

D245962.9.

Approved by the District Land Registrars: North Auckland 422175, South Auckland H.008116/1974, Canterbury 957768, Marlborough 75776, Gisborne 112239.9, Hawkes Bay 303051, Taranaki 217464.1, Wellington A038045, Westland 45629.

EC

EASEMENT CERTIFICATE

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

XX We, Glenn Hugh Rogers of Auckland Builder, and Jacek Michal Andvick Immigration Consultant and Jolanta Marta Andvick his wife both of Auckland

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 North Auckland on the day of 19 97 under No. 179861. 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.

N.B. On no account should this margin be used

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way	Lot 1	A	Lot 2	110D/720
Right of Way	Lot 2	B	Lot 1	110D/719
Electricity	Lot 2	B	Lot 1	110D/719
Sanitary Sewer	Lot 1	A	Lot 2	110D/720
Stormwater	Lot 2	B	Lot 1	110D/719

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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.

1. Rights and powers:

RIGHT OF WAY EASEMENT

Vehicular

The rights and powers shall be as set out in the Seventh Schedule to the Land Transfer Act 1952 and the Ninth Schedule to the Property Law Amendment Act 1986.

ELECTRICITY EASEMENT

The full free uninterrupted and unrestricted right, liberty and privilege for the registered proprietors of the dominant tenement his servants, tenants and agents, workmen, licensees and invitees (in common with the registered proprietors of the servient tenement his tenants and any other person lawfully entitled so to do) from time to time and at all times:

- (a) To transmit electric current in cables and/or pipes land beneath the surface of the servient tenements, and
- (b) To transmit, emit or receive signs, signals, impulses, writing, images, sounds or intelligence of any kind by means of any electromagnetic system through telephone wires or cables laid beneath the surface of the servient tenements.

TOGETHER WITH the full free and uninterrupted right from time to time and at all times for the registered proprietors of the dominant tenement and their servants tenants agents workmen licensees and invitees (in common with the registered proprietors of the servient tenement and any other person lawfully entitled) TO ENTER the servient tenement with or without vehicles, (laden or unladen) machinery, tools, equipment and materials for all or any of the following purposes namely:

- (a) Making on the servient tenement any cuttings, fillings, grades, batters, or other works and remaking or re-opening the same;
- (b) Laying out excavating and filling in trenches through and along and under the servient tenement and at any time thereafter reopening or re-excavating the same;
- (c) Laying in such trenches at such depth and in such manner as the registered proprietors of the dominant tenement shall think fit underground electric wires, cables or other conductors of electricity and other equipment if necessary and any pipes and other coverings within which the grantee may desire to enclose the same, and telephone lines and any pipes within which the grantee may desire to enclose the same;
- (d) Inspecting, altering, repairing and renewing and relaying or otherwise maintaining such wires, cables, conductors, pipes and other coverings enclosing the same;
- (e) Doing and carrying out on the servient tenement all and any such acts, matters or things as registered proprietors of the dominant tenement may consider necessary or desirable for the achievement of any of the foregoing purposes.

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2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:
- 2.1 The costs of maintaining the rights the subject of the above easements will be borne by the registered proprietor of the dominant tenement.
 - 2.2 The registered proprietor of the dominant tenement shall at the conclusion of any work so far as may be reasonably practicable at its own cost restore the surface of the easement land to the condition in which it was immediately prior to the commencement of such work.
 - 2.3 Where the need for maintenance is directly attributable to the actions of one registered proprietor the cost shall in that case be borne wholly by that proprietor.
 - 2.4 Any dispute as to the liability of the parties under these terms and conditions shall be determined by arbitration under the Arbitration Act 1908 or any Act passed in substitution.

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Dated this 14 day of November 1997

Signed by the above-named

[Handwritten signature]
[Handwritten signature]

in the presence of

[Handwritten signature]
 Witness

Occupation **Collin William Given**
Solicitor
 Address **Auckland**

EASEMENT CERTIFICATE

IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein.

Correct for purposes of the Land Transfer Act

(Solicitor for) the registered proprietor

The above/within easements when created be/are subject to Section 243(a) Resource Management Act 1991

A.L.R.

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Particulars entered in the schedule of land here at the time stamped below

District Land Registrar Assistant of the District of

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9.53 19.FEB98 D 245962
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH
ASST. REGISTRAR

One copy only LINZ COPY