

IN THE SUPREME COURT OF VICTORIA
AT MELBOURNE
COMMERCIAL & EQUITY DIVISION

No 8870 of 2009
and of 2009

List B

COMMERCIAL COURT

BETWEEN

TIMBERCORP LIMITED (IN LIQUIDATION)
ACN 055 185 067

First Plaintiff

and

TIMBERCORP SECURITIES LIMITED (IN LIQUIDATION)
ACN 092 311 469

Second Plaintiff

PLANTATION LAND LIMITED
ACN 090 443 333

Defendant

CERTIFICATE IDENTIFYING EXHIBIT

Date of document: 9 October 2009
Filed on behalf of: the Plaintiffs

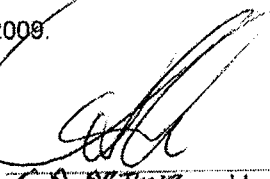
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Ref: 01-1499489

(Leon Zwier - lzwier@abl.com.au)

This is the exhibit marked "KMH-5" now produced and shown to **KATHERINE MARIA HILL** at the time of swearing her affidavit on 9 October 2009.

Before me:


C. M. McArthur
Sgt 22652 -

Hamilton Police Station
11 Thompson Street
Hamilton VIC 3300

Exhibit "KMH-5"

**Title searches for Certificates of Title Vol 10535
Fol 933, and Vol 10535 Fol 934**

Doc id: 10535/933 Matter: lyt 01-1499489 Search generated on 16/09/2009 at 14:15

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10535 FOLIO 933

Security no : 124031102745W

Produced 16/09/2009 02:15 pm

***** FOLIO IS CANCELLED *****

LAND

LOT 1 on Plan of Subdivision 432820A.
PARENT TITLE Volume 10331 Folio 533
Created by instrument PS432820A 03/08/2000

REGISTERED PROPRIETOR

ESTATE FEE SIMPLE

Tenants in common

As to 11 of a total of 15 equal undivided shares

JOINT PROPRIETORS

O'DONNELL, GARY JAMES; RMB 7550 CONDAH 3303

O'DONNELL, MARIE LOUISE; RMB 7550 CONDAH 3303

As to 4 of a total of 15 equal undivided shares

SOLE PROPRIETOR

O'DONNELL, SHANE MICHAEL; RMB 7550 CONDAH 3303

X435356R 26/04/2001

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS432820A FOR FURTHER DETAILS AND BOUNDARIES

UNREGISTERED DEALINGS

Obtain Final Search Statement for unregistered dealings

STATEMENT END

THIS FOLIO HAS BEEN CANCELLED

SEE FOLIOS:

10620/878 LIVE

Lot 1 on Plan of Subdivision 448242B

10620/879 LIVE

Lot 2 on Plan of Subdivision 448242B

DOCUMENT END

Doc id: 10535/934 Matter: lyt 01-1499489 Search generated on 16/09/2009 at 14:15

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 10535 FOLIO 934

Security no : 124031102763B

Produced 16/09/2009 02:15 pm

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 432820A.
PARENT TITLE Volume 10331 Folio 533
Created by instrument PS432820A 03/08/2000

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

PLANTATION LAND LTD of AT THE OFFICE OF C W STIRLING & CO LEVEL 6 90 WILLIAM
STREET MELBOURNE VIC 3000
PS432820A 03/08/2000

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PS432820A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	STATUS	DATE
AG566449T	AMEND ADDRESS ON FOLIO Registered	17/06/2009

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: ETTRICK-CONDAH ROAD MILLTOWN VIC 3304

DOCUMENT END

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PLAN OF SUBDIVISION		STAGE No. /	LTO USE ONLY EDITION 1	PLAN NUMBER PS 432820A
<p style="text-align: center;">LOCATION OF LAND</p> <p>PARISH: CONDAH</p> <p>SECTION: 13</p> <p>CROWN ALLOTMENT: 2 (PART)</p> <p>LTO BASE RECORD: DCM8</p> <p>TITLE REFERENCES: V 10331 F 533</p> <p>LAST PLAN REFERENCE/S: PS 333674L LOT 2</p> <p>POSTAL ADDRESS: (At time of subdivision) ETTRICK - CONDAH ROAD MILLTOWN 3304</p> <p>AMG Co-ordinates E 566 800 of approx centre of N 5 786 400 land in plan) ZONE 54</p>		<p style="text-align: center;">COUNCIL CERTIFICATION AND ENDORSEMENT</p> <p>COUNCIL NAME: GLENELG SHIRE REF: PS 12/00</p> <p>1 This plan is certified under section 6 of the Subdivision Act</p> <p>2 This plan is certified under section 18(1) of the Subdivision Act 1988. Date of original certification under Section 6</p> <p>3 This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</p> <p>OPEN SPACE</p> <p>(i) A requirement for public open space under section 18 of the Subdivision Act 1988 has / has not been made.</p> <p>(ii) The requirement has been satisfied.</p> <p>(iii) The requirement is to be satisfied in Stage</p> <p>Council Delegate Council Seal Date 5 / 4 / 00</p> <p>Re-certified under Section 11(7) of the Subdivision Act 1988.</p> <p>Council Delegate Council Seal Date / /</p>		
VESTING OF ROADS AND/OR RESERVES				
IDENTIFIER	COUNCIL/BODY/PERSON			
NIL	NIL			
NOTATIONS				
<p>DEPTH LIMITATION 15.24m</p>		<p>STAGING This is/is not a staged subdivision. Planning permit No.</p> <p>LOT 2 ONLY IS THE SUBJECT OF SURVEY. THE AREA OF LOT 1 IS DERIVED FROM THE TITLE.</p> <p>THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS (Mts) 6,7,16 IN PROCLAIMED SURVEY AREA No.</p>		
EASEMENT		INFORMATION		
<p>LEGEND E-Encumbering Easement, Condition in Crown Grant A-Appurtenant Easement</p>		<p>in the Nature of an Easement or Other Encumbrance R-Encumbering Easement (Road)</p>		<p>LTO USE ONLY</p> <p>STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT</p> <p>RECEIVED ✓</p> <p>DATE: 2 / 8 / 00</p> <p>LTO USE ONLY</p> <p>PLAN REGISTERED</p> <p>TIME 4 PM</p> <p>DATE 3 / 8 / 2000</p> <p><i>R. L. H.</i> Assistant Registrar of Titles</p> <p>SHEET 1 OF 2 SHEETS</p>
Subject Land	Purpose	Width (metres)	Origin	Land Benefitted/in Favour Of
E-1	DRAINAGE	10.06	CROWN GRANT VOL 8454 FOL 398	SEE CROWN GRANT VOL 8454 FOL 398
E-2	POWERLINE	12	THIS PLAN SECTION 44 OF THE ELECTRICITY INDUSTRY INDUSTRY ACT 1993	POWERCOR AUST LTD
<p>PAUL CROWE SURVEYOR "AMBLESIDE" 192 KOROIT STREET WARRNAMBOOL PH 55 611 500</p>		<p>LICENSED SURVEYOR PAUL CROWE</p> <p>SIGNATURE _____</p> <p>REF 906 VERSION 1 24 / 2 / 2000</p>		<p>DATE 5 / 4 / 00</p> <p>COUNCIL DELEGATE SIGNATURE _____</p> <p>ORIGINAL SHEET SIZE A3</p>

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