

Kim Seymour

From: Elizabeth Meiklejohn
Sent: Monday, 13 July 2015 9:39 AM
To: Kim Seymour
Subject: FW: Settlement - 23 Millenium Place, Tingalpa - Super Funds Split

AD ClientID: 6720
AD Clientpath: H:\MUL08S\
AD Dir: H:\MUL08S\1516\Emails\
AD Filename: email\2015\7\FW Settlement - 23 Millenium Place, Tingalpa - Super Funds Split (~email_id~).msg
AD Fullpath: H:\MUL08S\1516\Emails\
AD JobCode: -1
AD Manager: Elizabeth Meiklejohn
AD Name: GM & JJ Muller Superannuation Fund
AD Partner: Mari Ashted
AD Subject: FW Settlement - 23 Millenium Place, Tingalpa - Super Funds Split
AD Type: C
AD UpdatePrefs: False

Hi Kim

Can you please save this in H drive info MUL11s & MUL08s

Thanks

Elizabeth Meiklejohn SSA CA
Senior Associate



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From: David Moore
Sent: Friday, 3 July 2015 10:40 AM
To: Mari Ashted
Cc: Elizabeth Meiklejohn
Subject: RE: Settlement - 23 Millenium Place, Tingalpa - Super Funds Split

Break up by super fund:

GM & JJ Muller Super Fund (75%):

1. **Commissioner of State Revenue - \$7,560.00.**
2. **Commonwealth Bank of Australia - \$1,814,703.45**

3. **Commissioner of State Revenue - \$94,500.00.**
4. **Department of Environment and Resource Management - \$5,857.65.**
5. **Courtice Legal Pty Ltd - \$4,950.00.**

Total \$1,927,571.10

Muller Family Super Fund (25%):

1. **Commissioner of State Revenue - \$2,520.00.**
2. **Commonwealth Bank of Australia - \$604,901.15**
3. **Commissioner of State Revenue - \$31,500.00.**
4. **Department of Environment and Resource Management - \$1,952.55.**
5. **Courtice Legal Pty Ltd - \$1,650.00.**

Total \$642,523.70

Cheers

Dave

David Moore SSA CA
Senior Associate



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From: Mari Ashted
Sent: Friday, 3 July 2015 10:06 AM
To: David Moore
Subject: Fwd: Settlement - 23 Millenium Place, Tingalpa

Will give you a call in about 10 mins re this.

Sent from my iPhone

Begin forwarded message:

From: Andrew Courtice <courtice@courticelegal.com.au>
Date: 3 July 2015 9:29:58 am AEST
To: "mark@activemedicalsupplies.com.au" <mark@activemedicalsupplies.com.au>
Cc: "maria@virtusuper.com.au" <maria@virtusuper.com.au>
Subject: Settlement - 23 Millenium Place, Tingalpa

Dear Mark,

If we do settle today, it is set down for 3.00pm. Don't be concerned about that settlement time – if it has to be later, then so be it.

I have not heard anything from the Seller's solicitors about the repairs.

For the purposes of settlement, the following is relevant:

1. I **attach** a copy of the Settlement Statement. I consider it to be correct – subject to my comments about Land Tax below.
2. For the purposes of settlement today, I will require the following bank cheques – and I am happy to collect them from your office at, say, 2.00pm:
 - (a) **Commissioner of State Revenue - \$10,080.00.** That pays land tax for the current year ending 30 June 2016. There is not an adjustment in favour of the seller for land tax in the Settlement Statement – I think that is an error on their part, in that under the Contract they are entitled to an adjustment in their favour for the period 3 July 2015 – 30 June 2016. If they don't wish to seek it, that's a matter for them. In short, I don't propose to raise it with them.
 - (b) **Commonwealth Bank of Australia - \$2,419,604.60.**

Those are the cheques required to pay the balance of the purchase price of \$2,429,684.60.

3. The following bank cheques are also required to complete the transaction:
 - (a) **Commissioner of State Revenue - \$126,000.00.** That is payment of stamp duty on a sale price of \$2.53 million.
 - (b) **Department of Environment and Resource Management - \$7,810.20.** That is payment of the registration fees on the transfer at the Titles Office. In short, that is another State Government charge.
 - (c) **Courtice Legal Pty Ltd - \$6,600.00.** That is in payment of the **attached** account.

In relation to our account, I draw your attention to the following:

- my standard fee for a simple commercial purchase for this price would be \$3,500.00 plus GST;
- this has been a far more complex transaction given the drafting of the Contract of Sale and the Special Conditions, and the work that went into that. You will recall I drafted those specific provisions to take into account the make good obligations of the tenant and their timing of their departure;
- preparation of the Commercial Tenancy Agreement – and the drafting of it to ensure that the going concern exemption was available and to ensure that you could obtain early possession of the premises without paying any rental;
- compliance with the superannuation aspects of the transaction with respect to the drafting of the Contract and the Commercial Tenancy Agreement and the vetting of the Trust Deeds provided to me by Mari;
- all associated legal work and advice.

Once the matter settles, I will attend to the stamping of the Contract and the registration of ownership in favour of the two Trust Funds at the Titles Office.

In the meantime, if you have any queries, please do not hesitate to call.

Regards,

Andrew Courtice
Managing Director

Mari Ashted SSA CA
Director



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