

FURTHER NOTICE TO INVESTORS – CENTURIA 8 CENTRAL AVENUE FUND NO. 2

Investors are not required to take any action arising from this notice.

In our update dated 28 February 2024 we told investors Centuria had applied to the Federal Court for orders to make it clear the Fund is able to operate until 1 January 2026.

Centuria's application was heard by his Honour Justice Jackman on 1 March 2024. Most significantly for investors, Justice Jackman made orders the effect of which are to confirm the **term of the Fund will expire on 1 January 2026**. This is subject to the property being sold earlier or, alternatively, investors voting to further extend the term of the Fund beyond 2026.

A full copy of Justice Jackman's orders is included with this communication.

Investors are not required to take any action arising from this notice or the court's orders. However, any investor is entitled to seek to modify or discharge Justice Jackman's orders by applying to the court by no later than **4.00pm on 7 March 2024**.

Any investor that seeks to do so should seek legal advice promptly, and contact Centuria's solicitors via email at selina.nutley@hallandwilcox.com.au or Justice Jackman's Associate on Associate.JackmanJ@fedcourt.gov.au to advise of their objection.



Federal Court of Australia

District Registry: New South Wales

Division: General

No: NSD208/2024

**CENTURIA PROPERTY FUNDS LIMITED ACN 086 553 639 AS RESPONSIBLE
ENTITY FOR THE CENTURIA 8 CENTRAL AVENUE FUND NO. 2 ARSN 605 264**

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Applicant

ORDER

JUDGE: JUSTICE JACKMAN

DATE OF ORDER: 01 March 2024

WHERE MADE: Sydney

THE COURT ORDERS THAT:

- 1 An order pursuant to s 1322(4) of the *Corporations Act 2001* (Cth) *nunc pro tunc* extending the period of time in which the plaintiff could lodge the Amended Constitution with ASIC pursuant to s 601GC(2) from 1 December 2020 to 16 February 2024.
- 2 An order that the Amended Constitution took effect on 1 December 2020, after a resolution to amend the constitution was passed by the unitholders of the Fund.
- 3 A declaration that the meeting of the Fund held on 13 December 2023 was properly convened.
- 4 A declaration pursuant to s 1322(4) that the plaintiff had continued to validly operate the Fund on the terms of the Amended Constitution.
- 5 By no later than 10.00am on 4 March 2024, the plaintiff is to:
 - (a) Email a copy of these orders to the Australian Securities and Investments Commission at legal.document.service@asic.gov.au; and
 - (b) notify Unitholders of the Centuria 8 Central Avenue Fund No. 2 ARSN 605 264 211 (**Fund**) of these orders by:
 - (i) publishing a copy of the orders on its investor portal;



- (ii) For those unitholders the plaintiff holds email addresses, by sending a copy of the orders by email; and
- (iii) For those unitholders the plaintiff does not hold email addresses, by sending a copy of these orders by express post to the address listed in the register of unitholders.

- 6 Subject to further order, stay order 1 to 4 above until 4.00pm on 8 March 2024.
- 7 Grant liberty to any person with a sufficient interest in these orders to apply to modify or discharge these orders on 1 business days' notice, by emailing my associate or the applicant's solicitor no later than 4.00pm on 7 March 2024.

Date that entry is stamped: 1 March 2024

Sia Lagos
Registrar