

DEED OF RECTIFICATION

PARTIES

RSF Trustee **Dube Investments Super Fund Pty Ltd ACN 160 134 734** of 17/28 Burford Street, Merrylands NSW 2160

Security Trustee **Edna Dube** of 17/28 Burford Street, Merrylands NSW 2160

BACKGROUND

- A. The RSF Trustee is the trustee of the SMSF.
- B. The parties entered into a deed dated 13 August 2012 (**Asset Trust Deed**) to govern the terms under which the Security Trustee would hold and mortgage property under a limited recourse borrowing arrangement in compliance with the *Superannuation Industry (Supervision) Act 1993*.
- C. In the Asset Trust Deed, the Original Asset is incorrectly identified as Lot 116 Majestic Palms Estate, Bundaberg, and the Asset Trust Deed is called the 'Lot 116 Majestic Palms Estate Trust'.
- D. The parties wish to enter into this deed to record the correct details of the Original Asset and to change the name by which the Asset Trust Deed is known.

OPERATIVE PART

1. INTERPRETATION

Definitions

- 1.1 The meanings of the terms used in this deed are set out below.

Term	Meaning
Original Asset	the property at Lot 116 Majestic Palms Estate, Bundaberg, and being the land comprised in Title Reference 50672773.
SMSF	Dube Investments Superannuation Fund constituted by Deed of Trust dated 31 August 2012.

Construction

- 1.2 In this deed:
- (a) words in the singular include the plural and vice versa;
 - (b) words indicating any gender indicate the appropriate gender;

- (c) where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings;
- (d) a reference to a person is to be construed as a reference to an individual, body corporate, unincorporated association, partnership, joint venture or government body;
- (e) references to any document (including this deed) include references to the document as amended, consolidated, supplemented, novated or replaced;
- (f) a reference to a statute includes a reference to all enactments amending or consolidating the statute and to an enactment substituted for the statute and any subordinate legislation, including regulations;
- (g) headings are included for convenience only and do not affect interpretation of this deed.

2. RECTIFICATION

- 2.1 In consideration of the recitals in this deed, the Asset Trust Deed is rectified by:
- (a) in Part 5 of the Schedule and elsewhere, by changing its name from 'Lot 116 Majestic Palms Estate Trust' to 'Lot 73 Majestic Palms Estate Trust'; and
 - (b) in Part 7 of the Schedule by changing the details of the Original Asset to Lot 73 Majestic Palms Estate, Bundaberg (also known as 26 Regency Road, Moore Park Beach QLD 4670) being the land comprised in Title Reference 50672773.

3. GENERAL

Governing law

- 3.1 This deed will be construed in accordance with the laws in force in New South Wales and the parties submit to the jurisdiction of the courts of New South Wales.

Reference to a party

- 3.2 Any reference to a party in this deed includes, and any obligation or benefit under this deed will bind or take effect for the benefit of, that party's executors, administrators, successors in title and assigns.

Further assurances

- 3.3 Each party will sign and complete all further documents and do anything else that may be reasonably necessary to effect, perfect or complete the provisions of this deed and the transactions to which it relates.

Joint and several

- 3.4 An obligation of two or more persons under this deed binds them jointly and severally and every expressed or implied agreement or undertaking by which two or more persons derive any benefit in terms of this deed will take effect for the benefit of those persons jointly and severally.

No merger

- 3.5 The rights and obligations of the parties contained in this deed will not be extinguished by or upon completion.

SIGNED AS A DEED on the 23rd day of August 2017
at Merylands, NSW
SIGNED SEALED AND DELIVERED by Dube)
Investments Super Fund Pty Ltd ACN 160 134)
734 in accordance with section 127(1) of the)
Corporations Act 2001 (Cth) by a sole director who)
is also the sole secretary:

E. Dube.

EDNA DUDE
Sole Director/Sole Secretary

SIGNED SEALED AND DELIVERED by EDNA)
DUDE in the presence of:)

Orkaine Zaher

Witness (not a party to this deed)

E. Dube

EDNA DUDE

ORKAINE ZAHER

Justice of the Peace NSW No. 132290
Name of witness

HMH10192112 3440-1248-5893v1