



20 June 2022

Mr and Mrs A Schiermeier

By e-mail

cc: A Radue; A Coventry

Dear Mr and Mrs Schiermeier

Property dispute: Portions 334 and 335 (of 22) of the Farm Spring Vale 2170

I represent Andrew and Louise Radue who are the registered owners of Portion 334 (of 22) of the Farm Spring Vale which is a property, 1892 square metres in extent, and is situated on the corner of Main Road and Lake Drive in Rosetta.

The neighbouring property, Portion 335 is owned by Anne Coventry.

My instructions are that:

- 1 You initially purchased Portion 334 from David Crago. At the time you purchased the property, Mr Crago provided you with plans for a house to be erected on the property. These plans were drawn up by Vanessa Archer Architects on Mr Crago's behalf.
- 2 The plans correctly reflected the positioning of the house on Portion 334, but for reasons which are not clear, you built the house, almost entirely, on Portion 335. A copy of a Survey Plan prepared last week by JAY Haines, Professional Land Surveyor, is attached which indicates clearly the extent of the encroachment.
- 3 On 26 September last year you sold Portion 334 to my clients and the transfer was registered in the Deeds Office on 31 January 2022
- 4 My clients now face a claim from Mrs Coventry for the value of Portion 335.
- 5 If Mrs Coventry is not paid for her property, she would have the right, in law, to obtain an order from the High Court that the part of the house which encroaches onto portion 335 must be demolished.

A demolition would be a very drastic step, and the purpose of this letter is to enquire from you what alternative proposals you may have to resolve the problem.

The situation is complex and before the parties rush off to court to protect their rights, I believe that we should try to explore how the issue can be resolved without the need for court proceedings.

Pat Dewes
ATTORNEY

Please let me have your suggestions for a solution in writing by 30 June 2022. It may be in your interests to seek legal advice before responding to this letter.

Yours faithfully



PRJ DEWES