate
www.landgate.wa.gov.au