

**BLANK INSTRUMENT FORM**

**RESTRICTIVE COVENANT IN GROSS**

(Note 1)

THIS DEED is made the \_\_\_\_\_ day of \_\_\_\_\_ 2010

**BETWEEN**

1. [REDACTED] and [REDACTED] both of [REDACTED] Post Office Box 152 Northampton Western Australia ("the Burdened Owner"); and
2. **CITY OF GERALDTON-GREENOUGH** of Post Office Box 101 Geraldton Western Australia ("the City").

**RECITALS**

- A The Burdened Owner are the registered proprietors of all that piece of land being Lot 8 on Diagram 26929 and being the whole of the land comprised in Certificate of Title Volume 2721 Folio 841 ("the Burdened Land").
- B The City is the local government IN whose district the Burdened Land is situated.
- C The Burdened Land is subject to the limitations, interests, encumbrances and notifications set out below.
- D The City has sought from the Burdened Owner and the Burdened Owner have agreed to enter into a covenant restricting the height of objects which might at any time be found upon the Burdened Land and for the benefit of the City or other the local government for the time being in whose district the Burdened Land is situated to the intent that the covenant shall run with the Burdened Land and with the City or such other local government.

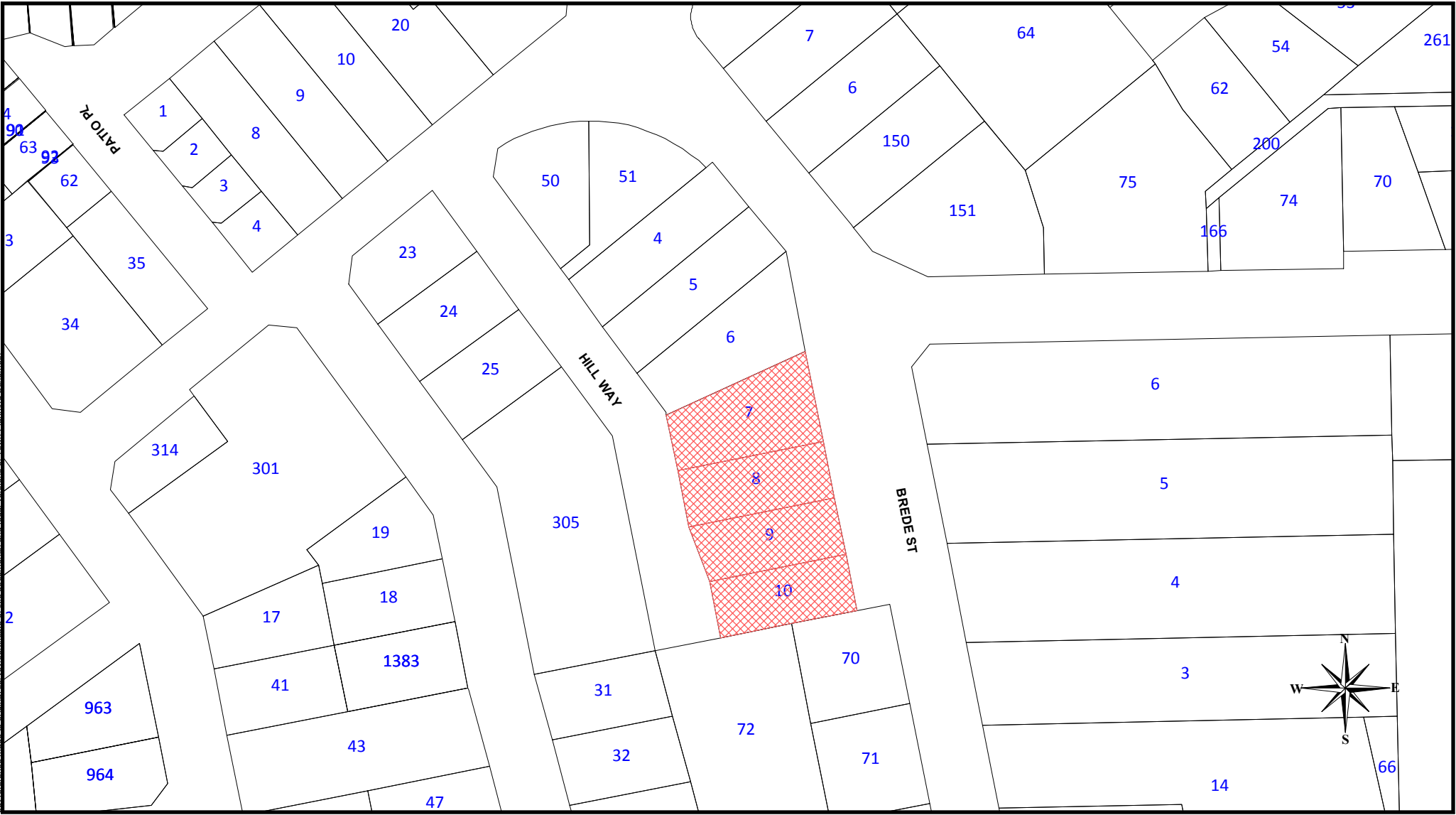
**LIMITATIONS INTERESTS AND NOTIFICATIONS**

Save and except the rights to mines of coal or other minerals.

**OPERATIVE PART**

- 1 To the intent that this covenant will bind the registered proprietor or proprietors for the time being of the Burdened land and the Burdened Owner only so long as the Burdened Owner are the registered proprietors of the Burdened Land and to the further intent that this covenant will benefit the City and other the local government for the time being in whose district the Burdened Land is situated the Burdened Owner **HEREBY COVENANT** with the City to not at any time erect or build or place or plant or suffer to be grown upon the Burdened Land any building or other erection or structure whether permanent or temporary and no tree or shrub of greater height than 32.0 metres above the Australian Height Datum.
- 2 The parties agree to sign all such documents and do all such things as shall be reasonably necessary to permit the registration of this restrictive covenant at the Office of Titles Perth.

Whilst all care has been taken in the preparation of this data, this information is provided as a guide only and no responsibility shall be taken for any omissions or errors in this documentation. The accuracy provided is not to be used for legal purposes. All data is made available in accordance with the provisions of the Information and Access to Information Act.



# Lot 7, 8, 9 & 10 Hill Way

Operator:	
Department:	
Drawing No:	
Date: 01/04/10	Scale: 1:1600