

# Financial Advice Acknowledgement Certificate



Borrower **Richard Hudson and Xiu Li Lin As Trustee For  
The The Ocean SuperFund**

Name of Superannuation Fund (SMSF) **The Ocean SuperFund**

Address of property to be purchased (Property) **52 Serpentine Road, KIRRAWEE NSW 2232**

Proposed Amount of Loan **\$800,000.00**

I/we make the following declarations as:

- ☒ Trustees of the SMSF named above; or
- ☐ Directors of the Proposed Borrower named above, the Trustee of the SMSF

1. I am/we are applying for a loan to be provided by Secure Funding Pty Ltd ACN 081 982 872 (**Lender**) to enable the SMSF named above to purchase the Property (**Loan**).
2. I/we have been given the opportunity to obtain legal and financial advice about the effects of the Loan and have been advised by the Lender to seek independent legal and financial advice in relation to the Loan.
3. Consequentially I/we confirm that I/we understand the legal and financial implications of the Loan, including the fact that the amount owing on the Loan must be repaid in full by the SMSF before the legal title to the Property can be transferred to the SMSF.
4. I/we further understand that if the application for the Loan is approved, personal guarantees from all members of the SMSF will be required and that if the Lender calls on these guarantees the members may be required to pay the amount claimed by the Lender under the guarantee personally (and not from the assets of the SMSF).
5. I understand the risks associated with gearing and direct property investment and freely wish to apply for the Loan.
6. I/we confirm that neither the Lender, its related body corporates or any of its employees or representatives has provided any advice in relation to legal, financial or taxation aspects of the Loan.

Signature of Trustee/Director  
Name:

XIU LI LIN

15/10/2021  
Date

Signature of Trustee/Director  
Name:

RICHARD NEIL HUDSON

15/10/2021  
Date

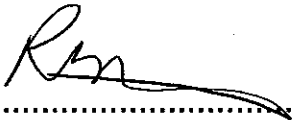
**MINUTES OF MEETING OF RICHARD HUDSON AND XIU LI LIN AS TRUSTEE(S) FOR THE  
THE OCEAN SUPERFUND**

Present: Richard Hudson and Xiu Li Lin

1. In accordance with the provisions of section 67A of the Superannuation Industry (Supervision) Act 1993 (SIS Act), Richard Hudson and Xiu Li Lin (Fund Trustee) in its (their) capacity as trustee(s) for the The Ocean SuperFund (Fund):
  - (a) Directs Hudsonlin Investment Pty Ltd ACN 149 783 853 (Property Trustee) to establish the HudsonLin Property Trust (Property Trust) and act as the bare trustee for the Property Trust; and
  - (b) Resolves to contribute together with such other amounts as are required and to borrow from Secure Funding Pty Ltd (Loan) for the purpose of acquiring a beneficial interest in the property known as 52 Serpentine Road, KIRRAWEE NSW 2232 (Property) for \$800,000. The terms of the Loan are set out in the document tabled.
2. The Property is beneficially acquired by the Fund Trustee(s) in its (their) capacity as trustee(s) for the Fund by using monies provided by the Fund and the Loan.
3. The legal title in the Property is to be acquired by the Property Trustee(s) for the Property Trust and the Property is to be held by the Property Trustee(s) upon the terms set out in the Property Trust Deed.
4. The Fund Trustee(s) in its (their) capacity as trustee(s) for the Fund will be responsible for making all payments of principal, interest, fees, costs and charges in respect of the Loan. In default, the lender's rights (or any other person's rights) against the Fund Trustee(s) as trustee of the Fund are limited to the rights in relation to the Property and the rights of the Property Trustee(s) which are contained in the Property Trust Deed.
5. The Property Trust Deed provides that:
  - (a) The Fund Trustee(s) in its (their) capacity as trustee(s) for the Fund will be entitled to all income derived from the Property;
  - (b) The Fund Trustee(s) in its (their) capacity as trustee(s) for the The Ocean SuperFund will be responsible for payment of all expenses in relation to the Property; and
  - (c) The Fund Trustee(s) of the Fund will have the right to acquire legal ownership of the Property from the Property Trustee(s) at any time upon request and payment of the final instalment under the Loan.
6. The beneficial ownership of the Property is acquired by the Fund Trustee(s) in its (their) capacity as trustee(s) for the Fund and the Property will be used for purposes consistent with the provisions of the SIS Act.
7. The Fund Trustee(s) and the members considered within the context of the foregoing that the acquisition of the Property funded by debt is consistent with the investment strategy for the Fund, is in the members' interest and is permitted under the trust deed for the Fund.

RESOLVED that the Fund Trustee(s) in its (their) capacity as trustee(s) for the Fund enter into the Loan and acquire beneficial interest in the Property.

Dated: 15 / 10 / 2021



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Signature of Fund Trustee - Richard Neil Hudson



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Signature of Fund Trustee - Xiu Li Lin

# DISBURSEMENT AUTHORITY





Account Number: **3671452**

I/We hereby authorise Secure Funding Pty Ltd or an authorised representative to disburse the loan settlement funds set out in the below manner. Some of the amounts may not be known at the time of signing, I/we therefore authorise an officer of Secure Funding Pty Ltd or my/our authorised representative to complete the payment amount details when they become known.

Payable to	Payment details	Amount
Vendor for Purchase	Funds provided at Settlement	\$798,352.90
Fees	Retained per Loan Schedule	\$1,647.10
<b>Total of funds disbursed</b>		<b>\$800,000.00</b>

Payments processed by EFT or BPAY will be made the next business day following settlement. Please note, surplus funds will be credited to the account nominated on the Direct Debit Request.

## AUTHORISED BY

Richard Neil Hudson As Trustee For The The Ocean SuperFund	 SIGNATURE	15/10/2021 DATE
Xiu Li Lin As Trustee For The The Ocean SuperFund	 SIGNATURE	15/10/2021 DATE

**WARRANTY BY SMSF TRUSTEE**

I/We,

Richard Neil Hudson of 40 North West Arm Road, GYMEA NSW 2227

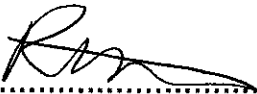
Xiu Li Lin of 40 North West Arm Road, GYMEA NSW 2227

warrant as follows:

1. I am/We are the trustee(s) ("Fund Trustee"), for the The Ocean SuperFund ("Superannuation Fund").
2. The Superannuation Fund is a complying regulated superannuation fund within the meaning of the Superannuation Industry (Supervision) Act, 1993 (Cth) ("SIS Act").
3. The acquisition of 52 Serpentine Road, KIRRAWEE NSW 2232 ("Purchased Property") is not a prohibited "related party" transaction and the intended use of the Purchased Property will not be a prohibited "in-house asset" within the meaning of the SIS Act.
4. The whole of the deposit was provided by and the whole of the balance of the purchase money will be paid by the Fund Trustee as trustee for the Superannuation Fund.
5. The Superannuation Fund has the power to acquire real estate, borrow money, charge assets of the fund to secure repayment of that money, and provide indemnities.
6. The acquisition of the Purchased Property and the transaction as detailed in the Loan Agreement are within the written investment strategy of the Superannuation Fund.
7. The Fund Trustee has not entered into any other borrowings related to this Superannuation Fund except as disclosed to Secure Funding Pty Ltd ABN 25 081 982 872 ("Secure Funding").


Dated: 15/10/2021

Signature of SMSF Trustee

  
.....  
Signature

MR RICHARD NEIL HUDSON  
.....  
Name and Title (please print)

Signature of SMSF Trustee

  
.....  
Signature

XIU LI LIN  
.....  
Name and Title (please print)