



# View Instrument Details

**Instrument No** 10991928.10  
**Status** Registered  
**Date & Time Lodged** 17 April 2018 10:08  
**Lodged By** Tagimacruz, Emeryn Gardones  
**Instrument Type** Easement Instrument



---

Affected Computer Registers	Land District
799410	South Auckland
799415	South Auckland

---

**Annexure Schedule:** Contains 4 Pages.

---

## Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Mortgagee under Mortgage 6468790.3 has consented to this transaction and I hold that consent

## Signature

Signed by Helen Maree Nathan as Grantor Representative on 13/04/2018 10:21 AM

---

## Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

## Signature

Signed by Helen Maree Nathan as Grantee Representative on 13/04/2018 10:21 AM

\*\*\* End of Report \*\*\*

**Form B**

**Easement instrument to grant easement or *profit à prendre*, or create land covenant**

(Sections 90A and 90F Land Transfer Act 1952)

**Grantor**

**TODD DUNCAN HOLDINGS LIMITED**

**Grantee**

**TODD DUNCAN HOLDINGS LIMITED**

**Grant of Easement or *Profit à prendre* or Creation of Covenant**

The Grantor being the registered proprietor of the servient tenement(s) set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

**Schedule A**

*Continue in additional Annexure Schedule, if required*

Purpose (Nature and extent) of easement; <i>profit</i> or covenant	Shown (plan reference) DP 514027	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Land Covenant in respect of height restriction	BB	Lot 9 DP 514027 CFR 799410	Lot 14 DP 514027 CFR 799415

**Covenant provisions**

The provisions applying to the specified covenants are those set out in the Annexure Schedule

*Insert instrument type*

Land Covenants

**LAND COVENANT IN RESPECT OF HEIGHT RESTRICTION**

1. The Grantor shall not erect any building or other structure whatsoever or permit or suffer the growth of any tree, shrub or other vegetation of a height in excess of RL415.92 above mean sea level (in terms of Moturiki Datum), this level being 2 meters above the top of peg 5K as shown on the land transfer plan 514027

PROVIDED ALWAYS that the grantor shall as regards the stipulations and restrictions be personally liable only in respect of breaches thereof which shall occur while the Grantor is the registered proprietor of the servient tenement .

2. If any dispute arises in relation to this covenant, the dispute must be submitted at the request of either part to arbitration under the Arbitration Act 1996 on the following terms:
  - 2.1. The arbitrator is to be jointly agreed upon by the parties.
  - 2.2. If the parties fail to agree upon an arbitrator within 7 days of the issue being submitted to arbitration, either party may require the President of the Waikato Bay of Plenty District Law Society, or it successor, to nominate an arbitrator and that nomination will then bind the parties.

From: East Browster

To: 099766653

24/01/2018 15:12

#286 P.002/065

**Annexure Schedule - Consent Form**  
Land Transfer Act 1952 section 238(2)

Insert type of Instrument  
"Caveat", "Mortgage" etc

Mortgage

2015/6250  
APPROVED  
Registrar-General of Land

Page 1 of 1 pages

**Consentor**  
Surname must be underlined or in CAPITALS

**Capacity and Interest of Consentor**  
(eg. Caveator under Caveat no./Mortgagee under Mortgage no.)

BANK OF NEW ZEALAND	Mortgagee under Mortgage 6468790.3
---------------------	------------------------------------

**Consent**

Delete Land Transfer Act 1952, if inapplicable, and insert name and date of application Act.  
Delete words in [ ] if inconsistent with the consent.  
State full details of the matter for which consent is required.

Pursuant to [Section \_\_\_\_\_ of the Land Transfer Act 1952]  
Pursuant to [Section s224(b)(i) of the Resource Management Act 1991]  
Pursuant to [Section \_\_\_\_\_ of the \_\_\_\_\_ Act]  
Without prejudice to the rights and powers existing under the interest of the Consentor  
The Consentor hereby consents to:  
1. The subdivision of Lot 3-4 DP 363726 comprised in Certificate of Title 259236.  
2. The registration of encumbrances, easement instruments and land covenants within a dealing 10991928.  
3. All documents to enable the deposit of Plan 614027 and the issue of new Certificates of Title.  
4.  
5.

Dated this 2nd day of February 2018

**Attestation**

	Signed in my presence by the Consentor Signature of Witness <u>KFong</u>
	Witness to complete in BLOCK letters (unless legibly printed) Witness name Kathy Fong Occupation BANK OFFICER Address AUCKLAND
Signature of Consentor	

An Annexure Schedule in this form may be attached to the relevant Instrument, where consent is required to enable registration under the Land Transfer Act 1952, or other enactments, under which no form is prescribed.



**CERTIFICATE OF NON-REVOCATION  
OF POWER OF ATTORNEY**

**Makerita Wright**

I, \_\_\_\_\_, Quality Support Lending Fulfilment Officer of  
Auckland, New Zealand, certify:

1. That by deed dated 8 May 2015, Bank of New Zealand, of Level 4, 80 Queen Street, Auckland, New Zealand, appointed me its attorney.
2. A copy of the deed is deposited in the Hamilton registration district of Land Information New Zealand as dealing No. 10097085.2
3. That I have not received notice of any event revoking the power of attorney.

SIGNED at Auckland 02 February 2018

A circular stamp is partially visible behind the signature. The signature is written in black ink over a horizontal line. The name 'Makerita Wright' is printed in a bold, sans-serif font below the line.

**Makerita Wright**