A363145 EC

L. & D. 82

New Zealand

(T)

EASEMENT CERTIFICATE

(IMPORTANT—Registration of this certificate does not of itself create any of the easements specified herein.)

I, AUCKLAND REGIONAL AUTHORITY a body corporate constituted under the Auckland Regional Authority Act 1963

being the registered proprietor of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the 4th day of May 19 65 under No. 54666 are the easements which it is intended shall be created by the operation of *section 90A* of the Land Transfer Act 1952.

SCHEDULE

DEPOSITED PLAN No.

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Allotment No(s).	Title Reference
	Allotment No.	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	pt Lot 4	yellow	Lots 1,2, and 3	12A/630, 12A/631, and 12A/632
Right of Way	pt Lot 5	yellow	Lots 1,2, and 3	12A/630, 12A/631 and 12A/632
Right of Way	pt Lot 2	yellow	Lots 1,3	12A/630, 12A/632
Right of Way	pt Lot 1	blue	Lot 2	12A/631
Right of Way	pt Lot 2	blue	Lot 1	12A/630

1. ~~Rights and powers:~~

State whether any rights or powers set out here are in addition to or in substitution for those set out in the *Seventh* Schedule to the Land Transfer Act 1952.

IN THE MATTER of the Land Transfer Act 1952

A N D

IN THE MATTER of Caveat No. 297799 lodged by TREVOR OWEN THOMAS registered against the land in Certificate of Title No. 12A/634 North Auckland Registry

REGISTERED PROPRIETOR: THE AUCKLAND REGIONAL AUTHORITY

TREVOR OWEN THOMAS in whose name Caveat Number A297799 has been lodged against the land comprised and described in Certificate of Title No. 12A/634 North Auckland Registry doth hereby consent to the registration of an Easement Certificate dated the 16R day of December 1968 creating (inter alia) a right of way over that part of Lot 5 coloured yellow on Deposited Plan 54666.

DATED this 12th day of February 1969

SIGNED by the said TREVOR OWEN THOMAS in the presence of : T. O. Thomas.

Y. M. Jorgensen
Solicitor
Auckland.

To: The District Land Registrar
AUCKLAND

~~2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:~~

Dated this 16th day of December 1968

~~Signed by the above named in the presence of~~

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

Witness:.....

Occupation:.....

Address:.....

.....CHAIRMAN

.....SECRETARY

A363145

No.

EASEMENT CERTIFICATE

creating Right of Way

situated in Parish of Waikomiti
North Auckland Land Registry

Correct for the purposes of the Land Transfer Act.

A. C. Rattray
Solicitor for the Registered Proprietor.

RIGHTS AND POWERS OF GRANTEES IMPLIED IN CERTAIN EASEMENTS BY SECTION 90D OF THE LAND TRANSFER ACT 1952

"1. RIGHT OF WAY

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his servants, tenants, agents, workmen, licensees, and invitees (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times by day and by night to go pass and repass, with or without horses and domestic animals of any kind and with or without carriages, vehicles, motor vehicles, machinery, and implements of any kind, over and along the land over which the right of way is granted or created.

"2. RIGHT TO CONVEY WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to take, convey, and lead water in a free and unimpeded flow (except when the flow is halted for any reasonable period necessary for essential repairs) and in any quantity, consistent with the rights of other persons having the same or similar rights, from the source of supply or point of entry, as the case may be, and following the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"3. RIGHT TO DRAIN WATER

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain and discharge water (whether rain, tempest, spring, soakage, or seepage water) in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule (or, where open drains are provided for, similar rights in regard to those drains, with the necessary modifications as are provided for in respect of pipe lines in the additional rights so set out).

"4. RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) from time to time and at all times to drain, discharge, or convey sewage and other waste material and fluid in any quantities along the stipulated course (where a course is stipulated) across the land over which the easement is granted or created, together with the additional rights incidental thereto set out in clause 5 of this Schedule.

"5. ADDITIONAL RIGHTS ATTACHING TO EASEMENTS OF RIGHT TO CONVEY WATER AND OF RIGHT TO DRAIN WATER AND OF RIGHT TO DRAIN SEWAGE

The full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee and his tenants (in common with the grantor, his tenants, and any other person lawfully entitled so to do) for the purposes of the easement concerned—

(a) To use any line of pipes already laid on the stipulated course or any pipe or pipes in replacement or in substitution for all or any of those pipes:

(b) Where no such line of pipes exists, to lay, place, and maintain, or to have laid, placed, and maintained, a line of pipes of a sufficient internal diameter and of suitable material for the purpose under or over the surface (as the parties decide) of the land over which the easement is granted or created and along the line defined for the purpose where such a line has been so defined:

(c) In order to construct or maintain the efficiency of any such pipe line, the full, free, uninterrupted, and unrestricted right, liberty, and privilege for the grantee, his tenants, servants, agents, and workmen, with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created (or, where only the position of the pipe line is defined in the easement, upon such part of the land of the grantor and by such route as is reasonable in the circumstances) and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing the pipe line or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired."

Particulars entered in the Register-book, Schedule

~~Vol.~~	~~folio~~
12A	630
"	631
"	632
"	633
"	634

the 11 day of March 1969
at 2.06 o'clock.

DISTRICT LAND REGISTRAR NORTH AUCKLAND, N.Z.

Walrod
~~District~~ Assistant Land Registrar.

of the District of North Auckland

The easement certificate referred to herein when created will be subject to Section 3(1)(a) Counties Amendment Act 1961 11.3.1969 at 2.06 pm. Walrod

A378064 created the easements relating to Lot 1 plan 54666 Massey

A484994 creates the remaining easements herein relative to Lot 3 Plan 54666 (CT 12A/632) La Trobe ACR

A535006 creates the remaining easements herein relative to Lot 5 Plan 54666 (CT 12A/634) La Trobe ACR 19680

LAND TRANSFER ACT
Nature: Easement
Firm: Bell K.
21 FEB 1969
Time: 9.15
Fees £ 2:00
Abstract No. 17865

Nature: Rep
Firm: Bell K.
11 MAR 1969
Time: 2.05
Fees £
Abstract No. 18928

The remaining easements herein relative to Lot 2 D.P. 54666 (CT 12A/631) were created by Transfer A578418. La Trobe ACR 11864

Registration of Transfer 222652.2 creates easement relative to Lot 4.

7,500/6/65—4666 W