

L. & D. 82 (T)

New Zealand

849 225.2 EC

EASEMENT CERTIFICATE

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

I. VALLEY CONSTRUCTION COMPANY LIMITED

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 Wellington on the 6th day of May 19 87 under No. DP 61424 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. 61424

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	)			
Right to Convey:	)			
Electricity, Water	) Lot 2	"A"	Lot 1	
Gas	)			
Right to Drain:	)			
Stormwater, Water	)			
Sewage	)			
Right of Way	)			
Right to Convey:	)			
Electricity, Water	) Lot 1	"B"	Lot 2	
Gas	)			
Right to Drain:	)			
Stormwater, Water	)			
Sewage	)			

1. Rights and powers: (in addition to those set out in the seventh schedule of the Land Transfer Act)

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.

(a) As to Rights of Way, Right to Convey Water, Right to Drain Water, and Right to Drain Sewage, nil.

(b) Rights to Convey Electricity and Rights to Convey Gas:

(i) The Dominant Tenement shall have the right to lay and construct electricity cables and gas pipes under that part of the servient tenement as shown hereon and to convey electricity and gas through the respective cables and pipelines.

(ii) The Dominant Tenement shall have the right to Access on to the land of the Servient Tenement for the purpose of laying, constructing and maintaining and repairing such cables and pipelines causing as little disturbance to the surface of the land of the Servient Tenement as shall be possible.

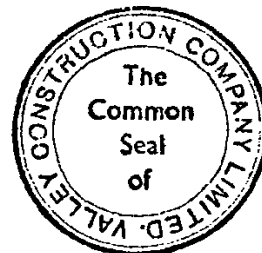
2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

The registered proprietors of the dominant and servient tenements shall bear equally the costs of all maintenance of the Right of Way, of electricity cables, gas and water pipelines and drains laid under or across the surface of the land comprised in the servient tenement PROVIDED THAT any damage to the Right of Way, electricity cables, gas and water pipeline and drains (other than damage or deterioration caused by ordinary use and fair wear and tear) caused by the unreasonable or excessive use by the registered proprietors for the time being of the dominant or servient tenement or by his its or their servants agents tenants invitees or licencees shall be repaired and made good by such registered proprietors at his its or their own cost and expense as soon as possible after the damage has been caused.

Dated this 50th day of April

19 87

THE COMMON SEAL of
~~Signature of the registered proprietor~~
~~in the presence of~~
VALLEY CONSTRUCTION COMPANY
LIMITED



Witness: Ammanah J.R.

Occupation: Sec

Address:

EASEMENT CERTIFICATE

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—

- 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;
- 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;
- 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.

Correct for the purposes of the Land Transfer Act.

Ch. L.
Solicitor for the Registered Proprietor.

as to the Right of way and
right to convey electricity
The Easements created herein are subject to
Section 309(1) (a) Local Government Act 1974

ALR

Easement relative to Lot 1 DP 61424
created by Transfer B111182.2
27.9.1990 C. Grealy

Particulars entered in the Register as shown herein
on the date and at the time stamped below.

District Land Registrar
Assistant
of the District of.....

Produced
and entered on 29.5.1987 at 24.5.87
2.24 06 MAY 87 849225
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY WELLINGTON
ASST. LAND REGISTRAR
303/780
303/781



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