



MARCH 2021

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BUYING A PROPERTY WITH EASEMENTS

What does it mean?

If you own property or are in the market to purchase property, it is important to know that if the property you are buying contains an easement it means that you cannot stop another person or company from using the easement site on your land.

What is an easement?

In simple terms, an easement is a right to use someone else's property, or a portion of it, for a particular purpose. For example, an easement for drainage on your property held by Sydney Water will normally cover a portion of your property where a sewer/stormwater or other drainage runs underground. This type of easement is registered on the title, can easily be identified by a purchaser or their Solicitor, and should be brought to a purchaser's attention before Contracts are exchanged unconditionally. These types of easements are the more commonly known easements.

Easements at most times can be uneventful and will not affect a purchaser of land's use and enjoyment of their property however at other times, easements can impact a purchaser's want to develop the land.

When it comes to purchasing land in New South Wales, ensure that you obtain the right advice from one of our expert

conveyancing solicitors so that you fully understand the extent of the property you are purchasing, including the type of easements/restrictions that may exist on the property and to what extent it will affect your use and enjoyment of the property.

THINKING OF FRANCHISING YOUR BUSINESS OR BUYING A FRANCHISE?

You need specialist advice !!

We have lawyers who specialise in Franchise Law. We also have a number of franchisor clients and as such have the skill, knowledge and expertise to put together a Franchise Agreement and Disclosure Agreement that complies with all the aspects of the Franchising Code of Conduct ("the Code").

Franchisors who do not use specialised lawyers to assist them in this area of law risk breaching the Code, and subsequently the Trade Practices Act, which may result in them being unable to enforce their Franchise Agreement or rely upon any restraints. These mistakes can be very costly, and have devastating effects for the Franchisor.

Franchisees need to obtain specialised advice on their rights and obligations under the Franchise Agreement prior to entering into same. One key aspect to consider is the restrictions imposed upon the Franchisee

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should they ever wish to leave the franchise.

Do not trust your business success to anybody other than **Meehans**, contact one of our experienced solicitors today.

COURT SERVICES

If you are charged by Police, going to court alone can be a very stressful experience. Meehans have extensive experience in representing clients charged with a wide range of criminal offences and provide advice and representation in connection therewith (eg):

- Driving offences including drink drive
- Apprehended Violence Orders
- Assaults
- Drug charges
- Bail applications
- Annulling convictions
- Indictable offences
- Civil Claims

The advice we provide is focused upon obtaining the best possible result for you and could include advice related to obtaining of references or obtaining referrals to treatment programmes, Counsellors and so on.

Give any one of our offices a call and we will be more than happy to assist you.

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