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9300 32/01

Under the Land Transfer Act 1952

## Memorandum of Transfer

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WHEREAS ERIC RONALD WEGGERY of Waikanae, Farmer, CLIFFORD HICKS of Paraparaumu, Widower and THE PALMERSTON NORTH HOSPITAL RADIO/THERAPY AND ONCOLOGY TRUST a body corporate established under the Charitable Trusts Act 1957, at Palmerston North (hereinafter called "the Registered Proprietors")

being registered as proprietors

of an estate in fee simple as tenants in common in equal shares

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in all those pieces of land situated in the Land District of Wellington containing 6.5306 hectares

SEAL OF THE DISTRICT LAND REGISTRAR  
NEW ZEALAND

more or less being Lot 1 and Lots 9 to 33 inclusive on Deposited Plan 59621 and being part of the land comprised in Certificate of Titles Volume 30A Folio 269 to 294 inclusive (Wellington Registry) TOGETHER WITH AND SUBJECT TO Rights created by Easement Certificate 803414.3 (affecting Lots 14, 15 and 16) and Lots 21, 22, 23 and 24 only) AND SUBJECT TO Transfer 803414.4 (affecting Lot 27) AND SUBJECT TO Transfer 803414.5 (Subject to Section 309(1)(a) of the Local Government Act 1974) (affecting Lots 17, 18, 21, 22, 23, 24 and 33) (the above pieces of land being hereinafter called "the said land") Lot 10 Subject to Covenants

AND WHEREAS the Registered Proprietors are desirous of creating certain restrictive covenants between the said Lots comprising the said land TO THE INTENT that all of the said Lots shall have the benefit of the said restrictive covenants as are hereinafter set forth and Lots 9, 10, 11, 14 and 15 on Deposited Plan 59621 shall also have the burden of the said restrictive covenants PROVIDED THAT in respect of each such covenant the Lot having the burden of a restrictive covenant as set out hereunder shall not also have the benefit of that particular restrictive covenant but shall nevertheless have the benefit of the remaining restrictive covenants.

NOW THEREFORE the Registered Proprietors IN CONSIDERATION of the premises DO HEREBY TRANSFER the said land to the said Registered Proprietors and DO HEREBY FURTHER COVENANT with themselves the said Registered Proprietors of the said land TO THE INTENT that the said Lots 9, 10, 11, 14 and 15 on Deposited Plan 59621 shall be subject to the burden of the restrictive covenants which follow in the paragraphs below in respect of each individual lot in favour of all the other lots and all the lots comprising the said land shall have the benefit of the restrictive covenants which follow in favour of each individual lot over the said Lots 9, 10, 11, 14 and 15 on Deposited Plan 59621 such restrictive covenants being as follows:

1.(a) That the Registered Proprietor of Lot 11 on Deposited Plan 59621 shall not in respect of the area marked "M" on the said Deposited Plan 59621 being the portion immediately adjacent to the esplanade reserve of the said Lot 11 erect or cause to be erected a dwelling or other building or buildings which would be at a height of more than 20 metres above the survey bench mark datum for Waikanae Beach.

(b) The Registered Proprietor of Lot 10 on Deposited Plan 59621 shall not in respect of the area marked "N" on the said Deposited Plan 59621 being the portion immediately adjacent to the esplanade reserve of the said Lot 10 erect or cause to be erected a dwelling or other building or buildings which would be at a height of more than 21 metres above the survey bench mark datum for Waikanae Beach.

*JP*  
(c) That the Registered Proprietor of Lot 9 on Deposited Plan 59621 shall not in respect of the area marked "O" on the said Deposited Plan 59621 being the portion immediately adjacent to the esplanade reserve of the said Lot 9 erect or cause to be erected a dwelling or other building or buildings which would be at a height of more than 22 metres above the survey bench mark datum for Waikanae Beach.

(d) That the Registered Proprietor of Lot 14 on Deposited Plan 59621 shall not in respect of the entire Lot 14 on the said Deposited Plan 59621 erect or cause to be erected a dwelling or other building or buildings which would be at a height of more than 16 metres above the survey bench mark datum for Waikanae Beach.

(e) That the Registered Proprietor of Lot 15 on Deposited Plan 59621 shall not in respect of the entire Lot 15 on the said Deposited Plan 59621 erect or cause to be erected a dwelling or other building or buildings which would be at a height of more than 14 metres above the survey bench mark datum for Waikanae Beach.

N 11th  
24th  
In Witness Whereof these presents have been executed this 24th day of November

1986.

Signed by the abovenamed CLIFFORD HICKS by his attorney JOHN RUSSELL CAMPION in the presence of:-

*H.A. West. J.P.*  
*Director*  
*Waikanae*

*Clifford Hicks*  
*by his attorney*

*John Russell Campion*

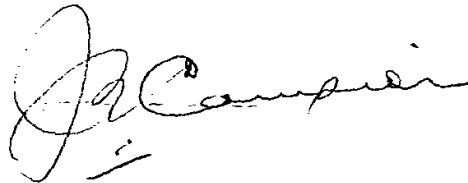
CERTIFICATE OF NON-REVOCATION OF

POWER OF ATTORNEY

1. JOHN RUSSELL CAMPION of Waikanae, Chartered Accountant  
do hereby certify as follows:

1. THAT by Deed bearing date the 9th day of April 1986  
(a copy of which said Deed is deposited in the Land Registry Office  
at Wellington under number 783233-A) I was  
appointed Attorney of the therein named and described ERIC RONALD WEGGERY  
of Waikanae, Farmer on the terms and subject to  
the conditions set out in the said Deed.
2. THAT I have not received any notice or information of the revocation  
of the said Power of Attorney by death winding up or otherwise and  
I verily believe the same to be in full force and effect.

SIGNED at Waikanae )  
by the said JOHN )  
RUSSELL CAMPION )  
this 11th day of )  
*John* ~~JUNE~~ November 1986 )

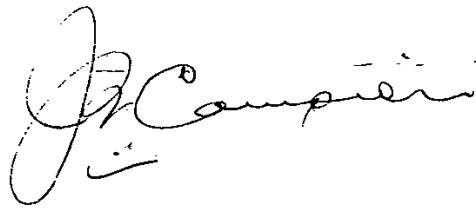


CERTIFICATE OF NON-REVOCATION OF  
POWER OF ATTORNEY

I, JOHN RUSSELL CAMPION of Waikanae, Chartered Accountant  
do hereby certify as follows:

1. THAT by Deed bearing date the 9th day of April 1986  
(a copy of which said Deed is deposited in the Land Registry Office  
at Wellington under number 783233-A I was  
appointed Attorney of the therein named and described CLIFFORD HICKS  
of Paraparaumu, Widower on the terms and subject to  
the conditions set out in the said Deed.
2. THAT I have not received any notice or information of the revocation  
of the said Power of Attorney by death winding up or otherwise and  
I verily believe the same to be in full force and effect.

SIGNED at Waikanae )  
by the said JOHN )  
RUSSELL CAMPION )  
this 11<sup>th</sup> day of )  
11th November 1986 )



True to the Deed



~~In Consideration of~~

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

~~Do~~ hereby Transfer to the said

all

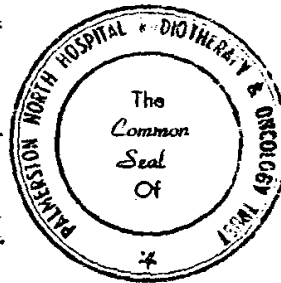
estate and interest in the

said land above described

The Common Seal of THE PALMERSTON  
NORTH HOSPITAL RADIOTHERAPY  
AND ONCOLOGY TRUST was hereunto  
affixed in the presence of:-

*[Signature]*  
.....  
Trustees

*[Signature]*  
.....  
Trustees



In witness whereof these presents have been executed this

day

of

19

Signed by the above named ERIC  
RONALD WEGGERY by his attorney  
JOHN RUSSELL CAMPION  
in the presence of:-

*H. G. West J. P.*  
*Director*  
*Waikanae*

*Eric Ronald Wegger*  
*by his attorney*  
*J. Campion*

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act.



Solicitor for the Transferee.

.....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

SOLICITOR FOR THE TRANSFEE

.....Transferee

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

.....  
Assistant / District Land Registrar

.....  
of the District of .....

Solicitors for the Transferee

944 26 NOV 86  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY WELLINGTON  
ASST. LAND REGISTRAR  
30A / 269-294  
316/620-627  
819943  
1  
Jha  
WELLINGTON

