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L. & D. 82

New Zealand

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EASEMENT CERTIFICATE

(IMPORTANT—Registration of this certificate does not of itself create any of the easements specified herein.)

I, WE HENRY BERESFORD POPE of New Plymouth, Farmer and CATHERINE MARY POPE hiswife

being registered proprietors as tenants in common in equal shares being the registered proprietor of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at New Plymouth on the day of 19 under No. 11711 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE

DEPOSITED PLAN No. 11711

Nature of Easement (e.g., Right of Way, etc.)	SERVIENT TENEMENT		Dominant Tenement Allotment No(s).	Title Reference
	Allotment No.	Colour, or Other Means of Identification, of Part Subject to Easement		
(1) "Right to Convey water and additional rights attaching to Easements	Lot 2	Shown (A)	Lot 1	53/733 130/97 100/144
(2) "Right to Convey Water and additional rights attaching to Easements	Lot 2	(B)	Lot 1	
(3) "Right to convey electricity and incidental rights as hereinafter provided	Lot 2	(C)	Lot 1	

State whether any
rights or powers set
out here are in
addition to or in
substitution for those
set out in the Seventh
Schedule to the Land
Transfer Act 1952.

1. Rights and powers: The additional rights and powers to the registered proprietor of the Dominant Tenement to erect and maintain power supply line and water pump on and across the servient tenement as identified on the said plan and to convey electric power through such power supply line this right and power being in addition to those set out in the seventh schedule to the Land Transfer Act 1952 namely the Grantee shall have the full free uninterrupted and unrestricted right liberty and privilege for the grantee and his tenants (in common with the grantor, his tenants and any other person lawfully entitled so to do) from time to time and at all times to place maintain and re-erect an electric power supply in the form of overhead wires and power poles across on and along the land over which the easement is granted or created together with the right and power to place maintain and re-erect an electric water pump and pump cover at the eastern junction of easements marked (B) and (C) on the said deposited plan and together with such additional rights and powers as may appertain thereto as set out in clause 5 of the rights and powers of grantees implied in certain easements by Section 90 of the Land Transfer Act 1952

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

N-24 Dated this 12th day of April 1976

Signed by the above-named B. M. Pope
in the presence of
HENRY BIERESFORD
POPE and CATHERINE
MARY POPE in the
presence of:-

Witness: T. A. Johnson

Occupation: Assistant

Address: Swatford

X Full
POPE

2321783

DISTRICT
NEW ZEALAND

18 JUN 1976 2 57 PM '76

EASEMENT CERTIFICATE

over estate in fee simple

situated in Land District of Taranaki

Particulars entered in the Register-book,

Vol.

folio

the

at 2.57 o'clock.

District
Assistant Land Registrar

of the District of

TARANAKI

Correct for the purposes of the Land Transfer Act.

N. D. Thomson

Solicitor for the Registered Proprietor.

RIGHTS AND POWERS OF GRANTEES IMPLIED IN CERTAIN EASEMENTS
BY SECTION 90D OF THE LAND TRANSFER ACT 1952

"1. RIGHT OF WAY

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass, with or without horses and domestic animals of any kind and with or without carriages, vehicles, motor vehicles, machinery, and implements of any kind, over and along the land over which the right of way is granted or created.

"2. RIGHT TO CONVEY WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to take, convey, and lead water in a free and unimpeded flow (except when the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having the same or similar rights, from the source of supply or point of entry, as the case may be, and following the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"3. RIGHT TO DRAIN WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain and discharge water (whether rain, tempest, spring, soakage, or seepage water) in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule (or, where open drains are provided for, similar rights in regard to those drains, with the necessary modifications as are provided for in respect of pipe lines in the additional rights so set out).

"4. RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain, discharge, or convey sewage and other waste material and fluid in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"5. ADDITIONAL RIGHTS ATTACHING TO EASEMENTS OF RIGHT TO CONVEY WATER AND OF RIGHT TO DRAIN WATER AND OF RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) for the purposes of the easement concerned—

- (a) To use any line of pipes already laid on the stipulated course or any pipe or pipes in replacement or in substitution for all or any of those pipes;
- (b) Where no such line of pipes exists, to lay, place, and maintain, or to have laid, placed, and maintained, a line of pipes of a sufficient internal diameter and of suitable material for the purpose under or over the surface (as the parties decide) of the land over which the easement is granted or created and along the line defined for the purpose where such a line has been so defined:

- (c) In order to construct or maintain the efficiency of any such pipe line, the full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his tenants, servants, agents, and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created (or, where only the position of the pipe line is defined in the easement, upon such part of the land of the grantor and by such route as is reasonable in the circumstances) and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing the pipe line or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.