

Easement variation instrument to vary easement, *profit à prendre*, or land covenant

Sections 90C and 90F, Land Transfer Act 1952

VE 6126103.2 Variation (

Cpy - 01/01, Pgs - 005, 24/08/04, 14:45

DocID: 411091561
VE 6126103.2

Land registration district

WELLINGTON

Grantor

Surname(s) must be underlined.PETER JOHN HAWKER, Prudence Jane Hawker, James Ross Hawker and Hamish Edward Hawker (as to
(Continued on Annexure Schedule page 3) Certificates of Title
41141 and 41137)Grantee (Continued on Annexure Schedule Page3) Surname(s) must be underlined.PETER JOHN HAWKER, Prudence Jane Hawker, James Ross Hawker and Hamish Edward Hawker (as to
Certificates of Title 41141 and 41137)Variation* of easement, *profit à prendre*, or covenantThe terms, covenants, or conditions contained in the easement(s), *profit(s) à prendre*, or covenant(s) set out
in Schedule A are **varied, negated, or added to** as set out in Annexure Schedule 1.

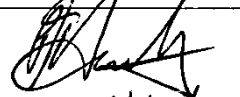


Dated this




6th day of

August


20 04

Attestation Continued on Annexure Schedule Page 2

| | |
|--|--|
|    | Signed in my presence by the Grantor PETER JOHN HAWKER, PRUDENCE JANE HAWKER and HAMISH EDWARD HAWKER |
| | Signature of witness |
| | Witness to complete in BLOCK letters (unless legibly printed) |
| | Witness name A. S. FAIRBAIRN Occupation Solicitor Paraparaumu Address |
| Signature [common seal] of Grantor | |

| | |
|---|--|
|    | Signed in my presence by the Grantee PETER JOHN HAWKER, PRUDENCE JANE HAWKER and HAMISH EDWARD HAWKER |
| | Signature of witness |
| | Witness to complete in BLOCK letters (unless legibly printed) |
| | Witness name A. S. FAIRBAIRN Occupation Solicitor Paraparaumu Address |
| Signature [common seal] of Grantee | |

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


 [Solicitor for] the Grantor

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

Annexure Schedule

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


Easement Variation

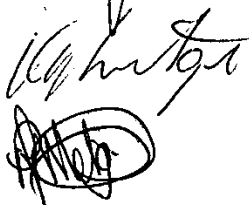
Dated 6-8-04

Page 2 of 4 pages

(Continue in additional Annexure Schedule, if required.)

Attestation continued


John Marshall Scutter



Signed in my presence by the Grantor
MICHAEL DOUGLAS NUTTING and DENISE CAROL
NUTTING and JOHN MARSHALL SCUTTER

Signature of Witness

Witness to complete in BLOCK letters
Witness name STEVEN LEE Barrister & Solicitor

Occupation ELIZABETH SPIERS Pararamu witness

Address witness to LEGAL SECRETARY to signature
WAIKANA E of J.M. Scutter

signature of Michael Douglas Nutting and
Denise Carol Nutting

Signed in my presence by the Grantor
KEVIN JAMES PIERRE METGE and ROBYN JOY METGE

Signature of Witness

Witness to complete in BLOCK letters

Witness name STEVEN LEE

Occupation Barrister & Solicitor

Address Pararamu

Signed in my presence by the Grantor
CRAIG ALEXANDER MITCHELL and ANNA VICTORIA
MITCHELL





 A. S. FAIRBAIRN X
Solicitor
Pararamu

Signature of Witness


Witness to complete in BLOCK letters

Witness name

Occupation A. S. FAIRBAIRN
Solicitor

Address Pararamu

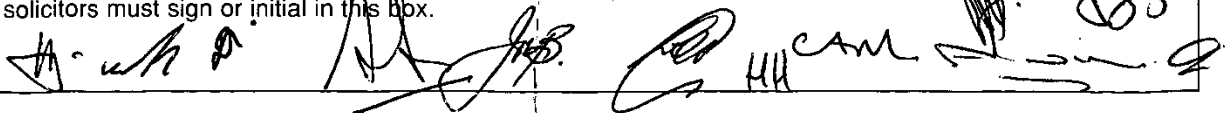
James Ross Hawker by
his Attorney



Signed in my presence by JAMES ROSS HAWKER
by his Attorney PETER JAMES HAWKER

 A. S. FAIRBAIRN
Solicitor
Pararamu

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

Easement Variation

Dated

6-8-04

Page

3

of

4

pages

(Continue in additional Annexure Schedule, if required.)

Grantor (Continued) and Grantee (Continued)

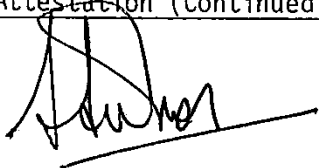
MICHAEL DOUGLAS NUTTING and DENISE CAROL NUTTING (as to Certificate of Title 41136) ^{/and John Marshall Scutter}

KEVIN JAMES PIERRE METGE and ROBYN JOY METGE (as to Certificate of Title 41140)

CRAIG ALEXANDER MITCHELL and ANNA VICTORIA MITCHELL (as to Certificate of Title 41138)

RICHARD BRUCE BULMER, JILLIAN MARY ^{/HALL} BULMER and LEONIDAS ANGELOS GAMBITSIS (as to Certificate of Title 41139)

Attestation (Continued)



Signed in my presence by
RICHARD BRUCE BULMER and JILLIAN MARY ^{/HALL} BULMER



Signature of Witness

Witness to complete in BLOCK letters

Witness name

Occupation

Address

MICHAEL G. DONOVAN
SOLICITOR
LOWER HUTT

Signed in my presence by
LEONIDAS ANGELOS GAMBITSIS



Signature of Witness

Witness to complete in BLOCK letters

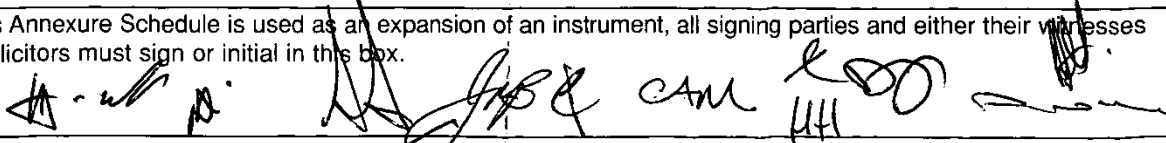
Witness name

Occupation

Address

MICHAEL G. DONOVAN
SOLICITOR
LOWER HUTT

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 1Easement variation
instrument

Dated

6-8-04

Page 4 of 4 pages

Schedule A

(Continue in additional Annexure Schedule if required)

| Nature of easement, profit, or covenant | Unique identifier (Document number) | Servient tenement (Identifier/CT) | Dominant tenement (Identifier/CT or in gross) |
|---|-------------------------------------|---|--|
| Land Covenants | Easement Instrument E5466989.8 | Certificate of Title 41139 41136 41137 41138 41140 41141 | Certificate of Title 41136 41137 41138 41140 41141 and 41139 |

Variation of terms, covenants or
conditions

(Continue in additional Annexure Schedule if required.)

1. The Grantor amends the Land Covenants created by Easement Instrument E5466989.8 in Clause 22 of Schedule A therein as follows and in Clause 18(b) as follows:-

22. Height Restricted Area

- A. The areas of Lot 1 DP 310492 marked R, J and S.
- B. The areas of Lot 5 DP 310492 marked F and U.
- C. The areas of Lot 6 DP 310492 marked D and T.

- 18(b) Not to erect or permit to remain any building structure or any attachments to such building or structure nor to grow or allow to grow any tree or shrub on the relevant Height Restricted area hereinafter stipulated in Clause 22B which shall exceed a level of RL108.0 metres above mean sea level which level has been defined in terms of WBM 005 being a surveying brass plaque located in the kerb outside 47 Kotare Street, Waikanae (which has a level of 71.76 metres above mean sea level (Wellington Datum 1953)).

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

**CERTIFICATE OF NON-REVOCATION OF
POWER OF ATTORNEY**

I, **PETER JAMES HAWKER** of Waikanae, Manager hereby certify:


1. I have executed the within written Easement Variation Instrument as Attorney and in the name of the therein described **JAMES ROSS HAWKER** under and by virtue of a certain Power of Attorney dated this 16th day of April 2004 a copy of which is deposited in the Land Registry Office at Wellington under number
2. I have not received any notice or information of the revocation of the said Power of Attorney by death or otherwise and I verily believe it to be in full force and effect.

SIGNED by the above named)

PETER JAMES HAWKER)

at Paraparaumu this 6th)

day of August 2004)



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