

455755 TE
01011870

L-1-121



DISTRICT LAND REGISTRAR, AUCKLAND, - No. 1033

Memorandum of Transfer



WHEREAS I, EILEEN MONTAGUE ALLEN of

Auckland, Married Woman, being registered as proprietor () of an estate of freehold in fee simple. subject, however, to such encumbrances, liens, and interests as are notified by memoranda underwritten or endorsed hereon, in FIRSTLY: ALL THAT parcel of land situated in the Glen Eden Town District containing ONE ROOD AND TWO PERCHES more or less being LOT SEVEN on DEPOSITED PLAN 20832 and being PART ALLOTMENT 186 Parish of Waikomiti and part of the land in Certificate of . . . Title entered in Volume 738 Folio 51 Auckland Registry.

A.E.R.

SECONDLY: ALL THAT parcel of land situated in the Glen Eden Town District aforesaid containing ONE ROOD TWO DECIMAL THREE PERCHES more or less being LOT EIGHT on said DEPOSITED PLAN 20832 and being part of the land in said Certificate of Title Volume 738 Folio 51 Auckland Registry,

M.F.H.

THIRDLY: ALL THAT parcel of land situated as aforesaid containing ONE ROOD AND TWO PERCHES being LOT ELEVEN on said DEPOSITED PLAN 20832 and being part of the land in said Certificate of Title Volume 738 Folio 51 Auckland Registry.

E.L.

FOURTHLY: ALL THAT parcel of land situated as aforesaid containing One rood twenty one decimal 8 perches or less being LOT SIXTY EIGHT on the aforesaid PLAN NUMBER 20832 and being the whole of the land in Certificate of Title Volume 610 Folio 197 . . . subject to fencing covenant in transfer Number 239901. Auckland Registry.

E.M.A.

AND FIFTHLY: ALL THAT parcel of land situated as aforesaid containing TWO ROODS SIXTEEN DECIMAL FOUR PERCHES more or less being LOTS SIXTY NINE AND SEVENTY on the aforesaid plan Number . . . 20832 and being part of the land in Certificate of Title Volume 738 . . . Folio 51 aforesaid.

AND WHEREAS I am desirous of giving:

- A. To my son ARTHUR ENGLEBERT ALLEN of Fairlands Avenue, Avondale, . . Radio Engineer the land firstly above described together with drainage.. rights or easements over the lands fourthly and fifthly above described.
- B. To my son MERVYN FREDERICK ALLEN of Campbell Road, Dunedin, X-Ray . . Technician the land secondly above described together with drainage . . . rights or easements over the lands fourthly and fifthly above described.
- C. To my son ERIC LANCE ALLEN of Eden View Road, Glen Eden, Mechanic the land thirdly above described together with drainage rights or easements. over the lands fourthly and fifthly above described.

NOW THIS MEMORANDUM OF TRANSFER WITNESSETH that in consideration of the natural love and affection which I bear towards my sons hereintbefore mentioned I DO HEREBY TRANSFER AND GRANT:

1. TO Arthur Englebert Allen aforesaid all my estate and interest in the parcel of land firstly above described and further do hereby
transfer and grant unto the said Arthur Englebert Allen full free and..
uninterrupted right liberty privilege and authority for all time here-
after to drain and discharge water whether rain tempest spring soakage,
septic tank effluent or seepage in any quantities from the land firstly
above described into or over the land fourthly and fifthly above
described. 68, 9 70.

2. TO Mervyn Frederick Allen aforesaid all my estate and interest in
the parcel of land secondly above described and further do hereby ...
transfer and grant unto the said Mervyn Frederick Allen full free and.
uninterrupted right liberty privilege and authority for all time here-
after to drain and discharge water whether rain tempest spring soakage,
septic tank effluent or seepage in any quantities from the land
secondly
firstly above described into or over the land fourthly and fifthly ..
above described.

3. TO Eric Lance Allen aforesaid all my estate and interest in the .
parcel of land thirdly above described and further do hereby transfer.
and grant unto the said Eric Lance Allen full free and uninterrupted..
right liberty privilege and authority for all time hereafter to drain.
and discharge water whether rain tempest spring soakage, septic tank..
effluent or seepage in any quantities from the land/ ~~firstly~~ ^{thirdly} above ...
described into or over the land fourthly and fifthly above described.
The Grantees their servants agents or workmen shall have the right to
enter upon the said parcels of land fourthly and fifthly described ..
for the purpose of making and laying any necessary drains and main-
taining and repairing such drains PROVIDED HOWEVER in doing such....
work the Grantees will cause as little damage as possible to the ...
said lands of the Grantor.

PROVIDED ALWAYS AND IT IS SEPARATELY COVENANTED AND AGREED between ..
the said Eileen Montague Allen and each of the other parties herein-
before mentioned that each of the said Grantees (will whilst entitled
to the full benefit and use of the aforesaid grant of easement to the
extent necessary to adequately drain the said land of each aforesaid.
Grantee) will nevertheless exercise and use the said easement as

aforesaid so as not to cause any unnecessary impediment and inconvenience to the aforesaid Eileen Montague Allen.

AND IT IS HEREBY AGREED AND DECLARED by and between the parties hereto// that the true intent and meaning of this transfer and grant is that the.. respective easements hereinbefore created over the respective servient... tenements hereinbefore referred to shall be and remain forever appurtenant to the respective dominant tenements in respect of which the said respective easements are hereby expressed to be granted.

PROVIDED ALWAYS and it is hereby agreed and declared that I shall not be.. liable to erect or contribute towards the cost of the erection or maintenance of any boundary or dividing fence between the land hereby ... transferred and any adjoining land whilst such adjoining land remains in . my ownership, but this proviso shall not enure to the Purchaser from me of. such adjoining land.

AND IT IS HEREBY DECLARED for the purposes of the duty payable under "The Stamp Duties Act 1923" that no instrument of agreement for sale in writing as defined in Section 88 was entered into between the parties in.. respect of the transfer of the said properties.

IN WITNESS WHEREOF I have hereunto subscribed my name, this .. 14th day of March One thousand nine hundred and forty-nine.

SIGNED by the said EILEEN MONTAGUE)
ALLEN as Transferor in the)
presence of :-)

E. M. Allen

J. L. Jordan
Solicitor
Auckland

SIGNED by the said ARTHUR ENGLEBERT ALLEN)
as Transferee in the presence of:-)

A. E. Allen

A. Allen
Inspector, Auckland City Council
Edenward Rd, Glen Eden

SIGNED by the said MERVYN FREDERICK ALLEN)
as Transferee in the presence of:-)

M. F. Allen

M. F. Allen
Solicitor
Dunedin

SIGNED by the said ERIC LANCE ALLEN)
as Transferee in the)
presence of :-)

E. L. Allen

A. Allen
Solicitor
Inspector, Auckland City Council
Edenward Rd, Glen Eden

455755

166

No.

TRANSFER of (1) Lot 7 d.p. 20832
bg pt a lot 186 Psh/Waikomiti

Correct for the purposes of the Land Transfer Act.

NORTH

(Lot 8 d.p. 20832 pt 738/51
Lot 7 d.p. 20832 " 738/51
~~Lot 60 plan 20832~~

R. Jordan

EILEEN MONTAGUE ALLEN Vendor ~~40 d.p. 20832~~
~~pt 738/51~~

Solicitor for the Transferee ; Auckland.

ARTHUR ENGLEBERT ALLEN & ERIC LANCE ALLEN Purchaser s

Particulars entered in the Register Book.

Vol. 610 Folio 197, 738/51

the 30th day of June, 1949
2.15 o'clock

[Signature]
District Land Registrar

of the District of Auckland.

Appeared before me at Auckland the 14th day of March 1949
FREDERICK : : ALLEN of Auckland, City Council Inspector, a person known to
me and of good repute, attesting witness to this instrument and acknowledged
his signature to the same and did further declare that Arthur Englebert Allen
and Eric Lance Allen two of the parties executing the same were personally
known to him the said Frederick Allen and that the signature of the said
instrument is in the handwriting of the said Arthur Englebert Allen and Eric
Lance Allen.

R. Jordan
A Solicitor of the Supreme Court of New Zealand

930/279
280
281

B597750-1 Transfer Surrendering
the drainage easement created by
the within Transfer in so far as it
affects all C.T 1198/2 - 29.10.1936
at 2.52 o'clock

AUR

pt 738/51
Area = 0-1-2 sit in the Glen Eden Town
Dist. being lot 7 on DP 20832 &
being pt of Allot. 186. Waikomiti
pt

pt 739/51
Area = 0-1-02-3 sit in the Glen Eden
Town Dist. being lot 8 on DP 20832
& being pt of Allot. 186. Waikomiti
pt

pt 738/51
Area = 0-1-2 sit in the Glen Eden
Town Dist. being lot 11 on DP 20832
& being pt of Allot. 186. Waikomiti
pt

5-8-49

DIGNAN, ARMSTRONG, JORDAN, JORDAN & DUNNINGHAM
SOLICITORS,

AUCKLAND.

A. Bowring & Co. Ltd., Printers, 21-23 Pitt Street.

