



## CONSENT OF REGISTERED MORTGAGEES AND LESSEES (NOTE 11)

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 Qualified Witness: .....

Name of Qualified Witness: .....

Address or Telephone No.: .....

Address or Telephone No.: .....

### SCHEDULE OF NOTES

1. A registered easement may be wholly or partly extinguished by registering an instrument of extinguishment of the easement signed by the registered owners of the lots burdened and benefited by the easement or only the registered owner of the lot benefited by the easement. (Internal use only: The PE code is used for extinguishment of an easement created by plan, dominant and servient interest, and the EF code is used for the extinguishment of an easement created by instrument).
2. For an extinguishment of an easement in gross Form 53 must be used. **The imprint of the Commissioner of Territory Revenue must be shown.**
3. If there is insufficient space in any panel use the space above or an annexure sheet (Form 95).
4. A short description (ie. Sewerage Easement) should also be given. In certain circumstances like a partial extinguishment a survey plan may need to be annexed. If the easement was originally created by an instrument that LTO number should also be shown.
5. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued for both the dominant and servient tenement holders it must be produced.
6. Insert the owner of the land receiving the benefit of the easement. Address is not required.
7. Volume and Folio of current title is essential together with complete parcel description. If the certificate as to title has been issued for both the dominant and servient tenement holders it must be produced.
8. Insert the owner of the land burdened by the easement. Address is not required.
9. The amount paid or the amount in dollars as valued. 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.
10. 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 Profession Act 2006*, a person holding office under the *Supreme Court Act 1979*, the *Justices of the Peace Act 1991*, the *Local Court Act 2015* or the *Registration Act 1927*, 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 2000*, Section 48.

For witnessing of instruments executed outside the Northern Territory refer to Schedule 1 of the *Land Title Act 2000* and the Registrar-General's Directions.

11. A registered easement may be extinguished only if all registered mortgagees and lessees of the lot benefited by the easement consent to the extinguishment. This section does not apply to a lessee who does not receive a benefit from the easement.

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### PRIVACY STATEMENT – LAND REGISTER FORMS

The Registrar-General's Office is authorised by the *Land Title Act 2000* 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 NT Government 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.