

*Reguioa Holdings 179049/6 253762.1*

THIS DEED made this *26th* day of *September* 1985

*COV*

BETWEEN FAIRLINE BUILDERS LIMITED at Nelson (hereinafter called "the Covenantor") of the one part

AND the said FAIRLINE BUILDERS LIMITED (hereinafter called "the Covenantee") of the other part

WHEREAS the Covenantor has subdivided the land described in the First Schedule into the lots described therein for the purposes of sale.

AND WHEREAS it is the intention of the Covenantor that each of the said lots is to be subject in perpetuity to a restrictive covenant for the observance of the respective stipulations in the Third or Fifth Schedule hereto contained such restrictive covenant to be for the benefit of each of the lots and so that the owner or occupier for the time being of any one of the said lots may be able to enforce the observance of such stipulations by the owners or occupiers for the time being of the other lots

NOW THEREFORE THIS DEED WITNESSETH as follows

25 SEP 85 20074 CPT #253762.1

NEW ZEALAND STAMP DUTY 0.00

1. THE Covenantor for itself and its successors in title from time to time of each of the lots in the Second Schedule under the column marked "Servient Tenements" HEREBY COVENANTS that each of those lots shall be subject in perpetuity to the stipulations and restrictions contained in the Third Schedule for the benefit of the respective lots in the Second Schedule under the column marked "Dominant Tenements".

2. THE Covenantor for itself and its successors in title from time to time of the lot in the Fourth Schedule under the column marked "Servient Tenement" HEREBY COVENANTS that that lot shall be subject in perpetuity to the stipulations and restrictions contained in the Fifth Schedule for the

benefit of the respective lots in the Fourth Schedule under the column marked "Dominant Tenements".

3. THAT Fairline Builders Limited shall not be liable because of any action it takes or fails to take or for any default in any building erected on any of the Lots as a result of the restrictions hereinbefore stated or otherwise and the registered proprietors for the time being of the Servient and Dominant Tenements shall indemnify and keep indemnified the said Fairline Builders Limited and its successors from any costs claims suits demands or liabilities or otherwise howsoever arising out of or under or by virtue of these presents.

IN WITNESS WHEREOF these presents have been executed the day and year first hereinbefore written.

#### FIRST SCHEDULE

1.1729 hectares being Lots 1-15 inclusive on Deposited Plan 12084 situated in the City of Nelson and comprised in Certificates of Title Nos. 7B/808 to 7B/822 inclusive

#### SECOND SCHEDULE

| Servient Tenements<br>(Lots on D.P. 12084) | Dominant Tenements<br>(Lots on D.P. 12084) |
|--------------------------------------------|--------------------------------------------|
| 1                                          | 2-15 inclusive                             |
| 2                                          | 1 & 3-15 inclusive                         |
| 3                                          | 1 & 2 & 4-15<br>inclusive                  |
| 4                                          | 1, 2, 3, & 5-15<br>inclusive               |
| 5                                          | 1-4 & 6-15                                 |

|    |                             |
|----|-----------------------------|
|    | inclusive                   |
| 6  | 1-5 & 7-15<br>inclusive     |
| 7  | 1-6 & 8-15<br>inclusive     |
| 9  | 1-8 & 10-15<br>inclusive    |
| 10 | 1-9 & 11-15<br>inclusive    |
| 11 | 1-10 & 12-15<br>inclusive   |
| 12 | 1-11 & 13-15<br>inclusive   |
| 13 | 1-12 inclusive<br>& 14 & 15 |
| 14 | 1-13 inclusive<br>& 15      |
| 15 | 1-14 inclusive              |

THIRD SCHEDULE

Not to erect or permit to be erected upon any servient tenement any building or structure other than a single dwellinghouse with appropriate outbuildings.

FOURTH SCHEDULE

Servient Tenement

Dominant Tenements

Lot 8

Lots 1-7 & 9-15 inclusive

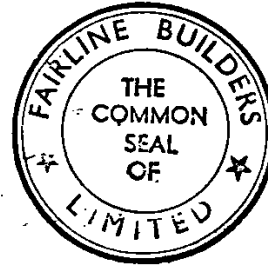
Deposited Plan 12084

on Deposited Plan 12084

FIFTH SCHEDULE

Not to erect or permit to be erected upon the servient  
tenement any buildings or structure of more than two  
dwelling units with appropriate outbuildings.

THE COMMON SEAL of )  
FAIRLINE BUILDERS LIMITED )  
as Covenantor and Covenantee )  
was hereunto affixed )  
in the presence of: )  
..... *Barley* ..... Director  
..... *R.H. Carls* ..... Director



FAIRLINE BUILDERS LIMITED

Covenantor

FAIRLINE BUILDERS LIMITED

Covenantee

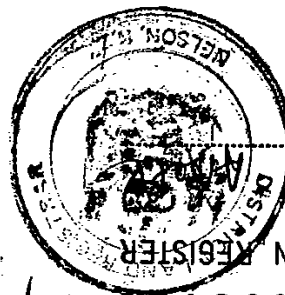
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DEED OF RESTRICTIVE COVENANT

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Fell & Harley  
Solicitors  
NELSON



253762

2.05 01.01.85

! PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY NELSON  
! ASST. LAND REGISTRAR

