**STATUTORY DECLARATION IN SUPPORT OF AN APPLICATION UNDER SECTION 99 OF THE *TRANSFER OF LAND ACT 1958***

**(TO BE COMPLETED BY THE APPLICANT(S))**

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| --- | --- |
| I/we |   |
| of | [FULL NAME] |
|  | [ADDRESS] |
|  [OCCUPATION]make the following statutory declaration under the **Oaths and Affirmations Act 2018:** |

|  |  |
| --- | --- |
|  | I am/We are the registered proprietor(s) of the land known as  |
|  | [enter street address] being the land described in folio(s) of the Register [volume] [folio]. |
|  | I am/We are applying to amend the boundaries, area or position of the land described above to accord with the boundaries, area or position shown on the plan of survey by |
|  |  [Surveyor’s name] dated [date of survey plan] a copy of which is annexed hereto marked ‘A’ |
| **A. Possession and occupation**  |
|  | I/We became registered proprietor(s) of the land on or about:  |
|  | *Enter actual or approximate date ownership began.* |
|  | The eastern boundary of our land is enclosed by: (delete if inapplicable e.g. entire boundary has adopted a road alignment) |
|  | *Describe the fences/walls/buildings that enclose the eastern boundary. Outline if:*1. *The fences/walls/buildings have continuously stood in the present position for the period of ownership or the past 15 years*
2. *If the fences/walls/buildings have replaced others within that period, that they are in the same position as the earlier occupation.*
 |
|  | The southern boundary of our land is enclosed by: (delete if inapplicable e.g. entire boundary has adopted a road alignment) |
|  | *Describe the fences/walls/buildings that enclose the southern boundary. Outline if:*1. *The fences/walls/buildings have continuously stood in the present position for the period of ownership or the past 15 years*
2. *If the fences/walls/buildings have replaced others within that period, that they are in the same position as the earlier occupation.*
 |
|  | The western boundary of our land is enclosed by: (delete if inapplicable e.g. entire boundary has adopted a road alignment) |
|  | *Describe the fences/walls/buildings that enclose the western boundary. Outline if:*1. *The fences/walls/buildings have continuously stood in the present position for the period of ownership or the past 15 years*
2. *If the fences/walls/buildings have replaced others within that period, that they are in the same position as the earlier occupation.*
 |
|  | The northern boundary of our land is enclosed by: (delete if inapplicable e.g. entire boundary has adopted a road alignment)) |
|  | *Describe the fences/walls/buildings that enclose the northern boundary. Outline if:*1. *The fences/walls/buildings have continuously stood in the present position for the period of ownership or the past 15 years*
2. *If the fences/walls/buildings have replaced others within that period, that they are in the same position as the earlier occupation.*
 |
|  | The description of the land in the subject folio of the Register does not accord with the description of the land shown on the plan of survey for the following reasons:  |
|  | *Describe why the description of the land shown in the folio of the Register does not accord with the fences/walls/buildings as shown on the plan of survey.* |
| **B. Names and addresses of abutting owners**  |
|  | The name(s) and address(es) of the owners of the properties with whom I/we share a common boundary are: (delete inapplicable) |
|  | *(a) to the east – [insert name(s) and address(es) and/or road alignment]**(b) to the south – [insert name(s) and address(es) and/or road alignment]**(c ) to the west – [insert name(s) and address(es) and/or road alignment]**(d) to the north – [insert name(s) and address(es) and/or road alignment]* |
| **C. Court Proceedings** (delete inapplicable) |
|  | I am/We are not aware of any court proceedings affecting the land or any part of the land. |
|  | OR |
|  | I am/We are aware of court proceedings affecting the land or part of the land, the details of which are as follows: |
|  | *Set out the details of any court proceedings* |

**I/We declare that the contents of this statutory declaration are true and correct and I/we make it knowing that making a statutory declaration that I/we know to be untrue is an offence.**

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| **Signature of person making this declaration** *[to be signed in front of an Authorised Witness]* |
| Declared at |  | *[place]* in the State of Victoria |
| on  |  / / | *[date]* |
| **I/We am an authorised statutory declaration witness and I/we sign this document in the presence of the person making the declaration:** |
| û |
| **Signature of authorised statutory declaration witness** |
| on  |  / / | *[date]* |
| *[Full name of authorised statutory declaration witness in legible writing, typing or stamp]* |  |  |
| *[Personal or professional address of authorised statutory declaration witness in legible writing, typing or stamp]* |  |  |
| *[Qualification as an authorised statutory declaration witness]* |  |  |
| A person authorised under section 30(2) of the **Oaths and Affirmations Act 2018** to witness the signing of a statutory declaration. |

*\* I confirm that reasonable modifications were used in preparing this statutory declaration and that the contents of this statutory declaration were read to the person making the statutory declaration in a way that was appropriate to the person’s circumstances.*

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| Signature of authorised statutory declaration witness |

\* strikeout if not applicable