

Easement instrument to grant easement or profit à prendre, or create land covenant
Sections 90A and 90F, Land Transfer Act 1952

Land registration district

NORTH AUCKLAND



EI 6491997.14 Easement

Cpv - 01/01.Pgs - 009.18/07/05.08:44



DocID 312015712

Grantor

Surname(s) m

DANNEMORA PROPERTY TRUSTEE LIMITED

Grantee

Surname(s) must be underlined or in CAPITALS.

TELECOM NEW ZEALAND LIMITED

Grant* of easement or profit à prendre or creation or 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).

Dated this 2 day of February 2005

Attestation

Dannemora Property Trustee Limited by its
attorney Simon George Mortlock

Signature [common seal] of Grantor

Signed in my presence by the Grantor

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness name **MORGAN DONNA KELLY**
Occupation **LEGAL SECRETARY**
CHRISTCHURCH

Address

Attorney

Attorney

Signature [common seal] of Grantee

Signed in my presence by the Grantee

Signature of witness

Witness to complete in BLOCK letters (unless legibly printed)

Witness name **CHRISTINE CATHERINE**
LOUGHNAN
Occupation **Aquisition Project Consultant**
Address **WELLINGTON**

Certified correct for the purposes of the Land Transfer Act 1952.

[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.



Easement instrument

Dated 2 February 2005

Page 1 of 3 pages

Schedule A

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right to convey telecommunications and computer media	A DP 345553	186660, 186661, 186678, 186679, 186680	In gross
	B DP 345553	186675, 186676, 186681, 186689	In gross
	C DP 345553	186677 & 186688 186662, 186663 & 186664	In gross
	D DP 345553	186694, 186695	In gross

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 specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are ~~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 required.
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 2].

All signing parties and either their witnesses or solicitors must sign or initial in this box

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated 2 February 2005

Page 2 of 3 Pages

(Continue in additional Annexure Schedule if required.)

Continuation of Schedule A

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient Tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right to convey telecommunications and computer media	E DP 345553	186700, 186701, 186702, 186703	In gross
	AC DP 345553	186660, 186661, 186678, 186679, 186680	In gross
	AD DP 345553	186675, 186676, 186681, 186689, 186677 & 186688	In gross
	AE DP 345553	186675, 186676, 186681, 186689, 186677 & 186688	In gross

1. The easement facility includes any "Lines", "Works", "existing Lines" and "existing Works" as defined in the Telecommunications Act 2001, owned by the Grantee.
2. This grant of easement is not in substitution for, and is without prejudice to, such statutory rights and authorities as the Grantee may have from time to time in respect of the Servient Tenement.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

EL AB m Q NR

Annexure Schedule



Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement

Dated

2 February 2005

Page

3

of

3

Pages

(Continue in additional Annexure Schedule, if required.)

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

We:

Craig Ritchie Bonnington
Property Support Analyst
Telecom New Zealand Limited

and

Mark Robert Larsen
Property Acquisition Manager
Telecom New Zealand Limited

Hereby severally certify:

1. That by a Power of Attorney dated 2 July 2001 ("the Power of Attorney") we were, by virtue of being Authorised Signing Officers, appointed jointly as attorneys of Telecom New Zealand Limited ("Telecom") on the terms and subject to the conditions set out in the Power of Attorney.
2. That copies of the Power of Attorney are deposited in the Land Titles Office at:

Auckland as No D.627839.1
Christchurch as No 5074754.1
Dunedin as No 5074473.1

Gisborne as No 234465.1
Hamilton as No B.674932.1
Napier as No 719487.1

New Plymouth as No 481759.1
Wellington as No 5074486.1

3. That we executed the instrument(s) to which this certificate relates under the powers conferred by the Power of Attorney.
4. That at the date hereof we have not received any notice or information of the revocation of that appointment by the commencement of liquidation of Telecom or otherwise.

SIGNED at Wellington
this 11 day of FEB 2005

SIGNED at Wellington
this 11 day of FEB 2005

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

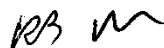
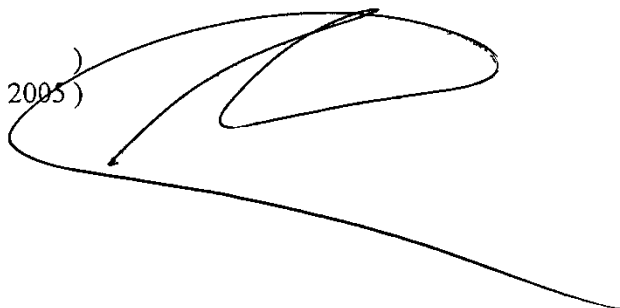
CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

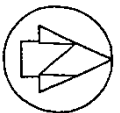
I, SIMON GEORGE MORTLOCK of Christchurch, Solicitor **HEREBY CERTIFY:**

1. **THAT** by Deed dated the **11th June 2002** a copy of which has been deposited in the Land Registry Office at North Auckland and there numbered 5252076.1 **DANNEMORA PROPERTY TRUSTEE LIMITED** at Auckland appointed me their Attorney on the terms and subject to the conditions set out in the said Deed.
2. **THAT** at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said **DANNEMORA PROPERTY TRUSTEE LIMITED**

SIGNED at Christchurch

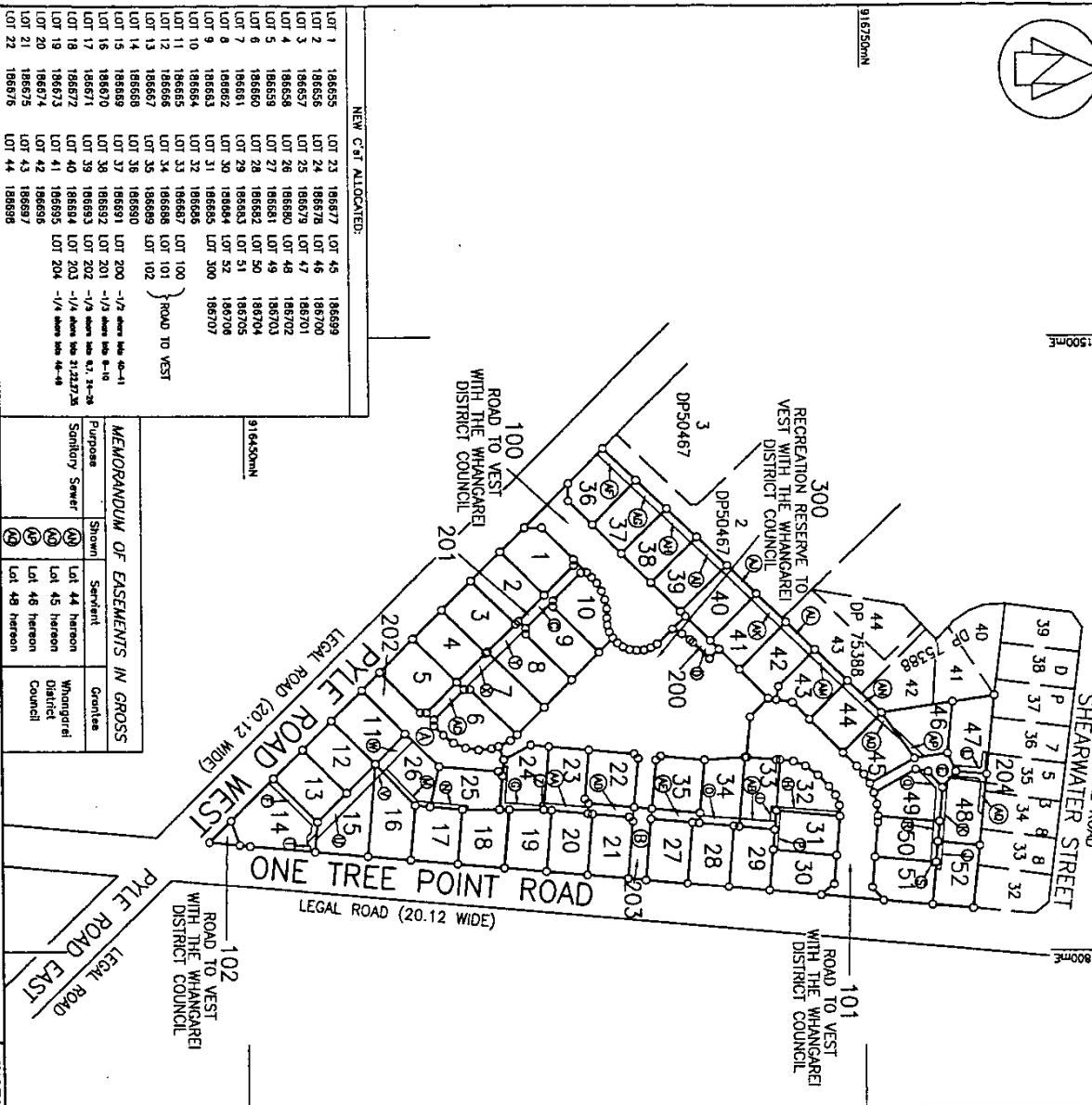
2 day of February 2005)





371500mE

371800mE



MEMORANDUM OF EASEMENTS IN GROSS			
Purpose	Shown	Servient	Grantee
Pedestrian Right of way, Stormwater flow paths, Sanitary Sewer & Stormwater, Stormwater flow paths, Sanitary Sewer, Stormwater & Water Supply	(A)	Lot 202 hereon	
Stormwater	(B)	Lot 203 hereon	
Sanitary Sewer	(C)	Lot 201 hereon, Lot 200 hereon, Lot 204 hereon, Lot 202 hereon, Lot 203 hereon	
Stormwater	(D)	Lot 14 hereon	
Sanitary Sewer	(E)	Lot 25 hereon, Lot 31 hereon, Lot 49 hereon, Lot 50 hereon, Lot 51 hereon	
Sanitary Sewer	(F)	Lot 26 hereon, Lot 34 hereon, Lot 31 hereon, Lot 49 hereon, Lot 50 hereon, Lot 51 hereon	
Sanitary Sewer	(G)	Lot 15 hereon, Lot 16 hereon, Lot 21 hereon, Lot 27 hereon, Lot 8 hereon, Lot 24 hereon, Lot 33 hereon	
Electricity	(H)	Lot 202 hereon, Lot 201 hereon, Lot 200 hereon, Lot 202 hereon, Lot 203 hereon	Northpower Ltd
Telecom	(I)	Lot 202 hereon, Lot 203 hereon	Telecom Corporation of NZ Ltd
Sanitary Sewer	(J)	Lot 36 hereon, Lot 37 hereon, Lot 38 hereon, Lot 39 hereon, Lot 40 hereon, Lot 41 hereon, Lot 42 hereon, Lot 43 hereon	Whangarei District Council

LAND DISTRICT NORTH AUCKLAND
SURREY BLK & DIST. III, RUAKAKA
NZMS 261 SH1 RECORD MAP NO

LOTS 1-52, 100-102, 200-204, 300 BEING
A SUBDIVISION OF LOT 1 DP153407

Scale 1:1500 Date NOVEMBER 2004

Deposited by Land Information NZ on
Received Instructions DP345553

APPROVED
I hereby certify that this plan was approved by the Whangarei District Council pursuant to Section 223 of the Resource Management Act 1991 on the day of 2000 subject to the conditions set out in the memorandum hereto and the granting of easements in the memorandum hereto.

Authorised Officer
ANALYST/CONDITIONS
That Lot 200 hereon (legal access) be held as to two undivided one half shares by the owners of Lots 40 & 41 as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
(See A634685)
That Lot 201 hereon (legal access) be held as to two undivided one half shares by the owners of Lots 8, 9, and 10 as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
(See A634685)
That Lot 202 hereon (legal access) be held as to two undivided one half shares by the owners of Lots 46, 47, 48 and 49 as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
(See A634685)
That Lot 203 hereon (legal access) be held as to four undivided one quarter shares by the owners of Lots 21, 22, 23, and 24 as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
(See A634685)
That Lot 204 hereon (legal access) be held as to four undivided one quarter shares by the owners of Lots 46, 47, 48 and 49 as tenants in common in the said shares and that individual Certificates of Title be issued in accordance therewith.
(See A634685)

SHEET 1 OF 4
CLASS 1 SURVEY
Total Area 4,5207ha
Comprised in Natic/272

1. Lyndon J. Endicott-Davies being a person entitled to practice as a licensed cadastral surveyor, certify that:
(a) the survey to which this document relates is conducted in accordance with the Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2;
(b) this document is accurate and has been created in accordance with that Act and those Rules.
Dated at Auckland this day of 2000
Signature
Field book P Traverse Book P
Reference Plans
Examined Correct
Approved as to Survey by Land Information NZ on

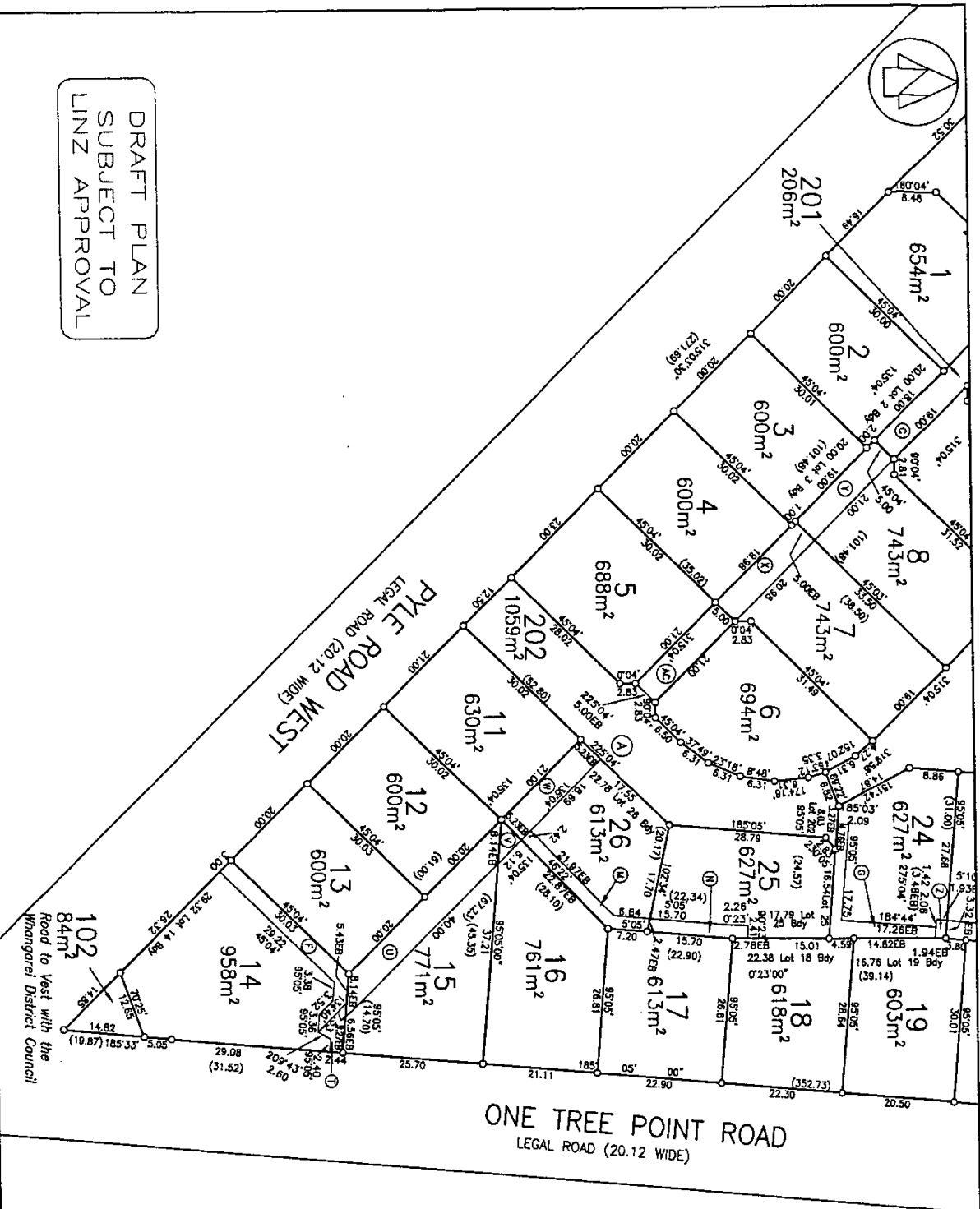
LAND DISTRICT NORTH AUCKLAND
SURVEY BLK & DIST. III, RUAKAKA
NZMS 261 SH1 RECORD MAP NO

LOTS 1-52, 100-102, 200-204, 300 BEING
A SUBDIVISION OF LOT 1 DP153407

TERRITORIAL AUTHORITY WHANGAREI DISTRICT
Surveyed by **WOOD** AND PARTNERS
Scale 1:500 Date NOVEMBER 2004

Deposited by Land Information NZ on
Cod Ref OFP-LT500-342
Instructions DP345553
APPROVED (LAW) 16 DEPT (RMA) 015

DRAFT PLAN
SUBJECT TO
LINZ APPROVAL



SHEET 2 OF 4

CLASS I SURVEY

Total Area

Comprised in M31/C/272

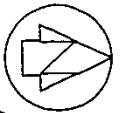
I, Lyndon J. Endicott, being a person entitled to practice as a surveyor, hereby certify that the information contained in this plan was obtained by me or under my direction in accordance with the Code of Survey Practice 2002/2. This document is accurate, and has been created in accordance with that Act and those Rules. Dated at Auckland this day of 2004 Signature

Field book P Traverse Book P Reference Plans

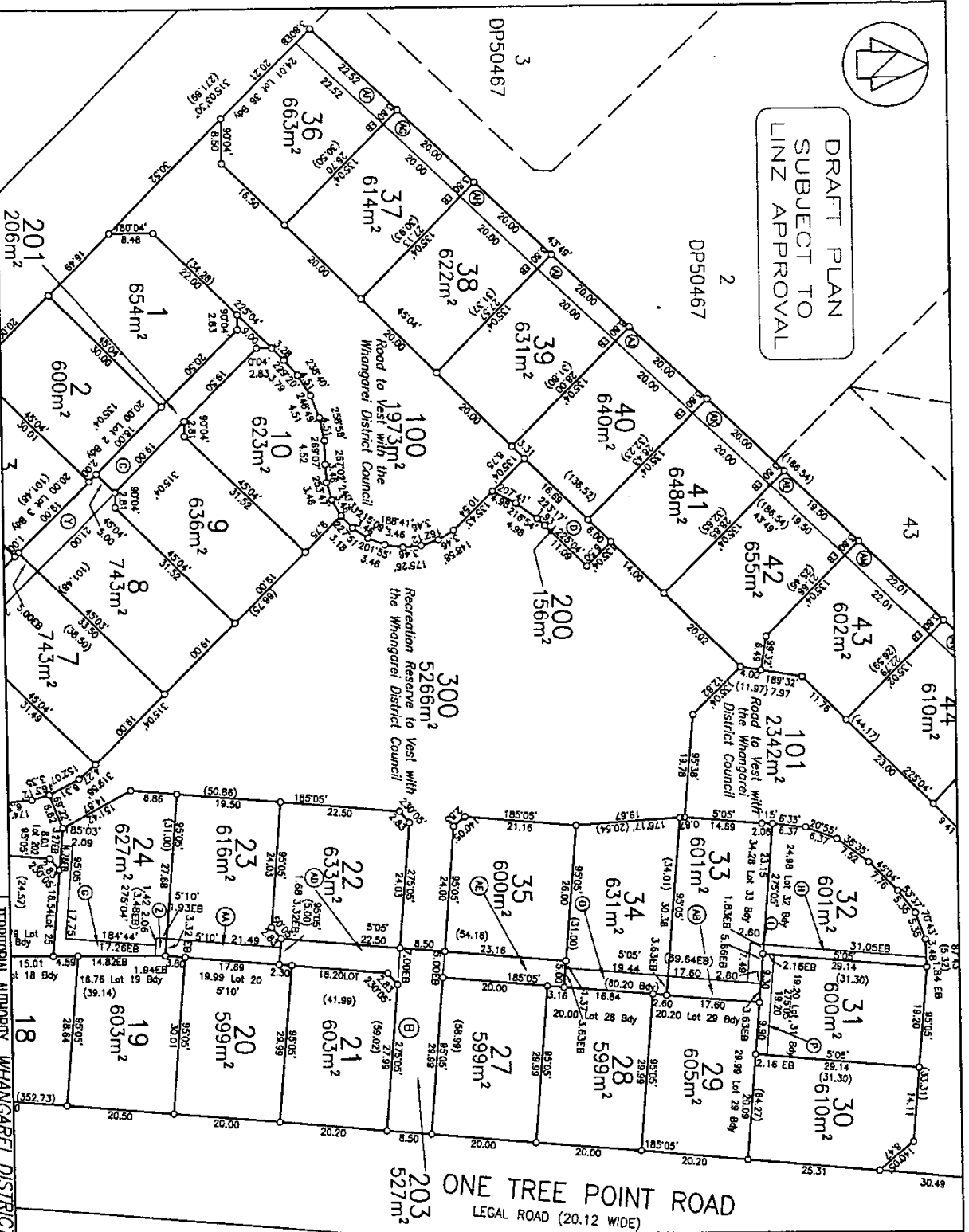
Examined Correct

Approved as to Survey by Land Information NZ on

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DRAFT PLAN
SUBJECT TO
LINZ APPROVAL



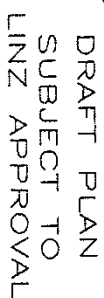
LAND DISTRICT NORTH AUCKLAND
SURVEY BLK & DIST. III, RUAKAKA
NZMS 261 SH1 RECORD MAP NO

LOTS 1-52, 100-102, 200-204, 300 BEING
A SUBDIVISION OF LOT 1 DP153407

Scale 1:500
Date NOVEMBER 2004
Territorial Authority WHANGAREI DISTRICT
Surveyed by **WOOD** AND PARTNERS

Deposited by Land Information NZ on
Cod Ref OIP-L1500-453
Received Instructions
DP345553

CLASS 1 SURVEY
SHEET 3 OF 4
Total Area
Comprised in N91C/272
Lundon J Endicott-Davies being a person entitled to practice as a licensed cadastral surveyor, certify that -
(a) The surveys to which this document relates are accurate, and were undertaken by me or under my direction in accordance with the Code of Practice for Surveyors 2002/2 and the Surveyors' Rules for the Code of Practice for Surveyors 2002/2.
(b) This document is accurate, and has been created in accordance with that Act and these Rules.
Dated at Auckland this day of 2004
Signature
Field book P Traverse Book P
Reference Plans
Examined Correct
Approved as to Survey by Land Information NZ on
...../...../.....



SHEET 4 OF 4	
CLASS 1 SURVEY	
Total Area	
Comprised in	
1. Lyndon J. Erdreich-Dodson being a person entitled to the survey of the above described survey, certify that - (a) the survey to which this document relates is accurate, and was undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Survey-General's Rules for Cadastral Survey 2002/2; (b) the document is accurate, and has been created in accordance with that Act and these Rules. Dated at Auckland this day of 2002 Signature	
Field book	P Traverse Book P
Reference Plans	
Examined	Correct
Approved as to Survey by Land Information NZ on	
Deposited by Land Information NZ on	
Cod Ref DTP-LT500-sr4	DP345553
Instructions	