

## **Terms of Priority Reservation**

### **Brimbank Gardens, Stage 36B, Croft Release**

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1. To make a Priority Reservation, you must pay a \$1,000 Reservation Holding Deposit by cheque payable to the Developers solicitors, as follows:

Cheque to be made payable to:

Macpherson + Kelley Lawyers Trust Account

Cheques to be forwarded with a copy of this Priority Reservation form to:

Geraldine Everett, Brimbank Gardens Sales Office,  
43 Windsor Boulevard, Derrimut Vic 3030.

2. Reservation Holding Deposits will be held in an interest bearing trust account by Macpherson + Kelley Lawyers on behalf of the Developer and will be refundable to you as the applicant at any time. The Developer will be entitled to any interest paid on Reservation Holding Deposits.
3. Positions in the queue for selection of Lots will be allocated by the Developer in order of receipt of this completed form and the requisite cheque, at the Sales & Information Centre or by mail as indicated above.
4. Reservation Holding Deposits will, at the choice of the applicant, be:
  - used as part of the deposit on a lot if a lot is purchased by the applicant; or
  - refunded to the applicant at any time
5. The Developer reserves the right to cancel or postpone the sale of lots and to vary the Priority Reservation process at any time.
6. The applicant acknowledges that:
  - the Developer will attempt to allocate lots as requested by the public under this Priority Reservation system, but that the final allocation will be at the Developers absolute discretion and the Developer may withhold some lots for other purposes;
  - the Developer has not made any representation that lots will be available to all applicants or that a particular lot will be available for a particular applicant;
  - the Developer reserves the right to limit the number of lots sold to each applicant;
  - the eventual purchase of the preferred Lot will be subject to the provision of section 32 Vendors Statement and the parties signing of a Contract of Sale on terms offered by the Vendor;
  - the Reservation Holding Deposit is not 'deposit moneys' as defined in the Sale of Land Act 1962 and is not protected under that Act; and
  - if the Purchaser wishes to proceed with its purchase, it must execute and return the Vendors Statement and Contract of Sale to the Developer within 48 hours of receipt to the Developers solicitors, along with a cheque in payment of the balance of the deposit payable under the Contract of Sale.