

Land Title Act
REGISTRAR-GENERAL'S DIRECTIONS



NORTHERN TERRITORY OF AUSTRALIA

Commissioner of Taxes use only

E	G	No:
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IMPORTANT NOTICE

Please Note Privacy Statement Overleaf

**CREATION OF
EASEMENT IN GROSS**

The owner of the land grants to the person(s) specified below the easement for the value described below subject to the conditions set out on the back page. (NOTES 1 - 3)

Register	Volume	Folio	Location	Lot Description	Plan	Unit

(NOTE 4)

Easement	Plan
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(NOTE 5)

Person(s) to whom granted	
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(NOTE 6)

Value (GST inclusive)		GST Amount	
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(NOTE 7)

.....
SIGNED by the Owner

on (Date)

In the presence of:

.....
Qualified Witness:
.....
.....

.....
SIGNED by the person(s) receiving the benefit of the easement

on (Date)

In the presence of:

.....
Qualified Witness:
.....
.....

(NOTE 8)

CONSENT OF REGISTERED MORTGAGEES (NOTE 9)

Instrument type:	Instrument type:
Instrument No:	Instrument No:
Name of Parties:	Name of Parties:
.....
I the registered proprietor of the interest shown above consent to the registration of this instrument.	I the registered proprietor of the interest shown above consent to the registration of this instrument.
Signed:	Signed:
(Date):	(Date):
In the presence of:	In the presence of:
Name of Witness:	Name of Witness:
Address or Telephone No.:	Address or Telephone No.:

CONDITIONS (NOTE 5)

SCHEDULE OF NOTES

1. This form must be used for a Grant of Easement in Gross. For other easements like Access Easements use Form 52.
2. This form may be lodged as an original only and must be typed or completed in biro, and must show the imprint of the Commissioner of Taxes. Alterations to information entered on the form should be crossed out (nor erased or obliterated by painting over) and initialled by the parties.
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. Volume and Folio references must be given together with complete parcel description. If a certificate as to title has been issued it must be produced.
5. A summary of the easement (ie. "sewerage easement"), and a survey plan must be annexed. If the intention is to utilise the easements described in the *Law of Property Act* then the precise descriptive words should be used. For easements not utilising the *Law of Property Act* descriptions the panel conditions above must be completed.
6. Name only (ie. Northern Territory of Australia, Power and Water Corporation, Darwin City Council or XYZ Corporation Pty. Ltd.).
7. Set out the value of the easement inclusive of GST. For the GST amount, if the easement is subject to the margin scheme and the GST amount is unknown insert "margin scheme" in the box provided.
8. Persons who may witness this document are a Commissioner for Oaths, a member of the Legislative Assembly, a legal practitioner within the meaning of the *Legal Practitioners Act*, a person holding office under the *Supreme Court Act*, the *Justices Act*, the *Local Court Act* or the *Registration Act*, a member of the Police Force, a person licensed as a conveyancing agent or real estate agent under the *Agents Licensing Act*, a Notary Public and any other person approved by the Registrar-General.

A witness to an instrument executed by an individual must first:

- take reasonable steps to ensure that the individual is the person entitled to sign the instrument;
- have the individual execute the document in the presence of the witness;
- not be a party to the instrument; and
- if witnessing more than one signature, clearly state that he/she has witnessed more than one signature. (ie I have witnessed the two signatures appearing above.

After signing, witnesses must legibly write, type or stamp their names and contact address or telephone number below their signature.

For a corporation, an instrument must be executed in a way permitted by law or sealed with the corporation's seal in accordance with the *Law of Property Act*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act* and the Registrar-General's Direction.

9. The instrument of Easement in Gross must include the consents of all registered mortgagees of the lot burdened by the easement in gross.

PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the Land Title Act to collect the information on this form for the establishment and maintenance of the Land Register, which is made available for search by any person, anywhere, including through the Internet, upon payment of a fee. The information is regularly provided to other NT Government agencies, the Australian Valuation Office, local governments, the Australian Bureau of Statistics, the Australian Taxation Office or other Commonwealth Agencies as required or authorised by law, and some private sector organisations for conveyancing, local government, valuation, statistical, administrative and other purposes. The Department of Planning and Infrastructure also uses the information to prepare and sell or licence property sales reports to commercial organisations concerned with the development, sale or marketing of property.

Failure to provide the information in full or in part may prevent your application or transaction being completed.

Your personal information provided on this form can be subsequently accessed by you on request. If you have any queries please contact the Deputy Registrar-General on 8999 5318.