

S 662996 EC

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Approved by the District Land Registrars: North Auckland 4064/1970, South Auckland S.487357/1970, Canterbury 803133, Gisborne 1970/10, Hawkes Bay 243021, Marlborough 60651, Nelson 128470, Otago 358299, Southland 1970/386, Taranaki 70/177585, Westland 38903.

EASEMENT CERTIFICATE

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

I, ROSS NIEDERER LIMITED a duly Incorporated Company having its registered office at Whakatane

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 Hamilton on the 19 day of 74 under No. S.18337 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. S.18337

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		
Right of Way	Lot 106	A,B,C,D,E	Lots 103, 107 & 108	15A/957
Right of Way	Lot 107	F,G,H,I,J,	Lots 103, 106 & 108	
Right of Way	Lot 108	K,L,M,N,O	Lots 103, 106 & 107	
Right of Way	Lot 112	P	Lots 113, & 114	
Right of Way	Lot 113	Q	Lots 112 & 114	
Right of Way	Lot 114	R	Lots 112 & 113	

1. Rights and powers: —

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.

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

Dated this 27th day of March 19 74

~~XXXXXXXXXXXX~~
THE COMMON SEAL OF ROSS NIEDERER
LIMITED was hereunto affixed

in the presence of *Ross Niederer Director*
R. Niederer Director



Witness:

Occupation:

Address:



652996

REGISTERED IN
DUPLICATE

No.

Correct for the purposes of the Land Transfer Act.

EASEMENT
CERTIFICATE

(Solicitor for) the Registered Proprietor

situated in The Borough of Whakatane

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

PARTICULARS entered in Register Book

Vol. 15A Folio 957

the 1st April 1974

at 2:50 o'clock

District Land Registrar
Assistant
of the District of South AucklandThe easements referred to herein when created will be
subject to section 212 (a) of the Municipal Corpora-
tions Act 1954.
A. L. R.

"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."

LAND & DEEDS

Nature: Easement Certificate

Firm:

Date: 1 - APR 1974

Time: 2.50

Fee: \$ 5

Abstract No. 51

