

Title Explanation Form

Salesperson advice to buyers (Page 1 of 2)



Address: Title doc. obtained on:

Estate: Freehold **Cross-Lease (Fee Simple)** Stratum in Freehold (Unit Title)

NB: A title will not provide any guarantee regarding boundaries or land size, and nor can the salesperson. If you have any doubts you should research further or engage a surveyor to verify the exact boundaries.

If an interest or memorial on the title applies to this land, the box next to the explanation is to be marked:

Mortgages or Caveats: these should be cleared on settlement (i.e. before you move in).

Appurtenant to / Dominant Tenement / Benefited Land: if an interest begins with or includes these words, it is for the benefit of this land.

Subject to / Servient Tenement / Burdened Land: if an interest begins with or includes these words, this land gives the benefit. If the wording includes the phrase 'in gross', the benefit is usually given to a City Council or a supplier of services like water, sewage, and communications.

Easements: these grant benefits or rights to cross land and usually refer to above-ground or underground services and rights of way. Sometimes they refer to party walls.

Resource Management Act 1991: if the property was developed after 1991 there should be reference to the RMA, which usually implies the development was consented under that Act.

Fencing: Covenant, Provision or Agreement: a covenant usually has a life of only 12 years or applies until the first purchaser sells it on (unless it involves Crown land). A provision is usually like a covenant. Fencing agreements differ and are usually an arrangement between current owners and neighbours to do (or not do) something that expires when one party sells. If it is registered on the title its terms can pass on to and commit a new buyer to the agreement.

Land Covenant, Encumbrance: this will usually bind current and future owners to conditions such as construction style, fence height, position of buildings etc. and is often very detailed. Buyers must be clear as to how these conditions might affect their future use of the property.

Consent Notice: consent notices are usually issued by City Councils making certain stipulations about construction and land use. Its terms will probably bind current and future owners.

Building Line Restriction (ancient measure from road): even if noted, these now rarely apply and have been replaced by conditions in the District Plan. Internal building lines may still apply.

Legal, Crown Minerals, Acts of Parliament, Gazette Notices etc.: these items imply Crown ownership applies or some legislative effect. We suggest you seek legal advice.

Cross-lease Properties: (see top of next page) we will attach a copy of the Memorandum of Lease (if it is available). The lease contains the rules applying to occupation and use. These are usually standard conditions but if we are aware of special rules we (or your lawyer) can explain them to you. The title includes a Flats Plan and you should compare this to what is actually on the property and check for a changed 'footprint'. Please also ask your lawyer to explain this type of estate, to check the Flats Plan against the lease and to check the wording of the lease.

Title Explanation Form

Salesperson advice to buyers (Page 2 of 2)



Cross-lease title: it is important to note whether extra buildings or alterations have been added to the Flats Plan since it was drawn up. Salesperson is to mark the relevant options below for a) and b):

a) This Flat, option 1: Has NO building changes **Has SOME building changes**

a) This Flat, option 2: Flats Plan appears Accurate **Flats Plan appears Inaccurate**

NB: if 'Inaccurate', explain why: The sunroom and carport not on the Flats Plan

b) Next door flat(s) appear on the Flats Plan: **Yes** No

Cross-lease properties are common and generally accepted by insurers and banks. If improvements (extra buildings) have been added, it is important to note whether they are known to be Council compliant and whether written approval for them has been given by the neighbouring lessees. Please seek legal advice.

Stratum Estate (Unit Title): Ensure you receive a pre-contract disclosure. Seek legal advice about this type of estate.

District Plan (Local Authority Plans / Intentions): Any or no comment in the 'Salesperson's note' section below regarding the District Plan does not purport to be exhaustive and we recommend you consult your Local Authority for more information. The salesperson states: "I have checked the District Plan and to the best of my knowledge, apart from any noted below, there are no known issues I should bring to the attention of potential buyers." This statement should not deter buyers from making their own District Plan enquiries and we strongly recommend you seek further information from council or lawyer.

Salesperson's note: general information and/or District Plan information

Size etc. of land and buildings: The information in the title, marketing material and other documents is derived from outside sources and we cannot guarantee its accuracy. If buyers have any doubts about the given information they are strongly recommended to make further enquiries or seek professional advice.

To the purchaser: A title is a legal document that sometimes contains complex content beyond the knowledge of the salesperson. The salesperson's opinion and information, while given here with the best of intentions, may not be legally or factually correct. It is important that you are clear on what notations on the title mean and how they may impact on your purchase and/or the use of the property. We strongly recommend that you seek the professional advice of your lawyer or make further enquiries, especially if you have any doubts about the information given or have questions that the salesperson is unable to answer to your satisfaction. You must sign this form confirming you have read all the above before we can write an offer.

Purchaser: Sign _____ Print Name _____ Date _____
(Only one need sign as representative of others)

Salesperson (S/P): Sign  _____ Print Name Kristian Danholt _____ Date 20/09/2026 _____