

C 356060.1

Under the Land Transfer Act 1952

TE

Memorandum of Transfer

WHEREAS VINCENT MAXWELL STARCK of Auckland, Company Director and JENNIFER JEAN STARCK his wife ("the Grantor")

being registered as proprietor

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 5.5899 hectares

more or less being Part of Allotment 31 Parish of Waikomiti and being all of the land comprised and described in Certificate of Title 13A/851

SUBJECT TO AND TOGETHER WITH:

1. Building Line Restriction in K45557
2. Transfer No. 037199
3. Compensation Certificate B.985129.1

such land and restrictions being hereinafter called "the servient land"

AND WHEREAS the Grantor has agreed to transfer and grant to the WAITAKERE CITY COUNCIL ("the Grantee) a water supply easement in gross over that part of the servient land marked "B" on SO Plan 65936

NOW THEREFORE IN CONSIDERATION if ONE DOLLAR (\$1.00) paid to the Grantor by WAITAKERE CITY COUNCIL ("the Council") (the receipt of which is acknowledged) the Grantor transfers and grants to the Council as an easement in gross forever the rights:

1. to convey stormwater and surface water through that part of the servient land marked "B" on SO Plan 65936 ("the drainage area")
2. to dig, construct and lay pipes through the drainage area;
3. to inspect repair cleanse dig up alter enlarge renew or replace those pipes drains;
4. for the purposes of this grant for the Council's agents servants workmen and employees with or without vehicles to enter upon the servient land and generally to do anything necessary or convenient for the full exercise of the rights implied by this instrument

AND the Council covenants with the Grantor that upon exercising of any of the rights Council shall:

Kensington Swan

Barristers, Solicitors & Notaries Public

Private Bag Auckland New Zealand 22 Fanshawe Street Auckland Fax (9) 309 4276 DX 57
Telephone (9) 794 196

13 March 1992

Land Registry Office
Price Waterhouse Building
AUCKLAND

Re: Waitakere City Council - Starck - Certificate of Title 13A/851

We enclose for registration:

1. Transfer creating water supply easement.
2. Transfer creating right of way easement.
3. Transfer creating electricity supply easement.

You will notice that the SO Plan shows that the grantee of the electricity easement is Waitemata Electricity. This is in fact a mistake on the SO Plan and the grantee is and should be shown as Waitakere City Council. If you have any further queries in this regard please contact the writer.

Yours faithfully
KENSINGTON SWAN

per: 

E MARKWICK
Solicitor
ep:

Wellington Office

Box 10 246 Wellington
Auckland
Challenge House
Terrace Wellington
91

7877

AUCKLAND PARTNERS

DONALD F DUGDALE
KEVIN R HUBBARD
IAN J HAVES
HOWARD C KEENE
DENHAM SHALE
KEITH W BERMAN
JUDITH M POTTER
MATTHEW B CASSY
ROBERT W VOAKES
TIMOTHY J MADAVOY
PETER H KOLAN
NIGEL A SEBOLD
MURRAY A GIBBERT
PAUL G SLMPFER
KATHERINE M DOSSURN
JANE B LATYER
MATTHEW P PASLEY

ASSOCIATES

NICHOLAS J BROWNE
MICHAEL GOODWIN
PATRICIA W DEARMONTH
FRANCIS W ROSE
JOSEPH V WILLIAMS
PETER J WRIGHT

CONSULTANTS

STUART G BAWDEN
MARKWICK WHITE

WELLINGTON PARTNERS

WARREN J ALLEN
JOHN T ANDERSON
RICHARD H CATHE
ROBERT J BACON
SPERWYN S WALLAYS
BRYAN K GLUNDERSEN
JOHN W MEADS
DONALD F COLLIER
DONALD V BRADEN
MICHAEL COLLINS
S MOY F WARK
DAVID H COOK
DAVID J COLLIS
CHRIS COOPER BOOTH
ANTHONY J LINES
MICHAEL R S PROWSE
DAVID W BENNETT

JUSTIN B M SMITH
ROSS S JOHNSTON
MARTIN H DALGLEISH
PAVELA J ANDREWS
GERALD S FITZGERALD
SPARSH G TUBB
MATTHEW F VOGUELAND
DEBORAH A EDWARDS

ASSOCIATES

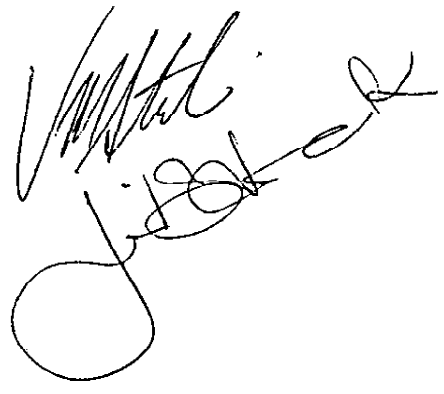
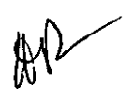
ROSS G HILL
LUCINDA HUBBARD
JOHN L LIND
SHON J MURPHY

CONSULTANT

PETER T YOUNG

- (a) cause as little damage as possible to the servient land and the occupiers thereof
- (b) restore the servient land as near as reasonably possible to its previous condition
- (c) make good at the Council's expense any damage done by the actions of the Council to the building erections and fencings of the Grantor

AND the Grantor covenants with the Council that the Grantor will not at any time do anything which will prevent or interfere with the free passage of water through the pipes drains or prevent or interfere with the full use and enjoyment of the Council of the rights created by this instrument

A large, stylized handwritten signature in black ink, appearing to be 'J. J. Jones'.A small handwritten mark or initials, possibly 'D'.A small handwritten mark or initials, possibly 'AR'.

~~In Consideration of~~

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

~~Do hereby Transfer to the said~~

~~xxxx~~

~~xxxxxxxxxxxxxxxxxxxxxxxx~~

~~xxxxxxxxxxxxxxxxxxxxxxxx~~

In witness whereof these presents have been executed this

of

February

19*92*

31

day

Signed by the above named
VINCENT MAXWELL STARCK and
JENNIFER JEAN STARCK
in the presence of:—

Solr Solicitor
aucland

VM Starck
JJ Starck

THE COMMON SEAL of the WAITAKERE
CITY COUNCIL was hereunto
affixed in the presence of:—



Dawson

CHIEF EXECUTIVE OFFICER

Waker

GENERAL MANAGER: FINANCE & ADMINISTRATION

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act

[Handwritten Signature]

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part IIA of the Land Settlement Promotion and Land Acquisition Act 1952.

..... Transferor

SOLICITOR FOR THE TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

..... Transferee

[Handwritten Signature]

SOLICITOR FOR THE TRANSFEREE

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

To: The District Land Registrar
North Auckland Registry

.....
Assistant / District Land Registrar

WAITAKERE CITY COUNCIL hereby consents to the within grant of water supply easement in gross for the purposes of Section 341 of the Local Government Act 1974

.....
of the District of

THE COMMON SEAL of the WAITAKERE CITY COUNCIL as hereunto affixed in the presence of:



Solicitors for the Transferee

2.47 16.MAR92 C 356000 /

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASSISTANT LAND REGISTRAR

[Handwritten Signature]
CHIEF EXECUTIVE OFFICER

[Handwritten Signature]
GENERAL MANAGER, FINANCE & ADMINISTRATION

NEW ZEALAND