

Conveyancing Service

New South Wales
CURRENT BPR AND CASENOTES

Service BPR 236

December 2016

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In this Service:

[98776] *Fitness First Australia Pty Ltd v Fenshaw Pty Ltd*

Landlord and tenant — Two long-term commercial leases between same parties in same building — Statutory charges and outgoings — Lessee requiring payment as additional rent of any increase in outgoings “in respect of the Premises” — Whether lessee obliged to pay whole of increase in outgoings, or proportionate share of increase in outgoings — Construction of “in respect of the Premises” in each lease

[98777] *Anderson v Anderson*

Torrents title — Joint tenancy — Severance — Whether unilateral severance — Indefeasibility of title — Fraud exception — Power of attorney — Whether unilateral severance effected under power — (NSW) Real Property Act 1900 s 97

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In this Service — continued

[98778] *Bilton v Ligdas*

Real property — Easement — Whether express easement exists as a matter of construction of conveyancing grant

[98778] *Bilton v Ligdas*

Real property — Easement — Whether right to statutory easement exists under s 88K of the Conveyancing Act 1919 (NSW) — Whether reasonable necessity, whether easement is inconsistent with public interest, whether all reasonable attempts made to obtain the easement — Adequacy of amount not in issue — (NSW) Conveyancing Act 1919 s 88K

[98778] *Bilton v Ligdas*

Real property — Easement — Whether there is a prescriptive easement as a result of continued use by plaintiffs and their predecessors in title, issue of permission

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Conveyancing

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