



Moreton Bay Trailer Boat Club Inc.

Your Harbourside Escape

1 August 2008

Fellow Members and Berth Purchasers

RE: SALE OF MARINA BERTH LEASES

I am pleased to enclose the offer of berths in the expansion of the marina totaling 135 new berths for your possible interest.

At the time of writing this letter, negotiations with POBC have been finalised and it is expected formal documents will be signed in the immediate future and dredging in the Harbour for the new single channel and the new berths will commence. Estimated figures for levies are attached and will be included in the Agreement referred to in items 3 and 5 of the Offer for Marina Berth is sent out to you for signature.

The full documentation will be delivered to you after acceptance of this proposal by MBTBC, the \$5,000 initial deposit is refundable if you are not comfortable with the documents or if your choices of berth cannot be accommodated. Allocations of berths will be on a first come first served basis so please list 3 choices in order of your preference so that we can seek to accommodate you as best as possible.

Timing of payment is to be as follows:

- Initial \$5,000 payment to secure berth on submission of the offer – balance to make up one third of the lease rental on completion of documentation generally within 30 days of receiving the documents package.
- Further one third on completion of piling in the relevant area of the proposed berth.
- Final one third on completion of construction.

The sub-lease documentation may take up to 6 months after completion whilst the Minister signs off on the head lease but we believe this timetable will be shortened. All berth purchasers who are not club members will need to join the club at the time of purchase.

As this will be the last opportunity for the Club to expand berth numbers in Manly Boat Harbour, I would commend the securing of a 'home' for your boat or future vessels as there is considerable upward pressure on rental rates for berths in a limited and finite market.

For further information please contact Vice-Commodore, Frank Ugolini on 1300 889 509 or email frank@mbtbc.com or the web site at www.mbtbcmarinasales.com

Kind regards

John Cardillo
Commodore

PROCESS FOR SECURING A BERTH

- Limit one berth per member
- Offer document should provide first, second and third choices and a confirmation or otherwise will be communicated within 7 days including a full complement of Agreement and Sub-Lease documentation and further information within 30 days.
- Offers received should include a cheque for \$5,000 payable to Moreton Bay Trailer Boat Club Inc and these funds and further progress payments will be held in a separate bank account your final agreement for sub-lease to purchase is executed.
- Payment Schedule will be set out in the documentation as below
 - Balance of first one third on signing the Agreement for Construction and Sub-Lease.
 - Second one third on completion of piling in the area of the chosen berth (approx August - September 2008)
 - Final one-third on completion of construction of the berth (approx December 2008)

**MARINA BERTHS SALE OFFER
PROPOSED SUB-LEASE SALES, PRICE LIST AND ANTICIPATED ANNUAL LEVIES**

The sub-lease sale price list and a plan of the proposed marina are available on the clubs website (www.mbtbcforum.com/marinasales) or at the club's administration office.

For further information please contact Vice-Commodore, Frank Ugolini on 1300 889 509 or email frank@mbtbc.com

OFFER FOR MARINA BERTH

To: Moreton Bay Trailer Boat Club Inc

I/we _____ (*insert name*)(“*Berth Owner*”) of:

Address: _____ (*Insert address*)

Hereby offer to enter into an Agreement for Construction and Sub-Lease (“*Agreement*”) with you and subsequently to be granted a Sub-Lease of a berth in the New Marina at the Moreton Bay Trailer Boat Club on the following terms:

Berth No: _____ or, if it is not available _____ or if it is not available _____ (“*the berth*”)

Dimensions of Berth: _____ metres length _____ metres beam. These are the maximum dimensions of the vessel which can be moored in the berth.

Terms of Sub lease: 24 years (*As per price list and offer from Port of Brisbane Corporation*)

Lease rental amount: \$ _____ (plus GST) to be paid in full in advance (*As per the official price list posted on the Club’s web site or available at the club administration office*)

Attached is a cheque for \$ 5,000.00 as the Commitment Fee and in part payment of the deposit of one third of the lease rental.

Balance of Deposit \$ _____

In executing the offer, I/we

1. agree that signing this offer constitutes an irrevocable offer made by me/us to enter into the Agreement and take a Sub-Lease of the berth and this offer remains open for acceptance by you for 7 days from the date hereof;
2. agree that your accepting this offer and providing me/us with a copy of it signed by you, either by post, facsimile or delivery, constitutes your acceptance of the irrevocable offer on the terms and conditions contained herein. Applications will be processed in order of receipt delivered to the club administration office;
3. agree that this offer and the Agreement entered into pursuant hereto is subject to and conditional upon all approvals, permits, consents and the like under all relevant legislation or local government requirements being granted by various authorities on terms to your satisfaction allowing for construction of the New Marina and your providing me/us with the use and occupation of the berth and granting me/us a Sub-Lease of the berth by 28th February 2009;
4. if the conditions contained in point 3 above are not satisfied or, in your opinion, are unlikely to be satisfied within a reasonable time in the future, you will advise me/us in writing and this offer and the Agreement executed pursuant hereto shall be at an end and the Commitment Fee and Balance of Deposit shall be refunded to me/us and in such a case, I /we acknowledged that I/we will have no claim against you.
5. agree to execute and return the Agreement to you with in 10 days of the date of submission of the Agreement together with payment of the Balance of Deposit.

6. agree that Sub-Lease will be the same or on substantially the same terms as those set out in the draft document forming part of the Agreement and amended only as provided for as stated in the Agreement,
7. agree that if I/we do not enter into the agreement and return it to you together with the Balance Deposit within 10 days of the submission of the document in accordance with the terms of this offer, then, in addition to any other rights you may have under this offer, at law or in equity, you may retain the Commitment Fee;
8. agree that if a company is to enter into the Agreement, then all directors and shareholders must sign a guarantee guaranteeing the performance by the company under the Agreement and the Sub-Lease;
9. confirm the details contained in the attached Confirmation of Details Form are correct; and
10. confirm the balance of the Lease Rental will be paid in terms of the Agreement and beyond the details set out herein the dealings between us in relation to the berth will be governed by the Agreement and the Sub-Lease;
11. will make a contribution to legal fees of \$1083.50

EXECUTION OF OFFER:

Executed by the berth owner this _____ day of _____ 200_____

Witness: _____ Signature _____

ACCEPTANCE OF OFFER

Executed by Moreton Bay Trailer Boat Club Inc

By its duty authorized agent: _____

A. PERSONAL DETAILS

Full Name/s: _____

Address: _____

Phone: _____ Mobile: _____

Email: _____ Fax: _____

MBTBC Membership Number: _____

B. VESSEL DETAILS

(If this section is incomplete, I/we confirm I/we do not own a vessel)

Type Of Vessel: *(Please Circle)* Power/Sail Mono/Multihull Other: _____

Length: _____ m

Beam: _____ m

Name: _____

C. COMPANY SUB-LEASE

If the proposed sub-lease is a company, names and addresses of directors and/or principal shareholders required to provide a guarantee.

Name: _____ Name: _____

Address: _____ Address: _____

Name: _____ Name: _____

Address: _____ Address: _____

D. TRUSTEE SUB-LEASE

If the proposed sub-lease is the trustee of a trust:

Name of Trust: _____

(A copy of the Trust deed must be provided to Dibbs Abbott Stillman at the time of execution and return of the Agreement)

E. TENURE

Joint Tenants/ Tenants in common in proportion of: _____

(Please specify – if not specified, tenants in common in equal shares will be presumed)