

# GRIFFIOEN.

## RECORD OF TITLE

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**RECORD OF TITLE**  
**UNDER LAND TRANSFER ACT 2017**  
**FREEHOLD**  
**Search Copy**



R.W. Muir  
Registrar-General  
of Land

**Identifier** **CB44C/1104**

**Land Registration District** **Canterbury**

**Date Issued** 01 July 1999

**Prior References**

CB43C/1069

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**Estate** Fee Simple  
**Area** 450 square metres more or less  
**Legal Description** Lot 2 Deposited Plan 77858  
**Registered Owners**  
Christopher William James Fogarty and Sanjay Ari Segaran as Executors

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**Interests**

Subject to Section 3 Petroleum Act 1937

Subject to Section 8 Atomic Energy Act 1945

Subject to Section 3 Geothermal Energy Act 1953

Subject to Section 6 and 8 Mining Act 1971

Subject to Section 5 Coal Mines Act 1979

Subject to Section 261 Coal Mines Act 1979

16546 Transfer creating the following easements - 16.9.1881 at 2.36 pm

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Lot 1 Deposited Plan 35644 - CT CB15A/697	Part	Lot 2 Deposited Plan 77858 - herein	

18122 Transfer creating the following easements - 12.5.1882 at 2.52 pm

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Right of way	Lot 1 Deposited Plan 35644 - CT CB15A/697	Part	Lot 2 Deposited Plan 77858 - herein	

Land Covenant in Transfer A330370.9 - 9.12.1997 at 11.33 am

Fencing Covenant in Transfer A367115.2 - 3.9.1998 at 12.05 pm

A413401.4 Easement Certificate specifying the following easements - 1.7.1999 at 10.20 am

Type	Servient Tenement	Easement Area	Dominant Tenement	Statutory Restriction
Drain sewage	Lot 1 Deposited Plan 77858 - CT CB44C/1103	D-E DP 77858	Lot 2 Deposited Plan 77858 - herein	
Drain water	Lot 1 Deposited Plan 77858	A-F-B DP 77858	Lot 2 Deposited Plan 77858 - herein	
Drain water	Lot 1 Deposited Plan 77858	F-C DP 77858	Lot 2 Deposited Plan 77858 - herein	

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

12015951.2 Mortgage to Heartland Bank Limited - 18.2.2021 at 3:48 pm

A. J. BEVIN, SURVEYOR GENERAL, LAND INFORMATION, NEW ZEALAND.



(D.) *1636 1695*

16546TE

[New Zealand]

MEMORANDUM OF TRANSFER.

*16546TE*

I, Herneclius Dyer of the Wough Inn Riccarton being registered as the proprietor

Here state nature of the estate or interest.

of an estate<sup>1</sup> in fee simple

subject,

however, to such encumbrances, liens, and interests as are notified by memorandum under-

<sup>1</sup> District, county, hundred, or township.

written or indorsed hereon, in all that piece of land situated in the<sup>2</sup> Christchurch District of Provincial District of Canterbury containing<sup>3</sup> Thirty nine acres twenty three perches

<sup>2</sup> Here state the area, exclusively of roads intersecting the same, if any.

<sup>3</sup> Here state rights of way, privileges, or easements, if any, intended to be conveyed; and, if the land to be dealt with contain all that is included in an existing grant or certificate, refer thereto for description of parcels and diagram; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on this margin or annexed to the instrument or deposited in the Registry Office.

be the same a little more or less<sup>4</sup> being part of the land included in Certificate of Title recorded in the Office of the District Land Registry Christchurch as Number XIV 77 and part of Rural Section Number 27 commencing at the North West corner of Rural Section 27 thence South East along the North East boundary twelve chains sixty links thence South West at an angle of  $90^{\circ} 20'$  a distance of twenty five chains sixty seven and four tenth links thence at an angle of  $86^{\circ} 30'$  North West four chains forty four links thence at an angle of  $86^{\circ} 40'$  South West eight chains nine links to the centre of the creek running through the section and thence Westward along the said centre of the creek to the North West boundary of the said Rural Section and thence along the said boundary North East thirty four chains ninety five and one tenth links to the commencing point as delineated in the plan hereto annexed

*Part XIV. 77  
" 16546TE  
39-1-34  
Manning present in only 6  
Registration - 14-10-14.*

In consideration of the sum of Three thousand two hundred and fifty pounds paid to me by Samuel Manning of the Ferry Road near Christchurch Brewer

the receipt of which sum I hereby acknowledge

do hereby transfer to the said

Samuel Manning

<sup>a</sup> Or a lesser estate or interest, describing such lesser estate.

all my estate and interest<sup>b</sup> in the said piece of land.

together with full and free right of way and passage  
at all times over and along the Road seventy five links  
wide leading from the Ferry Road to the Creek aforesaid  
as shown upon the said plan and marked with the letter A

In witness whereof I have hereunto subscribed my name this

Seventh

September one thousand eight hundred and eighty one.

Cornelius Eyer

Signed on the day above named by the said

Cornelius Eyer

in the presence of

Wm. D. Thomas

Oliver Christensen

References

Prior C/T 353/272, 192/135, 5D/1424

Transfer No.

N/C. Order No. 31302/1

Land and Deeds 69



REGISTER

No. 15A / 697

**CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT**

This Certificate dated the 11th day of April one thousand nine hundred and seventy-five under the seal of the District Land Registrar of the Land Registration District of Canterbury

WITNESSETH that THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF CHRISTCHURCH

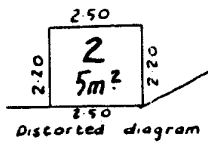
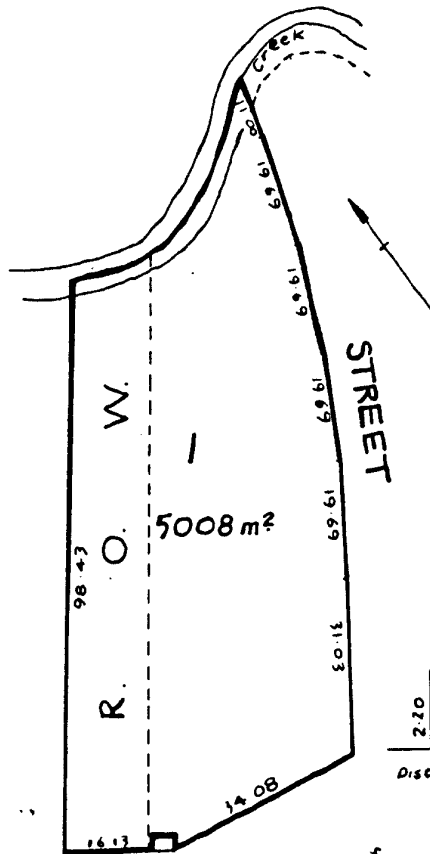
is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 5008 square metres or thereabouts situated in the City of Christchurch being Lot 1 on Deposited Plan 35644



Assistant Land Registrar

Right of Way over part herein granted by Transfers 16546 and 18122

*[Signature]*  
A.L.R.



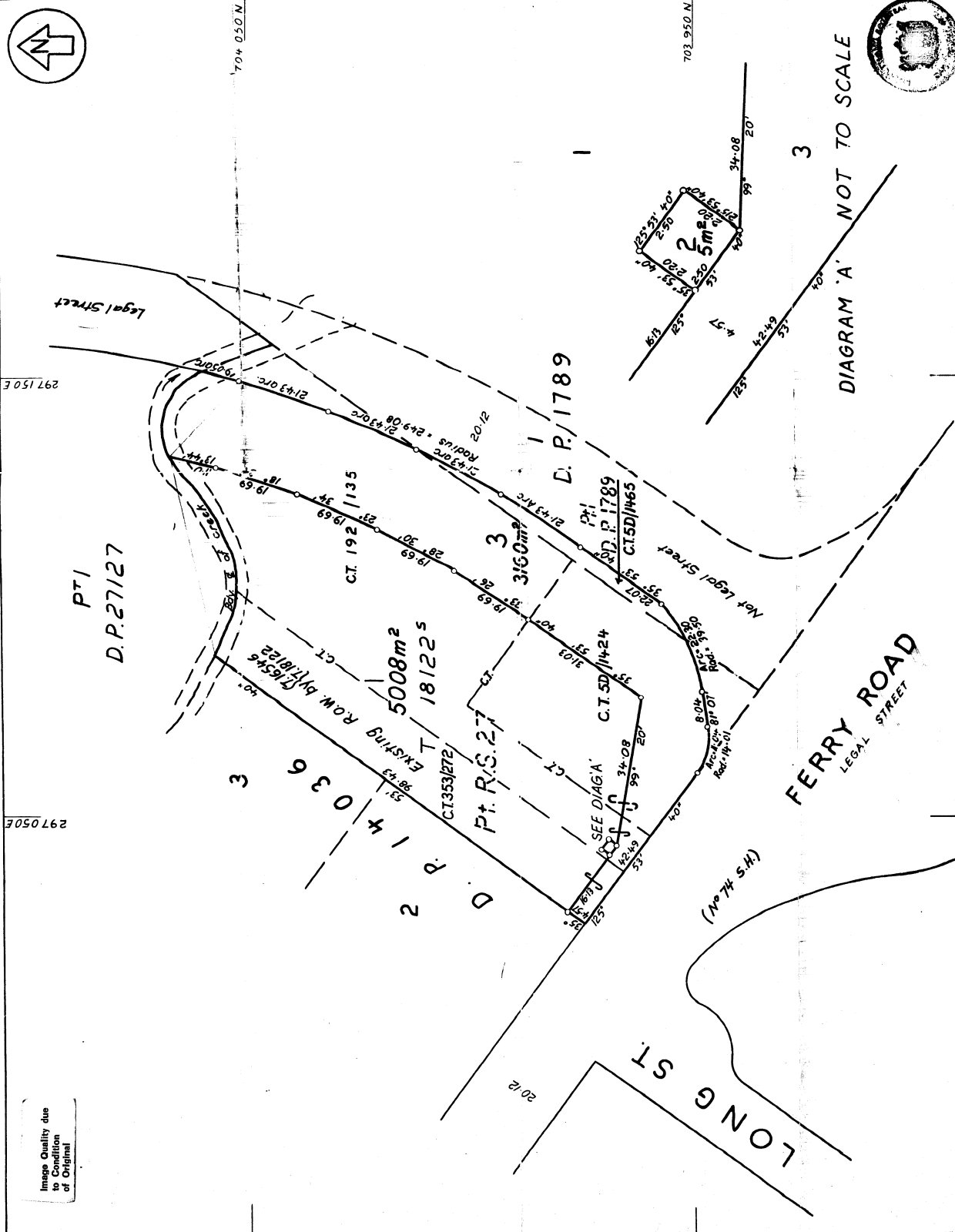
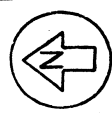
697

FERRY ROAD SH. No. 74





Image Quality due to condition of Original



AREA SCHEDULE	
Lot 3	Street to Vest 3160m <sup>2</sup>
Lot 2	Kiosk Site 5m <sup>2</sup>
Lot 1	Residential 5008m <sup>2</sup>

In pursuance of the provisions of Section 351 of "The Municipal Corporations Act, 1954" the Christchurch City Council hereby approves the Plan of Subdivision shown herein.

IN WITNESS WHEREOF the Common Seal of the Corporation was hereunto affixed this 10th day of June 1974 in the presence of

*[Signature]* MAYOR

*[Signature]* COUNCIL CLERK

The Christchurch City Council certifies that this plan complies with the requirements and provisions of the Operative District Scheme relating to the area in which the land is situated, as at 4th day of November 1974.

*[Signature]* CITY SURVEYOR

Unit: Mt Pleasant Circular Co-ordinates  
Origin: Mt Pleasant 700 000m N 300 000m E

Total Area 8173m<sup>2</sup>

Comprised in C.T. 353/272, P.T. 192/135, P.T. 50/1424, P.T. 50/1465.

I, Stuart Edward McHugh of Christchurch Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from surveys executed by me or under my direction, that both plans and survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966.

Dated at Christchurch this 14th day of November 1974 Signature *[Signature]*

Field Book P. Transvaal Book P. Reference Plan S.O. 104-52; D.P. 14-036

Examined *[Signature]* Carter *[Signature]*

Approved as to Survey *[Signature]*

Chief Surveyor

Deposited this 26th day of March 1974

File Received 8-11-74 Instructions

DP 35644

LAND DISTRICT CANTERBURY	164	LOCAL AUTHORITY CITY OF CHRISTCHURCH
SURVEY BLK. & DIST. XVI CHRISTCHURCH	L72/30	Surveyed by S.E. McHUGH
NZMS 177	SHEET No. S84	Scale 1:600
		Date MARCH 1974

W.S. Brown, Surveyor General, Department of Lands and Survey, Wellington

No. 16546

Transfer of P<sup>r</sup> S 27-

Correct for the purposes of the Land Transfer Act.

situated in Dist of Ch. Ch.

*McDonnell*  
*Stiller*

*Cornelius Dyer* Vendor

*Samuel Manning* Purchaser.

Particulars entered in the Register Book, Vol. XIV

Folio , the 16<sup>th</sup>  
day of September, 1881, at 2.36 P.M.  
o'clock.



*Elubacu*  
District Land Registrar.

*Planned 16546* (S)

381



18122 TE

[New Zealand.]

MEMORANDUM OF TRANSFER.

I, *Cornelius Dyck of Runciman Goldknap*  
being registered as the proprietor

<sup>1</sup> Here state nature of the of an estate<sup>1</sup> *of inheritance in fee simple* subject,

<sup>2</sup> District, county, hundred, or township. *Christchurch* however, to such encumbrances, liens, and interests as are notified by memorandum under-

<sup>3</sup> Here state the area, exclusive of roads intersecting the same, if any. *Three acres two rods and twenty three perches* containing<sup>3</sup>

<sup>4</sup> Here state rights of way, privileges, or easements, if any, intended to be conveyed; and, if the land to be dealt with contain all that is included in an existing grant or certificate, refer thereto for description of parcels and diagram; otherwise, set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the instrument or deposited in the Registry Office. *be the same a little more or less being part of the land included in Certificate of Title Volume XIV folio 77 as described and delineated in the plan and description hereto annexed marked A and "B" respectively together with a right of Road over all that parcel of land seven by five links wide and Brown in the said plan and called New Road with horses cattle carriages or with any*

*From XIV. 71  
to B. 27 2000  
and together 1. 2. 3.  
with the interest in the 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 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1017. 1018. 1019. 1020. 1021. 1022. 1023. 1024. 1025. 1026. 1027. 1028. 1029. 1030. 1031. 1032. 1033. 1034. 1035. 1036. 1037. 1038. 1039. 1040. 1041. 1042. 1043. 1044. 1045. 1046. 1047. 1048. 1049. 1050. 1051. 1052. 1053. 1054. 1055. 1056. 1057. 1058. 1059. 1060. 1061. 1062. 1063. 1064. 1065. 1066. 1067. 1068. 1069. 1070. 1071. 1072. 1073. 1074. 1075. 1076. 1077. 1078. 1079. 1080. 1081. 1082. 1083. 1084. 1085. 1086. 1087. 1088. 1089. 1090. 1091. 1092. 1093. 1094. 1095. 1096. 1097. 1098. 1099. 1100. 1101. 1102. 1103. 1104. 1105. 1106. 1107. 1108. 1109. 1110. 1111. 1112. 1113. 1114. 1115. 1116. 1117. 1118. 1119. 1120. 1121. 1122. 1123. 1124. 1125. 1126. 1127. 1128. 1129. 1130. 1131. 1132. 1133. 1134. 1135. 1136. 1137. 1138. 1139. 1140. 1141. 1142. 1143. 1144. 1145. 1146. 1147. 1148. 1149. 1150. 1151. 1152. 1153. 1154. 1155. 1156. 1157. 1158. 1159. 1160. 1161. 1162. 1163. 1164. 1165. 1166. 1167. 1168. 1169. 1170. 1171. 1172. 1173. 1174. 1175. 1176. 1177. 1178. 1179. 1180. 1181. 1182. 1183. 1184. 1185. 1186. 1187. 1188. 1189. 1190. 1191. 1192. 1193. 1194. 1195. 1196. 1197. 1198. 1199. 1200. 1201. 1202. 1203. 1204. 1205. 1206. 1207. 1208. 1209. 1210. 1211. 1212. 1213. 1214. 1215. 1216. 1217. 1218. 1219. 1220. 1221. 1222. 1223. 1224. 1225. 1226. 1227. 1228. 1229. 1230. 1231. 1232. 1233. 1234. 1235. 1236. 1237. 1238. 1239. 1240. 1241. 1242. 1243. 1244. 1245. 1246. 1247. 1248. 1249. 1250. 1251. 1252. 1253. 1254. 1255. 1256. 1257. 1258. 1259. 1260. 1261. 1262. 1263. 1264. 1265. 1266. 1267. 1268. 1269. 1270. 1271. 1272. 1273. 1274. 1275. 1276. 1277. 1278. 1279. 1280. 1281. 1282. 1283. 1284. 1285. 1286. 1287. 1288. 1289. 1290. 1291. 1292. 1293. 1294. 1295. 1296. 1297. 1298. 1299. 1300. 1301. 1302. 1303. 1304. 1305. 1306. 1307. 1308. 1309. 1310. 1311. 1312. 1313. 1314. 1315. 1316. 1317. 1318. 1319. 1320. 1321. 1322. 1323. 1324. 1325. 1326. 1327. 1328. 1329. 1330. 1331. 1332. 1333. 1334. 1335. 1336. 1337. 1338. 1339. 1340. 1341. 1342. 1343. 1344. 1345. 1346. 1347. 1348. 1349. 1350. 1351. 1352. 1353. 1354. 1355. 1356. 1357. 1358. 1359. 1360. 1361. 1362. 1363. 1364. 1365. 1366. 1367. 1368. 1369. 1370. 1371. 1372. 1373. 1374. 1375. 1376. 1377. 1378. 1379. 1380. 1381. 1382. 1383. 1384. 1385. 1386. 1387. 1388. 1389. 1390. 1391. 1392. 1393. 1394. 1395. 1396. 1397. 1398. 1399. 1400. 1401. 1402. 1403. 1404. 1405. 1406. 1407. 1408. 1409. 1410. 1411. 1412. 1413. 1414. 1415. 1416. 1417. 1418. 1419. 1420. 1421. 1422. 1423. 1424. 1425. 1426. 1427. 1428. 1429. 1430. 1431. 1432. 1433. 1434. 1435. 1436. 1437. 1438. 1439. 1440. 1441. 1442. 1443. 1444. 1445. 1446. 1447. 1448. 1449. 1450. 1451. 1452. 1453. 1454. 1455. 1456. 1457. 1458. 1459. 1460. 1461. 1462. 1463. 1464. 1465. 1466. 1467. 1468. 1469. 1470. 1471. 1472. 1473. 1474. 1475. 1476. 1477. 1478. 1479. 1480. 1481. 1482. 1483. 1484. 1485. 1486. 1487. 1488. 1489. 1490. 1491. 1492. 1493. 1494. 1495. 1496. 1497. 1498. 1499. 1500. 1501. 1502. 1503. 1504. 1505. 1506. 1507. 1508. 1509. 1510. 1511. 1512. 1513. 1514. 1515. 1516. 1517. 1518. 1519. 1520. 1521. 1522. 1523. 1524. 1525. 1526. 1527. 1528. 1529. 1530. 1531. 1532. 1533. 1534. 1535. 1536. 1537. 1538. 1539. 1540. 1541. 1542. 1543. 1544. 1545. 1546. 1547. 1548. 1549. 1550. 1551. 1552. 1553. 1554. 1555. 1556. 1557. 1558. 1559. 1560. 1561. 1562. 1563. 1564. 1565. 1566. 1567. 1568. 1569. 1570. 1571. 1572. 1573. 1574. 1575. 1576. 1577. 1578. 1579. 1580. 1581. 1582. 1583. 1584. 1585. 1586. 1587. 1588. 1589. 1590. 1591. 1592. 1593. 1594. 1595. 1596. 1597. 1598. 1599. 1600. 1601. 1602. 1603. 1604. 1605. 1606. 1607. 1608. 1609. 1610. 1611. 1612. 1613. 1614. 1615. 1616. 1617. 1618. 1619. 1620. 1621. 1622. 1623. 1624. 1625. 1626. 1627. 1628. 1629. 1630. 1631. 1632. 1633. 1634. 1635. 1636. 1637. 1638. 1639. 1640. 1641. 1642. 1643. 1644. 1645. 1646. 1647. 1648. 1649. 1650. 1651. 1652. 1653. 1654. 1655. 1656. 1657. 1658. 1659. 1660. 1661. 1662. 1663. 1664. 1665. 1666. 1667. 1668. 1669. 1670. 1671. 1672. 1673. 1674. 1675. 1676. 1677. 1678. 1679. 1680. 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2013. 2014. 2015. 2016. 2017. 2018. 2019. 2020. 2021. 2022. 2023. 2024. 2025. 2026. 2027. 2028. 2029. 2030. 2031. 2032. 2033. 2034. 2035. 2036. 2037. 2038. 2039. 2040. 2041. 2042. 2043. 2044. 2045. 2046. 2047. 2048. 2049. 2050. 2051. 2052. 2053. 2054. 2055. 2056. 2057. 2058. 2059. 2060. 2061. 2062. 2063. 2064. 2065. 2066. 2067. 2068. 2069. 2070. 2071. 2072. 2073. 2074. 2075. 2076. 2077. 2078. 2079. 2080. 2081. 2082. 2083. 2084. 2085. 2086. 2087. 2088. 2089. 2090. 2091. 2092. 2093. 2094. 2095. 2096. 2097. 2098. 2099. 2100. 2101. 2102. 2103. 2104. 2105. 2106. 2107. 2108. 2109. 2110. 2111. 2112. 2113. 2114. 2115. 2116. 2117. 2118. 2119. 2120. 2121. 2122. 2123. 2124. 2125. 2126. 2127. 2128. 2129. 2130. 2131. 2132. 2133. 2134. 2135*

do hereby transfer to the said

*George Jackson*

<sup>1</sup> Or a lesser estate or interest, describing such lesser estate.

all my estate and interest<sup>5</sup> in the said piece of land.

In witness whereof I have hereunto subscribed my name this  
day of *May* 18*26*

*9<sup>th</sup>*

*G. Jackson*

Signed on the day above named by the said

*Cometun*

in the presence of

*G. Jackson*

*Christchurch*  
*Solicitors*

No 1 & 2

Description of Part of R.S. 2  
 Commencing at the South West corner of the section  
 south easterly along the South Western boundary of the section  
 14 chains 70 links thence at a right angle 5 chains 11.1 links  
 to the Centre of the Creek running through the section thence along  
 the Centre of the said Creek & westerly to the West boundary  
 of the section thence south westerly along the East named boundary  
 5 chains 20.4 links to the starting point  
 Content  $\frac{a}{2} \cdot \frac{r}{2} \cdot \frac{b}{2}$   
 2.2.3

No 3

Commencing at a point on the South Western boundary of R.S.  
 24 distant from the S.W. corner of the section 5 chains 14.6 links  
 thence North Easterly at a right angle 5 chains 26.1 links to the  
 Centre of the Creek thence along the Centre of the said Creek to a  
 point parallel to the first line as stated in the description and distant  
 therefrom 2 chains 50 links thence South Westerly 4 chains 11 links  
 thence North westerly at a right angle 2 chains thence South westerly  
 at a right angle 2 chains 50 links to the South Western boundary  
 of the section thence at a right angle North westerly 50 links  
 to the starting point  
 Content  $\frac{a}{2} \cdot \frac{r}{2} \cdot \frac{b}{2}$   
 1.0.20

Witness my hand & seal  
 Notary Public  
 John H. Thompson

No. 18122

Transfer of Part R.S. 27

rect for the purposes of the Land Transfer Act.

situated in West Ch. Ch.

R.S. 22-17-5-82

by John Ven

for John Purch

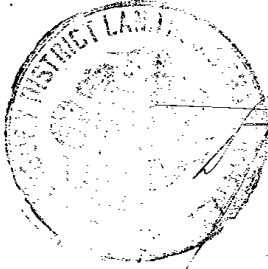
Particulars entered in the Register Book, Vol. 12

Folio 12, the

day of

, 1882, at

o'clock.



John

District Land Registrar



A 330370.9 T

# **TRANSFER**

**Land Transfer Act 1952**

**This page does not form part of the Transfer.**

**TRANSFER**  
**Land Transfer Act 1952**

*If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.*

**Land Registration District**

Canterbury

**Certificate of Title No.**    **All or Part?**    **Area and legal description — Insert only when part or Stratum, CT**

(see schedule A)

All

(See Schedule A)

**Transferor Surnames must be underlined**

CDL LAND NEW ZEALAND LIMITED at Wellington

**Transferee Surnames must be underlined**

CDL LAND NEW ZEALAND LIMITED at Wellington

**Estate or Interest or Easement to be created:** *Insert e.g. Fee simple; Leasehold in Lease No. ....; Right of way etc.*

Fee Simple subject to Land Covenants (continued on page 2 Annexure Schedule)

**Consideration**

\$1.00

**Operative Clause**

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 12<sup>th</sup> day of September 1997

**Attestation**

Signed in my presence by the Transferor  
Signature of Witness

Witness to complete in BLOCK letters  
(unless typewritten or legibly stamped)

Witness name Sue Clark

Occupation Receptionist

Address Auckland

Allan Lockie  
Company Secretary

Hari Arasaratnam  
Director

Signature, or common seal of Transferor

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

Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1974  
(DELETE INAPPLICABLE CERTIFICATE)

Solicitor for the Transferee



**Annexure Schedule**

Insert below  
"Mortgage", "Transfer", "Lease" etc

TRANSFER

Dated 12 September 1997

Page 2 of 8 Pages

**WHEREAS** it is the Transferor's intention to create with reference to each of the allotments as set out in Schedule A hereto the Restrictive Covenants as set out in Schedule C hereto and each of the allotments as set out in Schedule A shall be subject to the covenants and restrictions as set out in Schedule C hereto and the owner or occupier for the time being of each of the Lots in Schedule A shall be bound by the stipulations and restrictions set out in Schedule C hereto and that the respective owners and occupiers for the time being of any of the Lots set out in Schedule B may be able to enforce the observance of such stipulations and restrictions

**AND WHEREAS** Section 49 of the Property Law Act 1952 provides that a registered proprietor may convey to itself

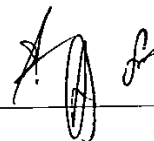
**AND WHEREAS** Section 66A of the Property Law Act 1952 provides that a covenant for the purposes of or incidental to any conveyance of property made by a registered proprietor with itself shall be as valid as if made with another

**AND WHEREAS** the Transferor is desirous of conveying the allotments as set out in Schedule A to **CDL LAND NEW ZEALAND LIMITED** at Wellington (hereinafter called "the Transferee") for the consideration hereinafter appearing and the Transferee is desirous of accepting such conveyance and to entering into the covenants on the part of the Transferee hereinafter contained.

**THE** Transferee **DOETH HEREBY COVENANT AND AGREE** with the Transferor in the terms and manner set out in Schedule C hereto so that each of the Restrictive Covenants shall run forever with each of the Lots set out in Schedule A for the benefit of each of the Lots as set out in Schedule B, and all parts thereof and may be enforced by the Transferee(s) of any one or more of the Lots described in Schedule B or any part of any such Lot at any time.

**THE** Transferor requests that the covenants contained herein be noted on the register.

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



Annexure Schedule

insert below

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

TRANSFER

Dated

12 September 1997

Page

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of

8

Pages

SCHEDULE A

An estate in fee simple in each of Lots 79 - 108 (inclusive) 176 - 208 (inclusive) 215, ~~223 and 234~~ on Deposited Plan 75899, Certificates of Title 43C/1031 - 1060 (inclusive) 43D/1300, 43C/1061 - 1092 (inclusive), 43C/1093, ~~43C/1097~~ and ~~43C/1098~~.

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

Annexure Schedule

Instrument by  
"Mortgage", "Transfer", "Lease" etc

TRANSFER

Dated 12 September 1997

Page 4 of 8 Pages

SCHEDULE B

An estate in fee simple in each of Lots 79 - 108 (inclusive) 176 - 208 (inclusive) 215, ~~233 and 234~~ on Deposited Plan 75899, Certificates of Title 43C/1031 - 1060 (inclusive) 43D/1300, 43C/1061 - 1092 (inclusive), 43C/1093, ~~43C/1097~~ and 43C/1098.

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

Annexure Schedule

Mortgage", "Transfer", "Lease" etc

TRANSFER

Dated 12 September 1997

Page 5 of 8 Pages

SCHEDULE C

RESTRICTIVE COVENANTS

The Registered Proprietor shall not:

- (a) Erect or permit to be erected on the land any building in other than new materials.
- (b) Construct any building on the land with an external cladding (except for the cladding of soffits or gable ends) of unrelieved flat sheet fibrolite, hardiflex, galvanised steel or similar materials.
- (c) Leave the outside of any dwellinghouse unfinished, or any exterior walls or doors unpainted or unstained except where cedar cladding or decorative brick/stone are used.
- (d) Erect or permit to be erected on the land any fence or boundary wall of any material containing cement board sheets or panels, corrugated iron and metal sheeting.
- (e) Erect or place or permit to be erected or placed on the land any dwellinghouse on:
  - (i) Sections of 600 square metres or more which has a floor area of less than 181.16 square metres (or 1950 square feet) including garage, under one roof.
  - (ii) Sections of 550 square metres to 599 square metres, which has a floor area of less than 162.6 square metres (or 1750 square feet) including garage, under one roof.
  - (iii) Sections under 550 square metres, which has a floor area of less than 150 square metres (or 1614 square feet) including garage, under one roof.
- (f) Use as a roofing material any material other than tiles (clay, ceramic, concrete, decramastic, pre-coated pressed steel) or prepainted long-run pressed steel, or exterior cladding of material other than clay brick, stained timber weather-board, concrete block, masonry, stucco, solid plaster or

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

# Annexure Schedule

FOR DEED

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

TRANSFER

Dated 12 September 1997

Page 6 of 8 Pages

glazing or a combination of the above.

- (g) Permit or suffer the said land to be occupied or used as a residence either by the erection of temporary structures or the placing thereon of caravans and/or vehicles used for human habitation.
- (h) Use the land as a residence before a building has been substantially completed in accordance with the terms of this covenant and the requirements of the Christchurch City Council.
- (i) Permit or suffer any rubbish, noxious substances, noxious livestock and/or birds or animals likely to cause nuisance or annoyance to the neighbouring occupiers, to accumulate and/or be placed upon the land, or permit grass and/or weeds to grow to such height so as to become unsightly.
- (j) Suffer any dog or other pet to be kept in or about the property which dog or other pet is likely to cause nuisance or annoyance to other neighbouring occupiers or detract from the subdivision and in particular without otherwise limiting this restriction not to keep on or about the property any dog which in whole or part appears to be a Pit Bull Terrier, Rottweiler or Doberman Pinscher.
- (k) Permit or suffer any advertisement, sign or hoarding of a commercial nature to be erected on any part of the said land or building without prior consent in writing of the ~~vendor~~ transferor.
- (l) Permit the dwellinghouse to be occupied for more than twelve (12) calendar months unless all driveways, paths and fences are completed in permanent materials and all unpaved areas are properly grassed or landscaped.
- (m) Erect on any of the following Lots a dwelling and appurtenances greater in size and/or height than a single storey dwelling and single storey appurtenances: Lot 81, Lot 82, Lot 83, Lot 85, Lot 86, Lot 89, Lot 91, Lot 92, Lot 93, Lot 94, Lot 95, Lot 98, Lot 100, Lot 101, Lot 102, Lot 103, Lot 105, Lot 108, Lot 176, Lot 177, Lot 181, Lot 182, Lot 183, Lot 184, Lot 186, Lot 187, Lot 188, Lot 189, Lot 190, Lot 191, Lot 192, Lot 193, Lot 194, Lot 195, Lot 196, Lot 197, Lot 198, Lot 199, Lot 201, Lot 202, Lot 203, Lot 205, Lot 206, Lot 207 and Lot 208 on Deposited Plan 75899.

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

*[Handwritten signatures and initials]*

## Annexure Schedule

Mortgage, "Transfer", "Lease" etc

TRANSFER

Dated

12 September 1997

Page

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of

8

Pages

- (n) Erect on any of the following Lots a dwelling and appurtenances greater in size and/or height than a two storey dwelling and two storey appurtenances: Lot 80, Lot 84, Lot 87, Lot 104, Lot 106, Lot 107, Lot 178, Lot 179, Lot 180, Lot 200 and Lot 215 on Deposited Plan 75899.
- (o) Erect on any of the following Lots a dwelling and appurtenances greater in size and/or height than a single storey dwelling and single storey appurtenances or two dwellings greater in height and/or size than two single storey townhouses and single storey appurtenances: Lot 79, Lot 88, Lot 90, Lot 185 and Lot 204 on Deposited Plan 75899.
- (p) Erect on any of the following Lots a dwelling and appurtenances greater in size and/or height than a two storey dwelling and two storey appurtenances or two dwellings greater in height and size than two two storey townhouses and two storey appurtenances: Lot 96, Lot 97 and Lot 99 on Deposited Plan 75899.

To ensure all the aforesaid covenants are complied with, all building plans, including site plans, specifications, fencing and builder must be submitted to the Transferors project manager, Knight Frank (NZ) Limited, Christchurch, for approval prior to any building commencing. Sole discretion lies with the Transferor in approving building plans, specifications and fencing.

If there should be any breach or non-observance of any of the foregoing covenants and without prejudice to any other liability which the Transferee may have to any person having the benefit of this covenant the Transferee will upon written demand being made by the Transferor or any of the registered proprietors of the lots:

- (a) Pay to the person making such demand as liquidated damages the sum of \$100.00 (One Hundred Dollars) per day for every day that such breach or non-observance continues after the date upon which written demand has been made.
- (b) Remove or cause to be removed from the land any dwellinghouse, garage, building, fence or other structure erected or placed on the land in breach or non-observance of the foregoing covenants.

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

Annexure Schedule

Insert by:  
"Mortgage", "Transfer", "Lease" etc

TRANSFER




Dated 12 September 1997

Page 8 of 8 Pages

(c) Replace any building materials used in breach or non-observance of the foregoing covenants.

BMJ0809.D1

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

2   

# Annexure Schedule

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Dated

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of

Pages

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

*[Handwritten signature]*



# TRANSFER

Land Transfer Act 1952

Law Firm Acting
<b>CAVELL LEITCH PRINGLE &amp; BOYLE</b> BARRISTERS & SOLICITORS P.O. Box 799 Christchurch, New Zealand

Auckland District Law Society  
REF. 4135

This page is for Land Registry Office use only.  
(except for "Law Firm Acting")

LC

DISTRICT	<i>David Litch</i>
CONVEYANCE	

11.33 09.DEC97 A 330370.9  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY CANTERBURY  
ASST LAND REGISTRAR



**TRANSFER**  
Land Transfer Act 1952

185  
**A 367115.2 T**

If there is not enough space in any of the panels below, the two page form incorporating the Annexure Schedule should be used: no other format will be received.

**Land Registration District**

CANTERBURY

**Certificate of Title No.**    **All or Part?**    **Area and legal description — Insert only when part or Stratum, CT**

~~(i) 44C    1103    ALL~~  
~~(ii) 44C    1104    ALL~~  
43C    1069

**Transferor Surnames must be underlined**

CDL LAND NEW ZEALAND LIMITED

**Transferee Surnames must be underlined**

BUILD RIGHT LIMITED

**Estate or Interest or Easement to be created:** Insert e.g. Fee simple; Leasehold in Lease No. ....; Right of way etc.

fee simple and the Transferee shall be bound by a fencing covenant as defined in section 2 of the Fencing Act 1978 in favour of the Transferor

**Consideration**

\$110,000.00

**Operative Clause**

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEE all the transferor's estate and interest in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 15<sup>th</sup> day of April 19 98

**Attestation**


Signed in my presence by the Transferor  
Signature of Witness

**Witness to complete in BLOCK letters**  
(unless typewritten or legibly stamped)

Witness name    Sue Clark  
Occupation       Receptionist  
Address           Auckland

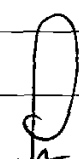
Hari Arasaratnam  
Director

Allan Lockie  
Company Secretary

Signature, or common seal of Transferor

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

Certified that no conveyance duty is payable by virtue of Section 24(1) of the Stamp and Cheque Duties Act 1977  
(DELETE IN APPLICABLE CERTIFICATE)

  
Solicitor for the Transferee


# TRANSFER

Land Transfer Act 1952

Law Firm Acting
HARMAN & CO SOLICITORS CHRISTCHURCH

Auckland District Law Society  
REF 4130

*Fencing*

Canterbury N.Z.		DISTRICT LAND REGISTRY
-----------------	--	------------------------

PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY CANTEBURY  
DISTRICT LAND REGISTRAR

12.05 03.SEP98 A 367115.2

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(except for "Law Firm Acting")



**EASEMENT CERTIFICATE****A413401.4 EC**

Canterbury

Land Registry Office

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

I. **BUILD RIGHT LIMITED**

being the registered proprietor of the land described in Schedule 'A' hereto hereby certify that the easement 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 **Christchurch** on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ under No. **77858** are the easements which it is intended shall be created by the operation of Section 90A of the Land Transfer Act 1952.

**SCHEDULE 'A'**

C.T. Ref.	Nature of Easement (e.g. Right of Way etc.)	SERVIENT TENEMENT		Dominant Tenement Lot No. or other Legal Description
		Lot No. or other Legal Description	Identification of Part Subject to Easement	
44C/1103	Right to Drain Sewage	1	C <sub>L</sub> D - E	2
44C/1104	Right to Drain Water	1	C <sub>L</sub> A-F-B	2
	Right to Drain Water	1	C <sub>L</sub> F-C	2

1. The rights and powers set out in the Seventh Schedule to the Land Transfer Act 1952 are herein implied except as they are added to or substituted in Schedule 'B' hereto.

2. The terms, covenants, conditions, or restrictions set out in Schedule 'C' hereto shall attach to the easements specified therein.

Dated this 17<sup>th</sup> day of June 1994

Signed by the above-named **BUILD RIGHT LIMITED**  
by its Director Blair Ronald HICKLING  
in the presence of

Witness: \_\_\_\_\_

Occupation: Alan William PrescottAddress: Solicitor  
Christchurch

Correct for the purposes of the Land Transfer Act

Solicitor for the Registered Proprietor

SCHEDULE 'B'

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.

I. Rights and Powers:

#### SCHEDULE 'C'

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

- (a) The cost of formation, installation, maintenance and repair of the sewage and water pipes shall be borne by the registered proprietors of the dominant and servient tenements in the proportion of one equal part to each such tenement but so that no such formation, installation, maintenance or repair of any part thereof which is not used by him.
- (b) If any such repair or maintenance shall become necessary through the omission neglect or default of any registered proprietor or their agents, employees, contractors, tenants, licensees and invitees then that registered proprietor shall bear the whole cost of repair or maintenance.
- (c) If any dispute shall arise between any of the registered proprietors as to the cost of or type of sewage and water pipes or otherwise arising out of or touching then such disputes shall be referred to arbitration under the provisions of the Arbitration Act 1996 and its amendments or any statute passed in substitution thereof.

THE WITHIN EASEMENTS WHEN  
CREATED WILL BE SUBJECT TO  
SECTION 243(a) RESOURCE  
MANAGEMENT ACT 1991.

Particulars entered in the Register at the date and at the  
time recorded below.

*District Land Registrar  
Assistant of the District of*

## EASEMENT CERTIFICATE

1020 01 JUL 99 A 413401.4  
S. L. Long.

1020 01 JUL 99 A 413401.4  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY CANTEBURY  
FOR REGISTRAR - GENERAL OFFICE



HARMAN & CO  
Solicitors  
CHRISTCHURCH