



View Instrument Details

Instrument No 9338355.9
Status Registered
Date & Time Lodged 23 June 2016 17:06
Lodged By Hollman, Karyn Elizabeth
Instrument Type Easement Instrument



Affected Computer Registers Land District

734110	South Auckland
734113	South Auckland

Annexure Schedule: Contains 3 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 10365251.2 has consented to this transaction and I hold that consent	☒

Signature

Signed by Karyn Elizabeth Hollman as Grantor Representative on 23/06/2016 01:15 PM

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 William Hugh Jones as Grantee Representative on 23/06/2016 01:18 PM

*** 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

Colin David Meadowcroft, Trudy Louise Meadowcroft and Legacy Trustee Services (Meadowcroft) Limited

Sixanacave Limited

Grantee

Whakatane District Council

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)	Servient Tenement (Computer Register)	Dominant Tenement (Computer Register) or in gross
Right to Drain Sewage	A on DP497297	Lot 14 DP497297 (734113)	In Gross
	D on DP497297	Lot 11 DP497297 (734110)	

Form B - continued

Easements or profits à prendre rights and powers (including terms, covenants and conditions)

Delete phrases in [] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or Schedule Five of the Property Law Act 2007

The implied rights and powers are hereby ~~[varied]~~ ~~[negated]~~ ~~[added to]~~ or ~~[substituted]~~ by:

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[the provisions set out in Annexure Schedule 2.]~~

Covenant provisions

Delete phrases in [] and insert Memorandum number as require; continue in additional Annexure Schedule, if required

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

~~[Memorandum number _____, registered under section 155A of the Land Transfer Act 1952]~~

~~[Annexure Schedule ____]~~

Form L

Annexure Schedule 2

Page 3 of 3 Pages

Insert instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required

The rights and powers provided in the Fourth Schedule to the Land Transfer Regulations 2002 shall be implied herein with the following amendments:

RIGHT TO DRAIN SEWAGE

The same rights and powers as set out in paragraph 5 of the Fourth Schedule to the Land Transfer Regulations 2002.

TOGETHER WITH, IN RESPECT OF ALL THE SAID EASEMENTS, the rights and powers as set out in paragraphs 10, 11, 12, 13 and 14 of the Fourth Schedule to the Land Transfer Regulations 2002 **SAVE THAT:**

The Grantor covenants with the Grantee not to place any building, erections, fences, concrete or sealed driveways or other permanent structures on the stipulated areas without the prior consent of the Grantee and the Grantor will not at any time commit or suffer to be done any acts whereby the rights, powers, licences and liberties hereby granted to the Grantee may be interfered with or affected. For the purposes of this clause the Grantor has obtained the Grantees consent to sealed driveways being constructed by the Grantor over the easement areas to provide for vehicular access from Bunyan Road on to the servient land.

Any rights or immunities from liabilities, powers and remedies which the Grantee may have or be entitled to by virtue of statute or at common law shall not be affected by this grant of easement and the Grantee may exercise any such other powers vested in it at common law or by statute independently of this grant of easement.