

19/9/16 SIGNED DOC SENT TO SIFAU.

**SMSF WORKS**

Self Managed Super Fund Specialists

EMERALD STREET INVESTMENTS PTY LTD  
(‘Trustee’)

TRUST DEED

EMERALD INVESTMENTS TRUST NO 2

SMSF WORKS PTY LTD ABN 62 606 479 903  
Level 4, 157 Spring Street, East Melbourne Vic 3000  
phone 03 8602 4100 fax 03 9650 4571 [www.smsfworks.com.au](http://www.smsfworks.com.au)

THIS DEED is made on the .....<sup>19<sup>TH</sup></sup>..... day of .....<sup>SEPTEMBER</sup>..... 2016

BY:

EMERALD STREET INVESTMENTS PTY LTD (ACN 601 161 139) of SUITE 1, 707  
MT ALEXANDER ROAD, MOONEE PONDS VIC 3039

(**'Trustee'**)

### RECITALS


- A. The Trustee intends to purchase the property described in item A of the Schedule to this deed ('Property') as bare trustee for the beneficiary described in item B of the Schedule ('Beneficiary').
- B. The Trustee wishes to record the terms of this bare trust accordingly.

### PROVISIONS

1. The Trust is hereby declared and established by the Trustee's execution of this deed.
2. The Property will at all times be held by the Trustee upon trust for the Beneficiary who has provided or will provide all of the purchase moneys.
3. The Beneficiary is and will at all times be absolutely entitled to the benefit of the Property together with all earnings, profits or gains accrued or to accrue in respect of the Property.
4. The Trustee has not and will not provide any of the purchase moneys and the real purchaser is the Beneficiary.
5. The Trustee or the Trustee's successors or assigns will execute and deliver, when called upon by the Beneficiary, a transfer of the property to the Beneficiary for nil consideration.
6. The Trustee has been authorised to complete any purchase, sale of land agreement and registration of transfer of the Property as instructed by the Beneficiary.
7. The Trustee undertakes to deal with the Property and exercise and perform all the rights duties and powers relating to the property only as directed by the Beneficiary.

**EXECUTED as a deed.**

EXECUTED on behalf of  
**EMERALD STREET INVESTMENTS PTY LTD**  
(ACN 601 161 139) in its capacity as  
Trustee in accordance with section  
127(1) of the Corporations Act 2001:

  
\_\_\_\_\_  
Signature of Director

CHRISTIAN MCLEAN

  
\_\_\_\_\_  
Signature of Director

KIM MCLEAN

The drafting of this trust deed has been undertaken by:  
Logie-Smith Lanyon, Lawyers, Level 13, 575 Bourke Street, Melbourne Vic. 3000  
Ref. Mr George Kolliou

**Board Minutes and Trustee Resolutions  
(Corporate Bare Trust Trustee)**

**Meeting Details**

Company:	Emerald Street Investments Pty Ltd	('Bare Trust Trustee')
ACN:	601 161 139	
Name of Bare Trust:	Emerald Investments Trust No 2	
Date of meeting:	19TH SEPTEMBER 2016	
Place of meeting:	Keilor	
Present:	Christian McLean and Kim McLean	
Chairman:	Christian McLean	

**1. Trustee resolutions**

*Resolved:* That the resolutions of the board herein shall stand as trustee resolutions in relation to the proposed Bare Trust.

**2. Documents tabled**

The Chairman tabled the draft documents listed in the Schedule of Documents below.

**3. Proposed Bare Trust**

The Chairman proposed that subject to the Superannuation Trustee executing the Declaration of Trust and advancing the purchase price under the Purchase Contract to the Bare Trust Trustee:

- the Bare Trust Trustee acquire the Property as trustee for the Superannuation Trustee; and
- the Bare Trust Trustee execute the Declaration of Trust, the Purchase Contract and Mortgage.

*Resolved:* Subject to the Superannuation Trustee executing the Declaration of Trust and advancing the purchase price under the Purchase Contract to the Bare Trust Trustee:

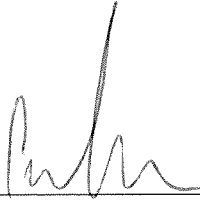
- the Bare Trust Trustee acquire the Property as trustee for the Superannuation Trustee;
- the Bare Trust Trustee execute the Declaration of Trust, the Purchase Contract and Mortgage; and
- the Bare Trust Trustee do any further act or execute any further document reasonably required in connection with the foregoing.

Board Minutes and Trustee Resolutions

Schedule of Documents

- Contract for purchase by the Bare Trust Trustee of: Lot 3 244-248 Union Road, Ascot Vale Vic 3032 ('Property' and 'Purchase Contract')
- Declaration of Trust of Property by Bare Trust Trustee in favour of: McLean SF Pty Ltd ATF McLean Superannuation Fund ('Superannuation Trustee')
- Agreement for loan to Superannuation Trustee by: National Australia Bank ('Loan Agreement' and 'Lender')
- Mortgage of Property to: National Australia Bank ('Mortgagee')

Signed by:  
as a true and correct record  
on:

  
\_\_\_\_\_  
Signature of Chairman

19th SEPTEMBER 2016  
Date

**Board Minutes and Trustee Resolutions  
(Corporate Superannuation Trustee)**

**Meeting Details**

Company:	McLean SF Pty Ltd	('Superannuation Trustee')
ACN:	612 836 030	
as trustee of:	McLean Superannuation Fund	('Fund')
Date of meeting:	19th September 2016	
Place of meeting:	Kellor	
Present:	Christian McLean and Kim McLean	
Chairman:	Christian McLean	

**1. Trustee resolutions**

*Resolved:* That the resolutions of the board herein shall stand as trustee resolutions in relation to the Fund.

**2. Documents tabled**

The Chairman tabled the draft documents listed in the Schedule of Documents below.

**3. Proposed Bare Trust**

The Chairman proposed that:

- the Fund acquire the Property by Bare Trust; and
- the Superannuation Trustee execute the Declaration of Trust and Loan Agreement, and advance the purchase price under the Purchase Contract, subject to the Bare Trust Trustee executing the Purchase Contract, the Declaration of Trust and the Mortgage and completing the purchase of the Property.

*Resolved:*

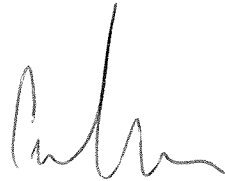
- That the Fund acquire the Property by Bare Trust;
- that the Superannuation Trustee execute the Declaration of Trust and Loan Agreement, and advance the purchase price under the Purchase Contract, subject to the Bare Trust Trustee executing the Purchase Contract, the Declaration of Trust and the Mortgage and completing the purchase of the Property; and
- that the Superannuation Trustee do any further act or execute any further document reasonably required in connection with the foregoing.

Board Minutes and Trustee Resolutions

Schedule of Documents

- Contract for purchase of: Lot 3 244-248 Union Road, Ascot Vale Vic 3032 ('Property' and 'Purchase Contract')
- by: Emerald Street Investments Pty Ltd ('Bare Trust Trustee')  
ATF Emerald Investments Trust No 2
- Declaration of Trust of Property by Bare Trust Trustee in favour of Superannuation Trustee ('Declaration of Trust')
- Agreement for loan to Superannuation Trustee by: National Australia Bank ('Loan Agreement' and 'Lender')
- Mortgage of Property to: National Australia Bank ('Mortgagee')

Signed by:



Signature of Chairman

as a true and correct record

on:

12TH SEPTEMBER 2016

Date