

AN AGREEMENT made the 28th day of April One thousand nine hundred and sixty-nine

B E T W E E N :

THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF ST. KILDA of the Town Hall, St. Kilda, Victoria duly appointed pursuant to Section 221 of the Land Act 1958 as amended by the Land (Committees of Management) Act 1967 as Committee of Management of the land hereinafter referred to and empowered by the St. Kilda Land Act 1965 to lease the said land for the purposes of a Marina

(hereinafter called "the Landlord")

of the one part

A N D

AUSTRALIAN MARINAS (A'ASIA) PROPRIETARY LIMITED of Dalmore Park, Ferntree Gully Road, Scoresby, Victoria

(hereinafter called "the Tenant")

of the other part

which is supplemental to and shall be read and construed with -

- (a) an Agreement for Building Lease dated the 4th day of March 1968 made between the parties hereto relating to the development of the land therein referred to as a Marina (hereinafter referred to as "the Agreement for Building Lease"); and
- (b) A Lease attached thereto which Lease is to be entered into between the parties hereto on the completion of the first phase of the proposed development (hereinafter referred to as "the proposed Lease"); and
- (c) Supplemental agreements dated 4th March 1968 and 7th August 1968 respectively between the parties hereto which supplemental agreements amend the Agreement for Building Lease and the proposed Lease.

WHEREAS:

A. On the 23rd day of April 1969 the City Engineer of the City of St. Kilda gave his certificate in writing within the terms of clause 4 of the Agreement for Building Lease to the effect that the first phase of the installations improvements buildings and structures had been

completely finished to his satisfaction.

B. The proposed Lease has been dated the 4th March 1968, has been executed by the Landlord and the Tenant and is duly stamped by the Comptroller of Stamps.

C. It has been agreed between the parties hereto that the proposed Lease shall be treated as the Lease entered into between the parties thereto on the completion of the first phase of the proposed development within the terms of clause 4 of the Agreement for Building Lease and that the date of commencement of such Lease shall be the 1st day of May 1969.

NOW THIS AGREEMENT WITNESSETH as follows:-

1. The proposed Lease attached to the Agreement for Building Lease shall be deemed to have been executed by the parties thereto in accordance with the terms of clause 4 of the Agreement for Building Lease upon the completion of the first phase of the development proposed therein.

2. The date for the commencement of the said Lease shall be the 1st day of May 1969 and the Lease shall be read and construed as if such date were inserted therein as the commencement date thereof.

IN WITNESS WHEREOF the parties hereto have hereunto set their seals the day and year first hereinbefore written.

THE COMMON SEAL of THE MAYOR )  
COUNCILLORS AND CITIZENS OF THE )  
CITY OF ST. KILDA was hereunto )  
affixed this day of )  
1969 in the presence of: )

Mayor  
Councillor  
Town Clerk

THE COMMON SEAL of AUSTRALIAN )  
MARINAS (A'ASIA) PROPRIETARY )  
LIMITED was hereunto affixed in )  
accordance with its Articles of Assoc- )  
iation in the presence of: )

*[Signature]* Director  
*[Signature]* Director

