A363146 TE

(Approved by the District Land Registrar, Auckland, No. 2511)

[New Zealand]

Memorandum of Transfer

BY WAY OF DRAINAGE EASEMENT

N.Z. Stamp Duty Act 19-11-69 197421 —DTY ******1.00

WHEREAS

I. The AUCKLAND REGIONAL AUTHORITY a body corporate constituted under the Auckland Regional Authority Act 1963 (hereinafter with its successors and assigns referred to as and included in the term "the Grantor") is ~~, being~~ registered as proprietor of an estate in fee simple

subject, however, to such encumbrances, liens, and interests as are notified by memoranda underwritten or endorsed hereon in those ~~piece~~ parcels of land situate in the Land Registration District of North Auckland containing

FIRSTLY ONE ROOD THIRTEEN DECIMAL FIVE PERCHES (1r. 13.5p.) be the same a little more or less being Lot 1 Deposited Plan 54666 and being part Allotment 28 Parish of Waikomiti and being the whole of the land comprised and described in CERTIFICATE OF TITLE VOLUME 12A FOLIO 630

SECONDLY ONE ROOD TEN DECIMAL EIGHT PERCHES (1r. 10.8p.) more or less being Lot 2 Deposited Plan 54666 and being part Allotment 28 Parish of Waikomiti and being the whole of the land comprised and described in CERTIFICATE OF TITLE VOLUME 12A FOLIO 631

THIRDLY ONE ROOD ELEVEN DECIMAL ONE PERCHES (1r. 11.1p.) more or less being Lot 3 Deposited Plan 54666 and being part Allotment 28 Parish of Waikomiti and being the whole of the land comprised and described in CERTIFICATE OF TITLE VOLUME 12A FOLIO 632

II. All the said pieces of land above described are subject to Section 37 (1)(c) of The Counties Amendment Act 1961

III. All the said pieces of land above described are hereinafter called "the said land"

IV. The Grantor is required to create a storm water and surface water easement over the said land in favour of THE BODY CORPORATE called THE CHAIRMAN COUNCILLORS AND INHABITANTS OF THE COUNTY OF WAITEMATA (hereinafter with its successors and assigns referred to as and included in the term "the Corporation")

NOW THIS MEMORANDUM OF TRANSFER WITNESSETH that IN PURSUANCE of such requirement AND IN CONSIDERATION of the premises the Grantor DOTH HEREBY TRANSFER AND GRANT unto the Corporation as an easement in gross full and free right liberty and license for all time hereafter to carry convey lead drain and discharge water whether rain tempest spring soakage or seepage water in any quantities on to through or over the said land AND to collect and concentrate at such place or places on any of the roads shown on the said plan and/or any other roads in the vicinity of the said land or at any other place or places as the Corporation shall think fit all water which shall fall upon or other-wise make its way on to or be directed or diverted on to the said roads or land or places or any of them and to carry convey lead drain discharge or allow to escape in any

quantities the said water from such roads or land or places or any of them on to the said land or any part or parts thereof AND for any of the purposes aforesaid and from time to time to construct dig lay extend maintain alter repair renew and cleanse open drains pipes or conduits through over along or under the said land or any part or parts thereof AND ALSO full power and authority for the Corporation its surveyors engineers workmen contractors agents and servants with or without horses carts motor or other vehicles and machinery plant and equipment from time to time and at all times to enter and remain for any of the purposes aforesaid upon the said land or any part or parts thereof as shall be necessary for such purposes and generally to do and perform such acts and things in or upon the said land as may be necessary or proper for or in relation to any of the purposes aforesaid PROVIDED HOWEVER that all works authorised to be carried out hereunder shall be carried out as expeditiously as possible and with as little distrubance as possible to the surface of the said land or any improvements thereon AND PROVIDED FURTHER that the Corporation shall not be responsible for any damage caused by the exercise by it of the rights hereinbefore conferred on it or by the deposit of silt or debris on the said land or any part or parts thereof AND IT IS HEREBY DECLARED AND AGREED that nothing herein contained or implied shall compel or be deemed to compel the Corporation to carry lead convey conduct drain or discharge water through open drains pipes or conduits on the said land or any part or parts thereof AND THAT the Corporation may discontinue such drainage and recommence such drainage at will AND THAT nothing herein contained or implied shall abrogate limit restrict or abridge or be deemed to abrogate limit restrict or abridge any of the rights powers and remedies vested in the Corporation at common law or by statute AND the Grantor DOTH HEREBY COVENANT with the Corporation that it will not at any time hereafter do or permit the doing of any act which will in any way whatsoever interfere with the enjoyment by the Corporation of the rights and privileges vested in or conferred on it by virtue of these presents

IN WITNESS WHEREOF these presents have been executed the 16th day of December One thousand nine hundred and sixty-eight.

THE COMMON SEAL of the)
AUCKLAND REGIONAL AUTHORITY)
was hereunto affixed in the)
presence of:-)

CHAIRMAN

SECRETARY

A363146

No. **Transfer** ~~of~~
BY WAY OF DRAINAGE EASEMENT
over Lots 1,2 and 3 D.P.54666

Correct for the purposes of the Land Transfer Act.

A. C. Rattray
Solicitor for the Transferee.

AUCKLAND REGIONAL AUTHORITY *Transferor.*

THE WAITEMATA COUNTY COUNCIL *Transferee.*

Particulars entered in the Register-Book, ~~Vol.~~
Folio 12A/630-632,
~~day of~~ 11 March, 1969, at
2.05 o'clock.

LAND REGISTRATION DISTRICT AUCKLAND, N.Z.

Wakford
Assistant Land Registrar of the District of Auckland.

The easement referred to herein is subject to Section 37(1)(a) Counties Amendment Act 1961
11.3.1969 at 2.05 pm. Wakford
Ack.

LAND & DEEDS
Nature: T
Firm: Earl Kent
21 FEB 1969
Time: 9.15
Fee: 2 00
Abstract No. 17865

LAND & DEEDS
Nature: Rep
Firm: Earl Kent
11 MAR 1969
Time: 2.05
Fee £
Abstract No. 18928

EARL, KENT, MASSEY, PALMER & HAMER
SOLICITORS,
AUCKLAND, N.Z.

W. & H. LTD. - 63538