

## EXTINGUISHMENT OF EASEMENT

Form 079 - EE

*Land Titles Act 1925*

### IMPORTANT INFORMATION

This form is to be used to lodge a variation of priorities of mortgages under the *Land Titles Act 1925* (the Act). You can access the Act at [www.legislation.act.gov.au](http://www.legislation.act.gov.au). You may also obtain further information and forms at [www.act.gov.au/accesscbr](http://www.act.gov.au/accesscbr).

### PRIVACY INFORMATION

The Act authorises the Registrar-General to collect the personal information required by this form for the purposes of issuing a registration under the Act. The Registrar-General prevents any unreasonable intrusion into a person's privacy in accordance with the *Information Privacy Act 2014*. The Registrar-General provides identifiable information to law enforcement and other Directorates that have legal authority to request information under prescribed circumstances.

These agencies may also use this information to prepare and sell property sales reports to commercial organisations concerned with the development, sale or marketing of land.

### INSTRUCTIONS FOR COMPLETION

- The certificate of title or production of title consenting to the registration of this document is required for lodgement for the servient tenement. The dominant tenement may supply their title for update, although it is not a requirement.
- All information should be typed or clearly printed. If completing this form by hand please use a solid black pen only.
- This office will not accept lodgement of this form if it is not completed in full.
- Any alteration to information provided on this form must be struck through with a black pen. Substitute information must be clear and all parties must sign in the margin. Do not use correction fluid or tape.
- Ensure all required documents are attached. If there is insufficient space in any panel, please use an Annexure Sheet.
- Execution by:
  - a) **A Natural Person** – Should be witnessed by an adult person who is not a party to the document.
  - b) **Attorney** – if this document is executed by an Attorney pursuant to a registered power of attorney, it must set out the full name of the attorney and the form of execution must indicate the source of his/her authority e.g. "AB by his/her attorney XY pursuant to Power of Attorney ACT Registration No..... of which he/she has no notice of revocation". (This execution requires a witness).
  - c) **Corporation** – Section 127 of the *Corporations Act* provides that a company may now validly execute a document with or without using a Common Seal if the document is signed by:
    - i. Two directors of the company;
    - ii. A director and a secretary of the company; or
    - iii. Where the company is a proprietary company and has a sole director who is also the sole company secretary, that director. (This execution does not require a witness).

### CONTACT AND LODGEMENT INFORMATION

**Website:**

[www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au)

**General Enquiries:**

13 22 81

**In Person:**

Environment, Planning and Land Shopfront

Ground Floor South, Dame Pattie Menzies House, 16 Challis Street, Dickson

Opening hours - Monday to Friday 8:30am to 4:30pm (*excluding public holidays*)



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### LODGING PARTY DETAILS

Name	Email Address	Contact Telephone Number

### TITLE AND LAND DETAILS SERVICIENT TENEMENT / GRANTOR

Volume & Folio	District/Division	Section	Block	Unit

### TITLE AND LAND DETAILS DOMINANT TENEMENT / GRANTEE

Volume & Folio	District/Division	Section	Block	Unit

### REGISTERED DEALING NUMBER OF EASEMENT TO BE EXTINGUISHED (Associated dealing number)

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### FULL NAME AND ADDRESS OF APPLICANT / GRANTOR / SERVICIENT TENEMENT (Surname Last) (ACN required for all Companies)

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### FULL NAME AND ADDRESS OF GRANTEE / DOMINANT TENEMENT (Surname Last) (ACN required for all Companies)

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### DETAILS / TYPE OF APPLICATION (Please outline briefly and add full detail on annexure page with plan as attachment)

The applicant/s apply to extinguish the easement shown on the attached plan.  
The proprietor/s of the dominant tenement consents to the extinguishment of the easement.

**CONSENTING PARTY – SUPPORTING DOCUMENTATION**

- Please complete and attach – **Form 042 – C – Consent** (One form required for each party required to consent)
- Consent required from ACT Planning and Land Authority if extinguishing easement in Crown Lease.

**DATE****EXECUTION BY GRANTOR / SERVIENT TENEMENT**

Print full name of grantor / servient tenement

Print full name and address of witness

Signature or common seal of grantor / servient tenement

Signature of witness

**EXECUTION BY GRANTEE / DOMINANT TENEMENT**

Print full name of grantee / dominant tenement

Print full name and address of witness

Signature or common seal of grantee / dominant tenement

Signature of witness

**OFFICE USE ONLY**

Lodged by		Certificate of title lodged	
Data entered by		Certificates attached to title	
Registered by		Attachments / Annexures	
Registration date		Consent form attached	