

426080.1

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(Approved by the District Registrar, Auckland, No. 4203/74)

(New Zealand)

(C)

Under the Land Transfer Act, 1952

Memorandum of Transfer

WHEREAS DAVID ARTHUR JAMES PHILLIPS of Kaikohe carrier
 (hereinafter together with his heirs, executors administrators
 and assigns called "the Transferor") 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 that .. piece of land situated in the Land District of North ...
 Auckland containing THIRTY-SEVEN PERCHES

more or less being Lot 1 on Deposited Plan 59555 being part Section 12
 Block VI Hokianga Survey District and being all the land in
 Certificate of Title Volume 14C folio 1099 North Auckland Registry
 (hereinafter called "the servient tenement")

AND WHEREAS the Transferor is also registered as proprietor of an
 estate in fee-simple subject as aforesaid in that piece of land ..
 situated in the Land District of North Auckland containing
THIRTY-SEVEN DECIMAL ONE PERCHES more or less being Lot 2 on
 Deposited Plan 59555 being part Section 12 Block VI Hokianga
 Survey District and being all the land in Certificate of Title ..
 Volume 14C folio 1100 North Auckland Registry (hereinafter called
 "the dominant tenement")

AND WHEREAS the Transferor has agreed to sell the dominant
 tenement to DOUGLAS COLIN FINDLAY of Whangarei chartered
 accountant (hereinafter called "the Transferee") and to grant a ..
 water and pipe-line easement in favour of such piece of land

NOW THIS DEED WITNESSETH that IN CONSIDERATION of the sum of
EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00) paid to the
 Transferor by the Transferee (the receipt of which sum is hereby.
 acknowledged) the Transferor DOETH HEREBY TRANSFER unto the
 Transferee all his estate and interest in the dominant tenement .
AND IN FURTHER CONSIDERATION of the several covenants on the part
 of the Transferee hereinafter contained (as is hereby
 acknowledged) the Transferor DOETH HEREBY TRANSFER AND GRANT unto.
 the Transferee his heirs executors administrators and assigns and
 other the registered proprietor and/or proprietors for the time .
 being of the dominant tenement and their assigns as an easement .
 forever appurtenant to the dominant tenement the full free and ..
 uninterrupted right liberty or privilege to lay place and maintain
 beneath the surface of that portion of the servient tenement

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shown marked (A) on the diagram endorsed hereon, at a depth of at least 18 inches an underground pipe-line for the conveyance therein of rain tempest spring soakage or seepage water in such .. quantities as shall be approved by the Regional Water Board from a spring already existing on the servient tenement so that the said. water pipe-line shall consist of PVC pipe of no greater diameter . than $\frac{3}{4}$ inch with the further full free and uninterrupted right ... liberty or privilege to convey water in the said pipe-line and ... also the full free and uninterrupted right liberty or privilege .. from time to time and at all reasonable times hereafter to enter .. upon the servient tenement with his agents servants or workmen and with all necessary tools and implements at his sole cost in all .. things for the purpose of inspecting cleaning repairing renewing . or altering the same to comply with the requirements of the appropriate administering or supplying authorities and so far as . the same shall reasonably be necessary for the purpose of the grant hereby made to break up the surface of the servient tenement in which the said water pipe-line is laid PROVIDED ALWAYS that ... such inspecting cleaning repairing renewing or altering the said .. water pipe-line and any necessary breaking up of the surface of .. the servient tenement shall be done with as little damage as possible to the servient tenement and with the use of motorised .. vehicles kept to a minimum and all the soil broken up shall again. be properly restored or filled in and grassed in the like grasses. as thitherto

PROVIDED ALWAYS that the Transferor shall not be liable or called. upon to erect or maintain or to contribute towards the cost of the erection or maintenance of any boundary or dividing fence between. the dominant tenement and the servient tenement but this proviso . shall not enure to the benefit of any purchaser of the servient .. tenement.

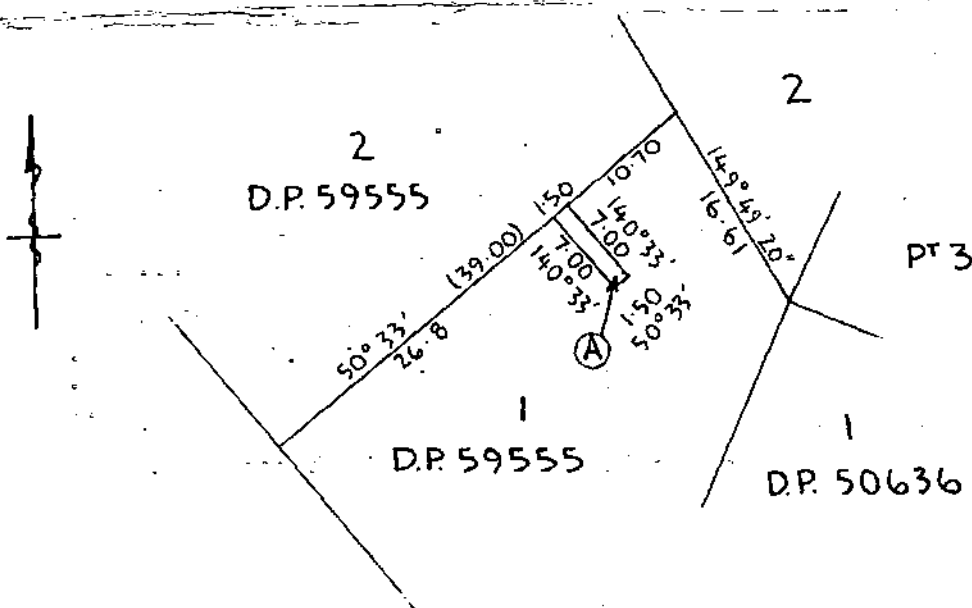
See C.A. correspondence
file 144/1099.

Proposed Easements

TYPE	SHOWN	SERV. TEN.	DOM. TEN.
Water	A	PT Lot 1 D.P. 59555	Lot 2 D.P. 59555

PROP. WATER EASEMENT OVER LOT 1 D.P. 59555

Scale: 1:500



20/1/1975
Reg Surveyor
3/12/75

~~In-Consideration of~~

~~(the receipt of which sum is hereby acknowledged)~~

~~Do hereby Transfer~~ --- to the ~~said~~

~~all~~

~~estate and interest in the~~

~~said piece of land above described~~

In witness whereof these presents have been executed this 23 day of

January

1976

Signed by the above named DAVID .)
ARTHUR JAMES PHILLIPS as ...)
Transferor)
in the presence of

Belmont
Barbar
Karbach

A. J. Phillips

Signed by the abovenamed ...)
DOUGLAS COLIN FINDLAY as ...)
Transferee in the presence .)
of:

Don
Locicco
Whangarua

D. Findlay

Approved as to form
HAH

SR
19/3/76

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act.

[Signature]
Solicitor for the Transferee.

DAVID ARTHUR JAMES PHILLIPS

Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART IIA OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1952.

[Signature]

SOLICITOR FOR THE TRANSFEE

DOUGLAS COLIN FINDLAY

Transferee

Particulars entered in the Registers set out in the Schedules herein at the day and hour endorsed below

Assistant Land Registrar

of the District of
North Auckland

WEBB, ROSS & ROSS

Whangarei,

Solicitors for the Transferee

THE LAW SOCIETY OF THE DISTRICT OF AUCKLAND

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DISTRICT LAND REGISTRY
AUCKLAND NO. 2

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