

L. & D. 82
New Zealand

(1)

EASEMENT CERTIFICATE

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

WE, WILLIAM MURRAY PORTEOUS of Hamilton Medical Practitioner and MARY CLARK PORTEOUS his wife and GERRIT LEENDERT JOZEF VERMEULEN of Hamilton Clerk and ADRIANA MARIA GOVERDINA VERMEULEN his wife 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 Hamilton on the 25th day of January 1968 under No. S. 12072 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. S. 12072

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	Lot 1	Coloured Yellow	Lot 2 and Lot 2 Deposited Plan S. 4268	1278/10 Volume 1286 Folio 3
	Lot 2	Blue	Lot 1, Lot 2 Deposited Plan S. 4268	1278/10 South Auckland Registry
	Lot 2 Deposited Plan S. 4268	Yellow	Lots 1 and 2	
Right-of-Way	Lot 1	Coloured Yellow	Lot 2 Lot 2 Deposited Plan S. 4268	Volume 1286 Folio 3 S Volume 1278 Folio 10 S
Right-of-Way	Lot 2	Blue	Lot 1 Lot 2 Deposited Plan S. 4268	Volume 1286 Folio 3 S Volume 1278 Folio 10 S
Right-of-Way	Lot 2 Deposited Plan 4268	Yellow	Lots 1 and 2	Volume 1286 Folio 3 S Certificate of Title 1278/10

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[Handwritten signature]

A.G.M.

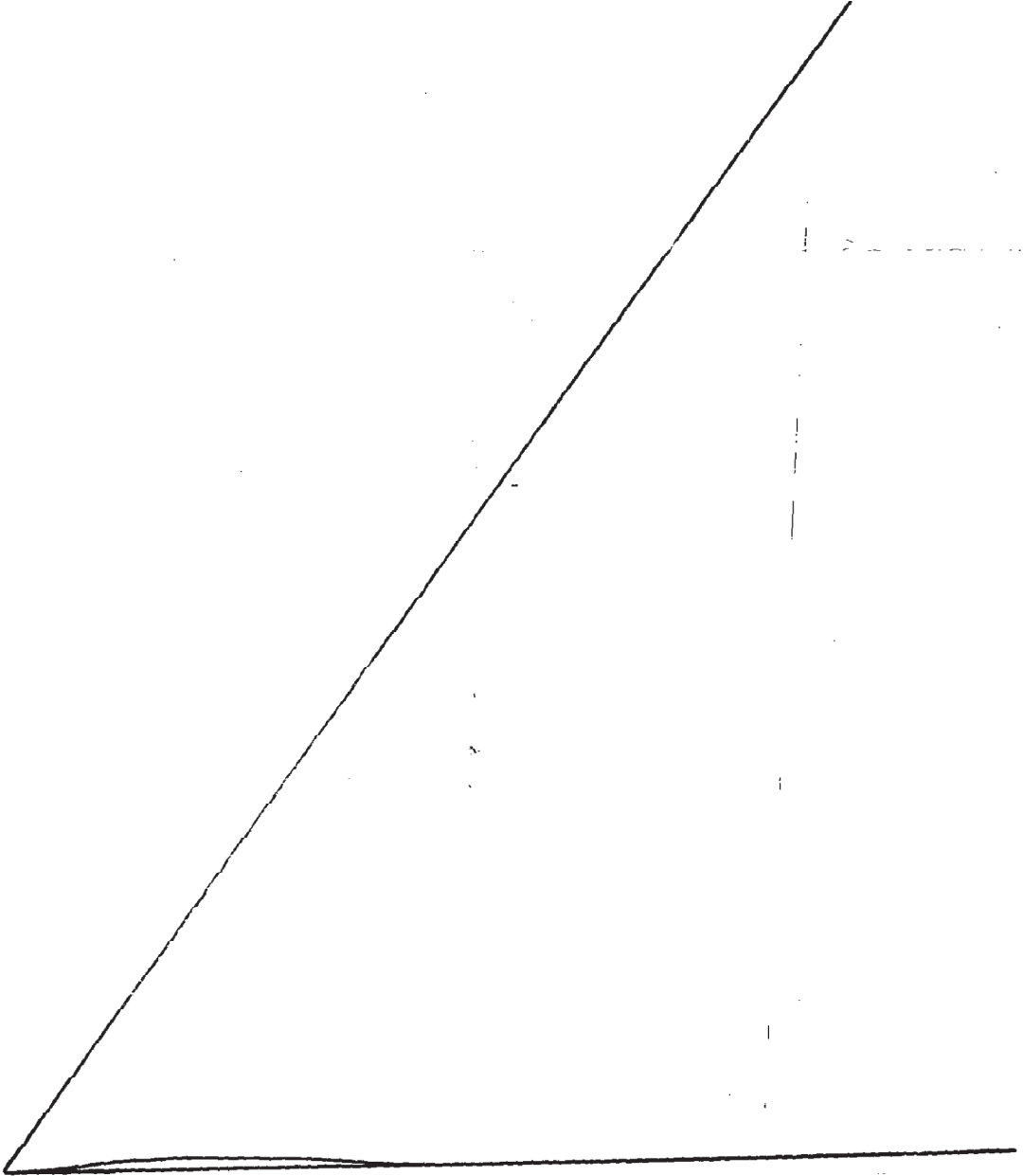
M.P.

A.G.M.

(3)

1. Rights and powers: Nil

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.



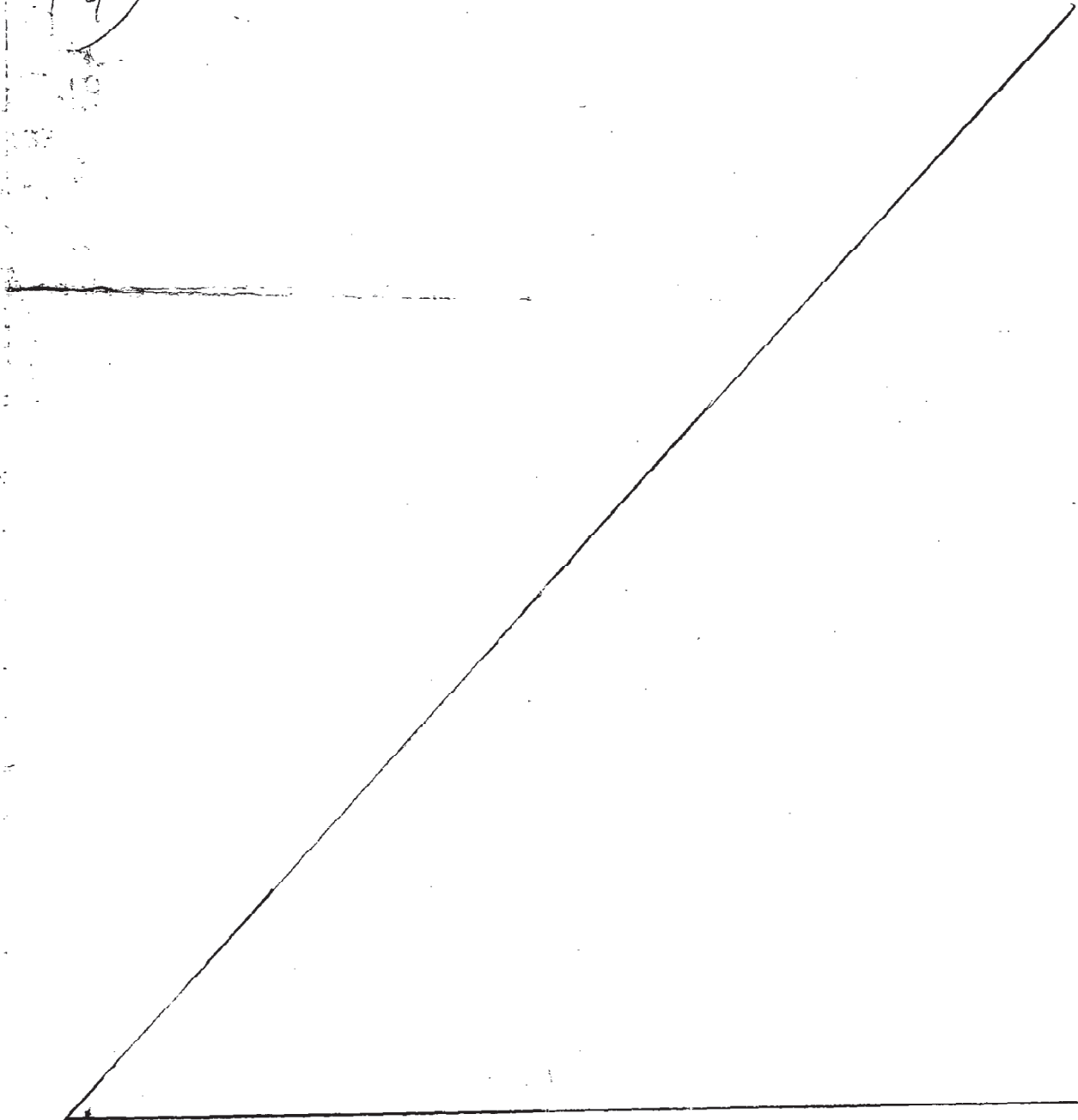
Signed by the above-named GERRIT LEENDERT JOZEF VERMEULEN and ...
ADRIANA MARIA GOVERDINA VERMEULEN
in the presence of :-

W. Vermeulen
A. M. Vermeulen.

H. J. ...
... ..
... ..

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:
As implied in the 7th Schedule of the Land Transfer Act 1952

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5

Dated this 27th day of February 1968

Signed by the above-named *Bob Pontaux* in the presence of *Mr Antons*

Witness: *[Signature]*
Occupation: *[Signature]*
Address: *[Signature]*

399215

No.

Correct for the purposes of the Land Transfer Act.

[Signature]
Solicitor for the Registered Proprietor.

EASEMENT CERTIFICATE

situated in South Auckland Land District

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,

Vol. 286, folio 3
" 1278 " 10

the 7 day of March
at 2 35 o'clock.

1968



[Signature]
District Land Registrar.

of the District of

SOUTH AUCKLAND

and the easements intended to be created by the will in will be subject to Section 361(2)(b) Municipal Corporation Act 1954

3

LAND & DEEDS
Name: <u>Easement</u>
MURRAY, FRY & MCKINNON
7 - MAR 1968
No. <u>2-35</u>
Fee <u>\$2:00</u>
Abstract No. <u>3898</u>

[Handwritten initials]

