

# Approved Form 10<sup>1</sup>

cl. 29  
s. 88B

## Conveyancing Act 1919

**Instrument setting out terms of Easements or Profits à Prendre intended to be created or released and of Restrictions on the Use of Land or Positive Covenants intended to be created pursuant to Section 88B Conveyancing Act 1919.<sup>2</sup>**

(Sheet 1 of 1 sheet)

**Plan:** (Please leave 26mm to allow for plan number and heading of plan) Plan of (heading of plan) covered by Subdivision Certificate No. (add reference as appropriate)

**Full name and address  
of the owner of the land:**

### Part 1 (Creation)

Number of item shown in the intention panel on the plan	Identity of easement, profit à prendre, restriction or positive covenant to be created and referred to in the plan. <sup>3</sup>	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1 <sup>4</sup>	Easement for services 1 wide <sup>5</sup>	1 <sup>6</sup> 2	2 to 6 inclusive <sup>7</sup> 3 to 6 inclusive

### Part 1A (Release)

Number of item shown in the intention panel on the plan	Identity of easement or profit à prendre to be released and referred to in the plan.	Burdened lot(s) or parcel(s):	Benefited lot(s), road(s), bodies or Prescribed Authorities:
1 <sup>8</sup>	Easement to drain water 2 wide created by DP 1004567	1/1004567	2/1004567

### Part 2 (Terms)

Terms<sup>9</sup> of easement, profit à prendre, restriction, or positive covenant numbered<sup>10</sup> in the plan.

Name of person empowered to release, vary or modify restriction or positive covenant numbered in the plan.<sup>11</sup>

The Instrument should be signed in accordance with Item 9 Schedule 4 Conveyancing (General) Regulation 1998.

<sup>1</sup> Reference to the Approved Form no, clause no, section no and Conveyancing Act 1919 should not be reproduced, when preparing a Section 88B Instrument.

<sup>2</sup> The Instrument heading setting out the terms etc should only be shown on Sheet 1.

<sup>3</sup> Where the easement is limited in stratum, reference should be included in the intention panel of the plan and the easement statement in Part 1 of the Section 88B Instrument.

<sup>4</sup> Continue above pattern until all easements, profits à prendre, restrictions and positive covenants to be created and referred to in the plan have been dealt with.

<sup>5</sup> Where more than one easement is identical, they should be identified using alpha characters.

<sup>6</sup> If the easement affects the whole of the lot or parcel, this should be indicated in the intention panel of the plan and the easement statement in Part 1 of the Section 88B Instrument.

<sup>7</sup> Where consecutive lots are benefited or burdened, they may be shown as '2 to 6 inclusive' see above or '2-6 inclusive.'

<sup>8</sup> Continue above pattern until all easements or profits à Prendre to be released and referred to in the plan have been dealt with.

<sup>9</sup> Where the terms of the easement are defined in the Conveyancing Act 1919, no terms are to be included in Part 2 of the Section 88B Instrument unless the statutory terms are to be modified.

<sup>10</sup> Insert Item number from the intention panel on the plan.

<sup>11</sup> Not required where it is intended that the restriction may only be released, varied or modified by the owners for the time being of all the lots benefited.