

Approved by Registrar-General of Land under No. 2002/6055

**Easement instrument to grant easement or profit à prendre, or create land covenant**  
Sections 90A and 90F, Land Transfer Act 1952

**EI 6051990.6 Easemen**

Cpy - 01/01, Pgs - 017, 22/06/04, 09:33



DocID: 311473386

Surname(s) must be underlined or in CAPITALS.

Land registration district

**NORTH AUCKLAND**

Grantor

**435 WEST LIMITED**

Grantee

Surname(s) must be underlined or in CAPITALS.


**435 WEST LIMITED**

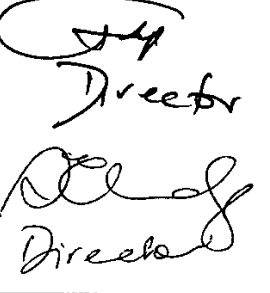
**Grant\* of easement or profit à prendre or creation or covenant**

The Grantor, being the registered proprietor of the servient tenement(s) set out in Schedule A, grants to the Grantee (and, if so stated, in gross) the easement(s) or profit(s) à prendre set out in Schedule A, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this 19th day of May, 2004

**Attestation**

 Director Director	<b>Signed in my presence by the Grantor</b>
	_____ Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) <b>Witness name</b>
	<b>Occupation</b>
<b>Signature [common seal] of Grantor</b>	<b>Address</b>

 Director Director	<b>Signed in my presence by the Grantee</b>
	_____ Signature of witness
	Witness to complete in BLOCK letters (unless legibly printed) <b>Witness name</b>
	<b>Occupation</b>
<b>Signature [common seal] of Grantee</b>	<b>Address</b>

**Certified correct** for the purposes of the Land Transfer Act 1952.

Newberry

[Solicitor for] the Grantee

\*If the consent of any person is required for the grant, the specified consent form must be used.

**Annexure Schedule 1**



Easement instrument

Dated 19th May, 2004

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**Schedule A**

(Continue in additional Annexure Schedule if required.)

Purpose (nature and extent) of easement, profit, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Right of Way, Water Supply, Electricity & Telecommunications	"B" DP 329234	Lot 102 CT's 119464-119473 inclusive	Lot 86 CT 119474
Stormwater Drainage	"CG" DP 329234	Lot 8 CT 119424	Lot 9 CT 119425
Stormwater Drainage	"CH" DP 329234	Lot 11 CT 119427	Lot 10 CT 119426
Wastewater Drainage	"DA" DP 329234	Lot 9 CT 119425	Lot 8 CT 119424
Wastewater Drainage	"DB" DP 329234	Lot 10 CT 119426	Lot 11 CT 119427

**Easements or profits à prendre rights and powers (including terms, covenants, and conditions)**

Delete phrases in [ ] and insert memorandum number as required.  
Continue in additional Annexure Schedule if required.

Unless otherwise provided below, the rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are **[varied]** **[negatived]** **[added to]** or **[substituted]** by:

[Memorandum number \_\_\_\_\_, registered under section 155A of the Land Transfer Act 1952].

[the provisions set out in Annexure Schedule 2].

**Covenant provisions**

Delete phrases in [ ] and insert memorandum number as required.  
Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:

[Memorandum number \_\_\_\_\_, registered under section 155A of the Land Transfer Act 1952].

[Annexure Schedule 2].

**All signing parties and either their witnesses or solicitors must sign or initial in this box**

**Annexure Schedule**

Insert type of instrument  
"Mortgage", "Transfer", "Lease" etc

[ ]

Dated 19th May, 2004

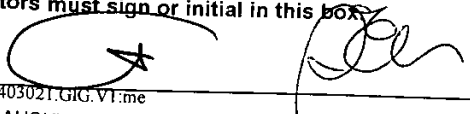
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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"E" DP 329234	Lot 12 CT 119428	Lot 13 CT 119429
Party Wall	"F" DP 329234	Lot 13 CT 119429	Lot 12 CT 119428
Party Wall	"G" DP 329234	Lot 13 CT 119429	Lot 14 CT 119430
Party Wall	"H" DP 329234	Lot 14 CT 119430	Lot 13 CT 119429
Party Wall	"I" DP 329234	Lot 14 CT 119430	Lot 15 CT 119431
Party Wall	"K" DP 329234	Lot 15 CT 119431	Lot 14 CT 119430
Party Wall	"L" DP 329234	Lot 15 CT 119431	Lot 16 CT 119432
Party Wall	"M" DP 329234	Lot 16 CT 119432	Lot 15 CT 119431
Party Wall	"N" DP 329234	Lot 16 CT 119432	Lot 17 CT 119433
Party Wall	"O" DP 329234	Lot 17 CT 119433	Lot 16 CT 119432
Party Wall	"P" DP 329234	Lot 17 CT 119433	Lot 18 CT 119434
Party Wall	"Q" DP 329234	Lot 18 CT 119434	Lot 17 CT 119433
Party Wall	"R" DP 329234	Lot 18 CT 119434	Lot 19 CT 119435

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.



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**Annexure Schedule**

Insert type of instrument  
 "Mortgage", "Transfer", "Lease" etc

[Empty box for instrument type]

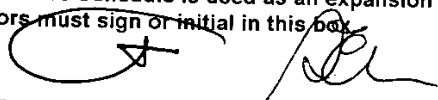
Dated 19th May, 2004 Page 4 of 15 pages

**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"S" DP 329234	Lot 19 CT 119435	Lot 18 CT 119434
Party Wall	"T" DP 329234	Lot 20 CT 119436	Lot 21 CT 119437
Party Wall	"U" DP 329234	Lot 21 CT 119437	Lot 20 CT 119436
Party Wall	"V" DP 329234	Lot 21 CT 119437	Lot 22 CT 119438
Party Wall	"W" DP 329234	Lot 22 CT 119438	Lot 21 CT 119437
Party Wall	"X" DP 329234	Lot 23 CT 119439	Lot 24 CT 119440
Party Wall	"Y" DP 329234	Lot 24 CT 119440	Lot 23 CT 119439
Party Wall	"AA" DP 329234	Lot 24 CT 119440	Lot 25 CT 119441
Party Wall	"AB" DP 329234	Lot 25 CT 119441	Lot 24 CT 119440

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box



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**Annexure Schedule**

Insert type of instrument  
 "Mortgage", "Transfer", "Lease" etc

[Empty box for instrument type]

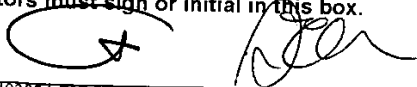
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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Stormwater Drainage	"CJ" DP 329234	Lot 15 CT 119431	Lot 14 CT 119430
Stormwater Drainage	"CK" DP 329234	Lot 17 CT 119433	Lot 16 CT 119432
Stormwater Drainage	"CL" DP 329234	Lot 18 CT 119434	Lot 19 CT 119435
Stormwater Drainage	"CM" DP 329234	Lot 20 CT 119436	Lot 21 CT 119437
Stormwater Drainage	"CN" DP 329234	Lot 22 CT 119438	Lot 23 CT 119439
Stormwater Drainage	"CO" DP 329234	Lot 25 CT 119441	Lot 24 CT 119440
Stormwater Drainage	"DC" DP 329234	Lot 12 CT 119428	Lot 13 CT 119429

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.



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**Annexure Schedule**

Insert type of instrument  
 "Mortgage", "Transfer", "Lease" etc

Dated

19th May, 2004

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pages

**Continuation of Schedule A***(Continue in additional Annexure Schedule, if required.)*

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Wastewater Drainage	"DC" DP 329234	Lot 12 CT 119428	Lot 13 CT 119429
Wastewater Drainage	"DD" DP 329234	Lot 14 CT 119430	Lot 15 CT 119431
Wastewater Drainage	"DE" DP 329234	Lot 16 CT 119432	Lot 17 CT 119433
Wastewater Drainage	"DF" DP 329234	Lot 19 CT 119435	Lot 18 CT 119434
Wastewater Drainage	"DG" DP 329234	Lot 20 CT 119436	Lot 21 CT 119437
Wastewater Drainage	"DH" DP 329234	Lot 24 CT 119440	Lot 23 CT 119439

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

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**Annexure Schedule**Insert type of instrument  
"Mortgage", "Transfer", "Lease" etc

Dated

19th May, 2004

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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"AC" DP 329234	Lot 27 CT 119443	Lot 28 CT 119444
Party Wall	"AD" DP 329234	Lot 28 CT 119444	Lot 27 CT 119443
Party Wall	"AE" DP 329234	Lot 28 CT 119444	Lot 29 CT 119445
Party Wall	"AF" DP 329234	Lot 29 CT 119445	Lot 28 CT 119444
Party Wall	"AG" DP 329234	Lot 29 CT 119445	Lot 30 CT 119446
Party Wall	"AH" DP 329234	Lot 30 CT 119446	Lot 29 CT 119445
Party Wall	"AI" DP 329234	Lot 30 CT 119446	Lot 31 CT 119447
Party Wall	"AJ" DP 329234	Lot 31 CT 119447	Lot 30 CT 119446
Party Wall	"AK" DP 329234	Lot 31 CT 119447	Lot 32 CT 119448
Party Wall	"AL" DP 329234	Lot 32 CT 119448	Lot 31 CT 119447
Party Wall	"AM" DP 329234	Lot 32 CT 119448	Lot 33 CT 119449
Party Wall	"AN" DP 329234	Lot 33 CT 119449	Lot 32 CT 119448
Party Wall	"AO" DP 329234	Lot 33 CT 119449	Lot 34 CT 119450

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

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**Annexure Schedule**

Insert type of instrument  
 "Mortgage", "Transfer", "Lease" etc

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Dated [Empty box for date]

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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"AP" DP 329234	Lot 34 CT 119450	Lot 33 CT 119449
Party Wall	"AQ" DP 329234	Lot 34 CT 119450	Lot 35 CT 119451
Party Wall	"AR" DP 329234	Lot 35 CT 119451	Lot 34 CT 119450
Party Wall	"T" DP 329234	Lot 20 CT 119436	Lot 21 CT 119437
Wastewater Drainage	"DU" DP 329234	Lot 30 CT 119446	Lot 29 CT 119445

*This page has been reprinted - deleting U and adding DU*

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

*[Handwritten signature]*



Annexure Schedule

TRANSFER

Dated

[ ]

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Pages

Continuation of Schedule A

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"AS" DP 329234	Lot 64 CT 119452	Lot 65 CT 119453
Party Wall	"AT" DP 329234	Lot 65 CT 119453	Lot 64 CT 119452
Party Wall	"AU" DP 329234	Lot 65 CT 119453	Lot 66 CT 119454
Party Wall	"AV" DP 329234	Lot 66 CT 119454	Lot 65 CT 119453
Party Wall	"AW" DP 329234	Lot 66 CT 119454	Lot 67 CT 119455
Party Wall	"AX" DP 329234	Lot 67 CT 119455	Lot 66 CT 119454
Party Wall	"AY" DP 329234	Lot 67 CT 119455	Lot 68 CT 119456
Party Wall	"AZ" DP 329234	Lot 68 CT 119456	Lot 67 CT 119455

*New page*

If this Annexure Schedule is used as an expansion of an existing easement, all signing parties and either their witnesses or their solicitors must put their signatures or initials here

*[Handwritten signatures]*

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Auckland District Law Society

REF: 4135

**Annexure Schedule**

Insert type of instrument  
"Mortgage", "Transfer", "Lease" etc

[Empty box for instrument type]

Dated 19th May, 2004

Page <sup>10 15</sup> 9 of ~~15~~ pages

**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Wastewater Drainage	"DJ" DP 329234	Lot 64 CT 119452	Lot 65 CT 119453
Wastewater Drainage	"DK" DP 329234	Lot 66 CT 119454	Lot 67 CT 119455
Wastewater Drainage	"DL" DP 329234	Lot 68 CT 119456	Lot 69 CT 119457
Wastewater Drainage	"DR" DP 329234	Lot 81 CT 119469	Lot 80 CT 119468
Wastewater Drainage	"DS" DP 329234	Lot 83 CT 119471	Lot 82 CT 119470
Wastewater Drainage	"DT" DP 329234	Lot 84 CT 119472	Lot 85 CT 119473

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**Annexure Schedule**

Insert type of instrument  
"Mortgage", "Transfer", "Lease" etc

[Empty box for instrument type]

Dated 19th May, 2004

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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Stormwater Drainage	"CP" DP 329234	Lot 65 CT 119453	Lot 64 CT 119452
Stormwater Drainage	"CQ" DP 329234	Lot 67 CT 119455	Lot 66 CT 119454
Stormwater Drainage	"CR" DP 329234	Lot 69 CT 119457	Lot 68 CT 119456
Stormwater Drainage	"CW" DP 329234	Lot 80 CT 119468	Lot 81 CT 119469
Stormwater Drainage	"DS" DP 329234	Lot 83 CT 119472	Lot 82 CT 119470
Stormwater Drainage	"CY" DP 329234	Lot 85 CT 119473	Lot 84 CT 119472

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

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**Annexure Schedule**

Insert type of instrument  
"Mortgage", "Transfer", "Lease" etc

[ ]

Dated 19th May, 2004

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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"BA" DP 329234	Lot 68 CT 119456	Lot 69 CT 119457
Party Wall	"BB" DP 329234	Lot 69 CT 119457	Lot 68 CT 119456
Party Wall	"BC" DP 329234	Lot 69 CT 119457	Lot 70 CT 119458
Party Wall	"BD" DP 329234	Lot 70 CT 119458	Lot 69 CT 119457
Party Wall	"BE" DP 329234	Lot 70 CT 119458	Lot 71 CT 119459
Party Wall	"BF" DP 329234	Lot 71 CT 119459	Lot 70 CT 119458
Party Wall	"BG" DP 329234	Lot 71 CT 119459	Lot 72 CT 119460
Party Wall	"BH" DP 329234	Lot 72 CT 119460	Lot 71 CT 119459
Party Wall	"BI" DP 329234	Lot 72 CT 119460	Lot 73 CT 119461
Party Wall	"BJ" DP 329234	Lot 73 CT 119461	Lot 72 CT 119460
Party Wall	"BK" DP 329234	Lot 73 CT 119461	Lot 74 CT 119462
Party Wall	"BL" DP 329234	Lot 74 CT 119462	Lot 73 CT 119461
Party Wall	"BM" DP 329234	Lot 74 CT 119462	Lot 75 CT 119463

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

## Annexure Schedule

 Insert type of instrument  
 "Mortgage", "Transfer", "Lease" etc

Dated

19th May, 2004

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## Continuation of Schedule A

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
Party Wall	"BN" DP 329234	Lot 75 CT 119463	Lot 74 CT 119462
Party Wall	"BO" DP 329234	Lot 76 CT 119464	Lot 77 CT 119465
Party Wall	"BP" DP 329234	Lot 77 CT 119465	Lot 76 CT 119464
Party Wall	"BQ" DP 329234	Lot 77 CT 119465	Lot 78 CT 119466
Party Wall	"BR" DP 329234	Lot 78 CT 119466	Lot 77 CT 119465
Party Wall	"BS" DP 329234	Lot 78 CT 119466	Lot 79 CT 119467
Party Wall	"BT" DP 329234	Lot 79 CT 119467	Lot 78 CT 119466
Party Wall	"BU" DP 329234	Lot 79 CT 119467	Lot 80 CT 119468
Party Wall	"BV" DP 329234	Lot 80 CT 119468	Lot 79 CT 119467

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

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**Annexure Schedule**

Insert type of instrument  
"Mortgage", "Transfer", "Lease" etc

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Dated 19th May, 2004

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**Continuation of Schedule A**

(Continue in additional Annexure Schedule, if required.)

Purpose (nature and extent) of easement, <i>profit</i> , or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT or in gross)
<del>Stormwater Drainage</del>	<del>"CR" DP 329234</del>	<del>Lot 69 CT 119457</del>	<del>Lot 68 CT 119456</del>
Stormwater Drainage	"CS" DP 329234	Lot 71 CT 119459	Lot 70 CT 119458
Stormwater Drainage	"CT" DP 329234	Lot 73 CT 119461	Lot 72 CT 119460
Stormwater Drainage	"CU" DP 329234	Lot 77 CT 119465	Lot 76 CT 119464
Stormwater Drainage	"CV" DP 329234	Lot 78 CT 119466	Lot 79 CT 119467
Wastewater Drainage	"DL" DP 329234	Lot 68 CT 119456	Lot 69 CT 119457
Wastewater Drainage	"DM" DP 329234	Lot 70 CT 119458	Lot 71 CT 119459
Wastewater Drainage all	"DN" DP 329234	Lot 73 CT 119461	Lot 72 CT 119460
Wastewater Drainage	"DO" DP 329234	Lot 74 CT 119462	Lot 75 CT 119463
Wastewater Drainage	"CU" DP 329234	Lot 77 CT 119465	Lot 76 CT 119464
Wastewater Drainage	"DQ" DP 329234	Lot 79 CT 119467	Lot 78 CT 119466

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**Annexure Schedule**

Insert type of instrument

"Mortgage", "Transfer", "Lease" etc

[Empty box for instrument type]

Dated

19th May, 2004

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pages

(Continue in additional Annexure Schedule, if required.)

Annexure Schedule 2

Where there is a conflict between the provisions of Schedule 4 of the Land Transfer Regulations 2002 and the Ninth Schedule of the Property Law Act 1952 the provisions of Schedule 4 shall prevail.

The rights and powers implied in specific classes of easements as prescribed by the Land Transfer Regulations 2002 shall be extended to include the party wall easements contained herein.

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If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.





