Notice of entry under statutory easement

*Community Titles Act 2018*

Section 58(4) & (5)

**Scheme number**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The person whose details are provided below[[1]](#footnote-2) (Notifier):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

notifies[[2]](#footnote-3):

|  |  |
| --- | --- |
|  | the occupier of lot \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|  |  |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ being the community corporation for the community titles scheme to which the common property belongs |
|  |  |
|  | the occupier(s) of the special lot(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who have exclusive use and enjoyment of, or special privileges over, the special common property under exclusive use by-laws |
|  |
|  |  |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ being the community corporation for the community titles scheme in which all the lots in the scheme are special lots |

that the Notifier will exercise the right of entry under the statutory easement described below on the date specified below to exercise rights under the easement.

**Date of entry[[3]](#footnote-4):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Statutory easement:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Reason for entry:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Name of person/company entering:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Execution[[4]](#footnote-5)**

Execution date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
|  |

1. Please insert name of lot owner, lots owners or community corporation as relevant exercising right of entry. [↑](#footnote-ref-2)
2. Select one. [↑](#footnote-ref-3)
3. Period of notice must be at least:

   for entry by community corporation – 7 days unless a shorter period is agreed to by the occupier of the lot(s); and

   in any other case – 28 days unless a shorter period is agreed to by the occupier of the lot(s) or community corporation, as the case requires. [↑](#footnote-ref-4)
4. See Land Titles Policy & Procedure Guide “SIG-01 Signing of Documents” (and associated guides) in relation to execution requirements.

   If person exercising right of entry is a community corporation, insert sealing/signing clause.

   If person exercising right of entry is one or more lot owners, must be signed by all owners. [↑](#footnote-ref-5)