

View Instrument Details



Instrument No 11589318.5
Status Registered
Date & Time Lodged 15 January 2020 16:26
Lodged By Hema, Jacqueline Kaya
Instrument Type Easement Instrument



Affected Records of Title	Land District
854706	South Auckland
854707	South Auckland
854709	South Auckland
912102	South Auckland
912103	South Auckland
912111	South Auckland
912119	South Auckland
912120	South Auckland
912121	South Auckland
912122	South Auckland
912123	South Auckland
912125	South Auckland
912126	South Auckland
912127	South Auckland
912129	South Auckland
912130	South Auckland
912131	South Auckland
912132	South Auckland
912133	South Auckland
912134	South Auckland
912135	South Auckland
912136	South Auckland

Annexure Schedule Contains 5 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 11031233.1 has consented to this transaction and I hold that consent ☒

Mortgage 7679449.3 does not affect the burdened land, therefore the consent of the Mortgagee is not required ☒

Signature

Signed by Peter Ian Attewell as Grantor Representative on 27/01/2020 09:47 AM

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 Peter Ian Attewell as Grantee Representative on 27/01/2020 09:47 AM

***** End of Report *****

Approved for ADLS by Registrar-General of Land under No. 2018/6266

EASEMENT INSTRUMENT TO GRANT EASEMENT OR PROFIT À PRENDRE

Sections 109 Land Transfer Act 2017



Grantor

Pag Enterprises Limited

Grantee

Pag Enterprises Limited and Alexander David Gray

Grant of Easement or Profit à prendre

The Grantor being the registered owner of the burdened land 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, 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, or profit	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way	A DP 542066	Lot 54 DP 542066 (RT 912126)	Lots 53 and 55 DP 542066 (RT 912125 & 912127)
	B DP 542066	Lot 55 DP 542066 (RT 912127)	Lots 53 and 54 DP 542066 (RT 912125 & 912126)
	C DP 542066	Lot 18 DP 542066 (RT 912103)	Lot 17 DP 542066 (RT 912102)
	D DP 542066	Lot 17 DP 542066 (RT 912102)	Lot 18 DP 542066 (RT 912103)
	I DP 542066	Lot 105 DP 542066 (Part Record of Titles 912130, 912131, 912132, 912133, 912134 & 912135)	Lots 58, 59, 60, 61, 62 and 63 DP 542066 (RT 912130, 912131, 912132, 912133, 912134 & 912135)
CONTINUED ON ANNEXURE SCHEDULE			

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 2018 and/or Schedule 5 of the Property Law Act 2007

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

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017]

[the provisions set out in Annexure Schedule _____]

Annexure Schedule

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Continue in additional Annexure Schedule, if required

Continuation of "Schedule A"			
Purpose of Easement, or profit	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right to Convey Water	A DP 542066	Lot 54 DP 542066 (RT 912126)	Lots 53 and 55 DP 542066 (RT 912125 & 912127)
	B DP 542066	Lot 55 DP 542066 (RT 912127)	Lots 53 and 54 DP 542066 (RT 912125 & 912126)
	C DP 542066	Lot 18 DP 542066 (RT 912103)	Lot 17 DP 542066 (RT 912102)
	D DP 542066	Lot 17 DP 542066 (RT 912102)	Lot 18 DP 542066 (RT 912103)
Right to Drain Water, Sewage	A DP 542066	Lot 54 DP 542066 (RT 912126)	Lot 55 DP 542066 (RT 912127)
	B DP 542066	Lot 55 DP 542066 (RT 912127)	Lot 54 DP 542066 (RT 912126)
Right to Drain Water	A DP 542066	Lot 54 DP 542066 (RT 912126)	Lot 53 DP 542066 (RT 912125)
	B DP 542066	Lot 55 DP 542066 (RT 912127)	Lot 53 DP 542066 (RT 912125)
	C DP 542066	Lot 18 DP 542066 (RT 912103)	Lot 17 DP 542066 (RT 912102)
	D DP 542066	Lot 17 DP 542066 (RT 912102)	Lot 18 DP 542066 (RT 912103)
Right to Convey Telecommunications, Electricity	A DP 542066	Lot 54 DP 542066 (RT 912126)	Lots 53 and 55 DP 542066 (RT 912125 & 912127)
	B DP 542066	Lot 55 DP 542066 (RT 912127)	Lots 53 and 54 DP 542066 (RT 912125 & 912126)
	C DP 542066	Lot 18 DP 542066 (RT 912103)	Lot 17 DP 542066 (RT 912102)
	D DP 542066	Lot 17 DP 542066 (RT 912102)	Lot 18 DP 542066 (RT 912103)

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.

Annexure Schedule

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	M DP 542066	Lot 57 DP 542066 (RT 912129)	Lot 58 DP 542066 (RT 912130)
Right to Drain Water	U DP 542066	Lot 60 DP 512066 (RT 912132)	Lots 47, 48, 49, 50, 51, 57, 58 and 59 DP 542066 (RT 912119, 912120, 912121, 912122, 912123, 912129, 912130 & 912131)
	UA DP 542066	Lot 59 DP 542066 (RT 912131)	Lots 47, 48, 49, 50, 51, 57 and 58 DP 542066 (RT 912119, 912120, 912121, 912122, 912123, 912129 & 912130)
	UB DP 542066	Lot 58 DP 542066 (RT 912130)	Lots 47, 48, 49, 50, 51 and 57 DP 542066 (RT 912119, 912120, 912121, 912122, 912123 & 912129)
	UC DP 542066	Lot 57 DP 542066 (RT 912129)	Lots 47, 48, 49, 50 and 51 DP 542066 (RT 912119, 912120, 912121, 912122 & 912123)
	UD DP 542066	Lot 51 DP 542066 (RT 912123)	Lots 47, 48, 49 and 50 DP 542066 (RT 912119, 912120, 912121 & 912122)
	UE DP 542066	Lot 50 DP 542066 (RT 912122)	Lots 47, 48 and 49 DP 542066 (RT 912119, 912120 & 912121)
	UF DP 542066	Lot 49 DP 542066 (RT 912121)	Lots 47 and 48 DP 542066 (RT 912119 & 912120)
	UG DP 542066	Lot 48 DP 542066 (RT 912120)	Lot 47 DP 542066 (RT 912119)
	V DP 542066	Lot 61 DP 542066 (RT 912133)	Lot 62 DP 542066 (RT 912134)
	I DP 542066	Lot 105 DP 542066 (Part Record of Titles 912130, 912131, 912132, 912133, 912134 & 912135)	Lots 57, 58, 59, 60, 61, 62, 63 and 64 DP 542066 (RT 912129, 912130, 912131, 912132, 912133, 912134, 912135 & 912136)

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Right to Drain Sewage	I DP 542066	Lot 105 DP 542066 (Part Record of Titles 912130, 912131, 912132, 912133, 912134 & 912135)	Lots 61, 62, 63 and 64 DP 542066 (RT 912133, 912134, 912135 & 912136)
Right to Drain Water	S DP 542066	Lot 39 DP 542066 (RT 912111)	Lots 31, 32 and 34 DP 528615 (RT 854706, 854707 & 854709)

RIGHT TO DRAIN WATER

The same rights and powers as set out in paragraph 4 of the Fourth Schedule to the Land Transfer Regulations 2002.

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.

RIGHTS OF WAY

The same rights and powers as set out in paragraph 6 of the Fourth Schedule to the Land Transfer Regulations 2002 and Fifth Schedule to the Property Law Act 2007

RIGHT TO CONVEY ELECTRICITY

The same rights and powers as set out in paragraph 7 of the Fourth Schedule to the Land Transfer Regulations 2002

RIGHT TO CONVEY WATER

The same rights and powers as set out in paragraph 3 of the Fourth Schedule to the Land Transfer Regulations 2002

RIGHT TO CONVEY TELECOMMUNICATIONS

The same rights and powers as set out in paragraph 8 of the Fourth Schedule to the Land Transfer Regulations 2002.

TOGETHER WITH, IN RESPECT OF ALL OF 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:

- (a) Any maintenance, repair or replacement of any easement facility set out herein that is necessary because of any act or omission by any user (being either or all the owners of the dominant and servient tenement) of the easement facility (which includes any of their agents, employees, contractors, subcontractors or invitees of the user) must be carried out promptly by that user at the sole cost of that user or in such proportion as relates to the act or omission.
- (b) Where there is a conflict between the provisions of the Fourth Schedule to the Land Transfer Regulations 2002 and the Fifth Schedule to the Property Law Act 2007, the provisions of the Fifth Schedule must prevail.

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- (c) Where there is a conflict between the provisions of the Fourth Schedule and/or the Fifth Schedule and the modifications in this Easement Instrument, the modifications must prevail.

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.