

# Memorandum of Transfer

367299.18 COV

Whereas:

A. A G Field Limited at Nelson

(herein called "the Transferor") <sup>is</sup> ~~being~~ registered as proprietor of an estate

in Fee Simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in the piece or pieces of land situated in the Land District of Nelson

~~containing~~ described in ~~more or less being~~ schedules A & B

## SCHEDULE A

|                                        |        |                      |                                                          |
|----------------------------------------|--------|----------------------|----------------------------------------------------------|
| Containing 6000 m <sup>2</sup> being   | Lot 1  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1223 |
| Containing 5738 m <sup>2</sup> being   | Lot 2  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1224 |
| Containing 5754 m <sup>2</sup> being   | Lot 3  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1225 |
| Containing 8672 m <sup>2</sup> being   | Lot 4  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1226 |
| Containing 7356 m <sup>2</sup> being   | Lot 5  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1227 |
| Containing 5032 m <sup>2</sup> being   | Lot 6  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1228 |
| Containing 2.4561 m <sup>2</sup> being | Lot 7  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1229 |
| Containing 6264 m <sup>2</sup> being   | Lot 8  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1230 |
| Containing 6094 m <sup>2</sup> being   | Lot 9  | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1231 |
| Containing 5627 m <sup>2</sup> being   | Lot 10 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1232 |
| Containing 1.2585 ha being             | Lot 11 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1233 |
| Containing 5372 m <sup>2</sup> being   | Lot 12 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1234 |
| Containing 5014 m <sup>2</sup> being   | Lot 13 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1235 |
| Containing 5307 m <sup>2</sup> being   | Lot 14 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1236 |
| Containing 1.0196 ha being             | Lot 15 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1237 |
| Containing 5840 m <sup>2</sup> being   | Lot 16 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1238 |
| Containing 5001 m <sup>2</sup> being   | Lot 17 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1239 |
| Containing 5010 m <sup>2</sup> being   | Lot 18 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1240 |
| Containing 1.1784 ha being             | Lot 19 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1241 |
| Containing 1.9882 ha being             | Lot 20 | Deposited Plan 18201 | comprised and described in Certificate of Title 12A/1242 |

Subject to: all easements covenants and restrictions set out on above Titles



## SCHEDULE B

|                                        |        |                                   |                                            |
|----------------------------------------|--------|-----------------------------------|--------------------------------------------|
| Containing 5754 m <sup>2</sup> being   | Lot 3  | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1225 |
| Containing 8672 m <sup>2</sup> being   | Lot 4  | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1226 |
| Containing 7356 m <sup>2</sup> being   | Lot 5  | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1227 |
| Containing 2.4561 m <sup>2</sup> being | Lot 7  | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1229 |
| Containing 6094 m <sup>2</sup> being   | Lot 9  | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1231 |
| Containing 5372 m <sup>2</sup> being   | Lot 12 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1234 |
| Containing 5307 m <sup>2</sup> being   | Lot 14 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1236 |
| Containing 1.0196 ha being             | Lot 15 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1237 |
| Containing 5840 m <sup>2</sup> being   | Lot 16 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1238 |
| Containing 5001 m <sup>2</sup> being   | Lot 17 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1239 |
| Containing 5010 m <sup>2</sup> being   | Lot 18 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1240 |
| Containing 1.1784 ha being             | Lot 19 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1241 |
| Containing 1.9882 ha being             | Lot 20 | Deposited Plan 18201 comprised an | described in Certificate of Title 12A/1242 |

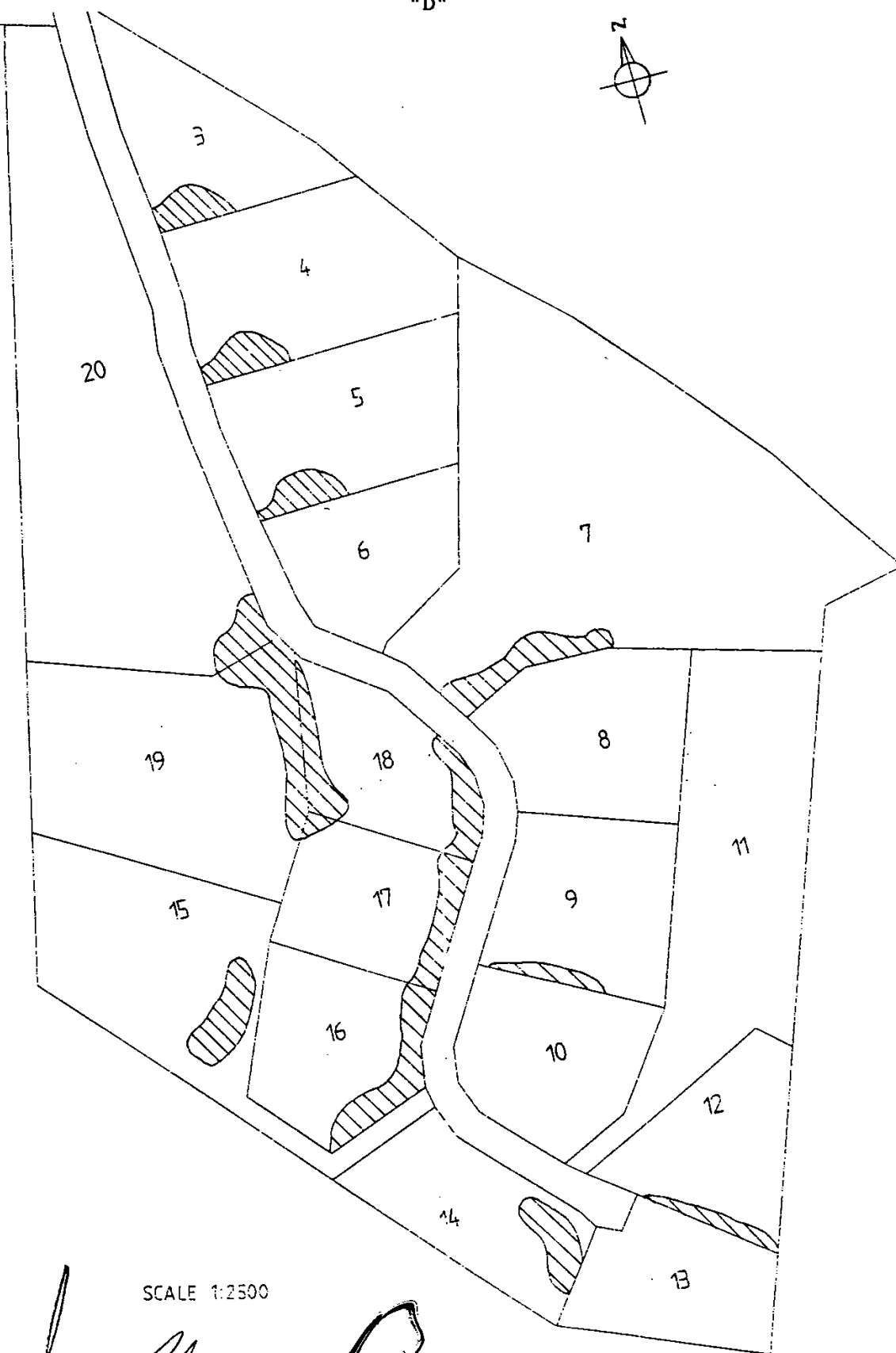
B. It is the Transferor's intention that the Lots described in Schedule B above shall be subject to the covenants set out in schedule C herein.

## SCHEDULE C

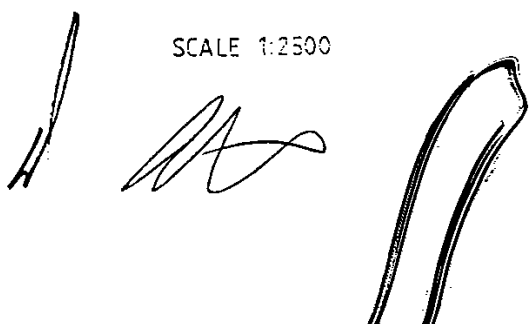
The Transferee shall not in respect of the Lots described in Schedule B herein within the areas hatched on the plan annexed marked "D", grow or permit or allow to grow any tree or shrub other than a tree or shrub specified in the schedule of Trees and Shrubs annexed and marked "E".



"D"



SCALE 1:2500



"E"

| BOTANICAL NAME            | GROUND COVER<br>SHRUB/TREE<br>BIG/SMALL/<br>MEDIUM | EVERGREEN<br>DECIDUOUS<br>FLOWERING<br>COLOUR/NON<br>FLOWERING | PROBABLE<br>HEIGHT<br>IN 10<br>YEARS | RECOMMENDED<br>PLANTING<br>SPACE (ON<br>GROUND OR IN<br>AIR) |
|---------------------------|----------------------------------------------------|----------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------|
| Abelia varieties          | MS                                                 | E White                                                        | 2.0m                                 | 1.5m Ground                                                  |
| Acer Capillipes           | T                                                  | D Red                                                          | 3.5m +                               | 4.0m Air Space                                               |
| Acer Palmatum             | T                                                  | D /                                                            | 3.0m                                 | 3.0m Air Space                                               |
| Agapanthus varieties      | GC                                                 | E Blue                                                         | 1.0m                                 | 1.0m G. Space                                                |
| Albizia Julibrissen Rosea | T                                                  | D Pink                                                         | 4.0m +                               | 5.0m Air Space                                               |
| Arbutus Unedo             | T                                                  | E White                                                        | 3.5m +                               | 3.0m Ground                                                  |
| Azalea varieties          | MS                                                 | D/E Multi                                                      | 2.0m                                 | 1.5m Ground                                                  |
| Callistemon varieties     | BS                                                 | E Red                                                          | 2.0m                                 | 2.0m Ground                                                  |
| Camellia varieties        | MS                                                 | E Pink/Red                                                     | 2.0m                                 | 1.5m Ground                                                  |
| Chanomeles varieties      | BS                                                 | D Red                                                          | 2.0m                                 | 2.0m Ground                                                  |
| Citrus varieties          | BS                                                 | E White                                                        | 2.5m                                 | 2.0m Ground                                                  |
| Coprosma Kirkii           | GC                                                 | E White                                                        | 1.0m                                 | 1.5m G. Space                                                |
| Coprosma Beatsons Gold    | SS                                                 | E /                                                            | 1.5m                                 | 1.0m G. Space                                                |
| Cornus Baileii            | BS                                                 | D White                                                        | 2.5m                                 | 2.0m G. Space                                                |
| Dodonea Viscosa Purpurea  | BS                                                 | E /                                                            | 3.0m                                 | 2.0m G. Space                                                |
| Elaeagnus Maculata        | BS                                                 | E /                                                            | 2.0m                                 | 2.5m G. Space                                                |
| Erigeron varieties        | GC                                                 | E White                                                        | 1.0m                                 | .5m G. Space                                                 |
| Escallonia varieties      | BS                                                 | E Pink                                                         | 2.5m                                 | 2.0m G. Space                                                |
| Gardenia varieties        | MS                                                 | E Cream                                                        | 2.0m                                 | 1.5m G. Space                                                |
| Gordonia Axillians        | BS                                                 | E Cream                                                        | 2.5m                                 | 2.0m G. Space                                                |
| Grevillea Canberra Gem    | BS                                                 | E Red                                                          | 2.5m                                 | 2.5m G. Space                                                |
| Grevillea Clearview David | MS                                                 | E Red                                                          | 2.5m                                 | 2.5m G. Space                                                |
| Grevillea Cream & Green   | SS                                                 | E Cream                                                        | 2.0m                                 | 1.5m G. Space                                                |

| BOTANICAL NAME                  | GROUND COVER<br>SHRUB/TREE<br>BIG/SMALL/<br>MEDIUM | EVERGREEN<br>DECIDUOUS<br>FLOWERING<br>COLOUR/NON<br>FLOWERING | PROBABLE<br>HEIGHT<br>IN 10<br>YEARS | RECOMMENDED<br>PLANTING<br>SPACE (ON<br>GROUND OR IN<br>AIR) |
|---------------------------------|----------------------------------------------------|----------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------|
| Grevillea Mt. Tambonne          | GC                                                 | E Red                                                          | 1.0m                                 | 1.0m G. Space                                                |
| Grevillea Red Cloud             | SS                                                 | E Red                                                          | 2.0m                                 | 1.5m G. Space                                                |
| Grevillea Scarlet Sprite        | MS                                                 | E Red                                                          | 2.5m                                 | 2.0m G. Space                                                |
| Griselinia Littoralis Variegata | MS                                                 | E /                                                            | 2.0m                                 | 1.5m G. Space                                                |
| Hebe varieties                  | SS                                                 | E Mauve                                                        | 1.5m                                 | 1.0m G. Space                                                |
| Hypericum varieties             | SS/GC                                              | E Yellow                                                       | 1.5m                                 | 1.0m G. Space                                                |
| Idesia Polycarpa                | T                                                  | D /                                                            | 3.5m +                               | 4.0m Air Space                                               |
| Jacaranda Mimosifolia           | T                                                  | D Blue                                                         | 3.0m +                               | 4.0m Air Space                                               |
| Koelruetena Paniculata          | T                                                  | D Yellow                                                       | 3.0m +                               | 4.0m Air Space                                               |
| Leptospermum Pacific Beauty     | BS                                                 | E White                                                        | 3.5m +                               | 2.5m G. Space                                                |
| Leptospermum Coppershine        | BS                                                 | E White                                                        | 3.5m +                               | 2.5m G. Space                                                |
| Leucodendron Safari Sunset      | MS                                                 | E Red                                                          | 2.5m +                               | 1.0m G. Space                                                |
| Leucodendron Mrs Stanley        | SS                                                 | E Red                                                          | 2.0m                                 | 1.0m G. Space                                                |
| Lophomyrtus varieties           | MS                                                 | E White                                                        | 3.0m +                               | 1.5m G. Space                                                |
| Loropetalum Chinensis           | SS                                                 | E White                                                        | 2.0m                                 | 1.5m G. Space                                                |
| Michelia Figo                   | MS                                                 | E White                                                        | 2.0m                                 | 1.5m G. Space                                                |
| Nerium Oleander varieties       | MS                                                 | E Pink/Red                                                     | 2.5m                                 | 2.0m G. Space                                                |
| Photinia 'Red Robin'            | BS                                                 | E /                                                            | 2.5m                                 | 2.5m G. Space                                                |
| Pieris varieties                | SS                                                 | E White                                                        | 2.0m                                 | 1.5m G. Space                                                |
| Pittosporum Deborahs Gold       | BS                                                 | E /                                                            | 3.0m                                 | 1.5m G. Space                                                |
| Pittosporum Eug. Var. Minima    | BS                                                 | E /                                                            | 3.0m                                 | 2.0m G. Space                                                |
| Pittosporum Goldstar            | MS                                                 | E /                                                            | 2.0m                                 | 1.0m G. Space                                                |

| BOTANICAL NAME              | GROUND COVER<br>SHRUB/TREE<br>BIG/SMALL/<br>MEDIUM | EVERGREEN<br>DECIDUOUS<br>FLOWERING<br>COLOUR/NON<br>FLOWERING | PROBABLE<br>HEIGHT<br>IN 10<br>YEARS | RECOMMENDED<br>PLANTING<br>SPACE (ON<br>GROUND OR IN<br>AIR) |
|-----------------------------|----------------------------------------------------|----------------------------------------------------------------|--------------------------------------|--------------------------------------------------------------|
| Pittosporum Irene Patterson | BS                                                 | E /                                                            | 2.5m                                 | 2.5m G. Space                                                |
| Pittosporum Mellow Yellow   | BS                                                 | E /                                                            | 3.0m                                 | 1.5m G. Space                                                |
| Pittosporum Silver Magic    | BS                                                 | E /                                                            | 3.0m                                 | 2.0m G. Space                                                |
| Pittosporum Yellow Wave     | BS                                                 | E /                                                            | 3.0m                                 | 2.0m G. Space                                                |
| Plumbago Capensis           | BS                                                 | E Blue                                                         | 2.0m                                 | 2.0m G. Space                                                |
| Prunus Accolade             | T                                                  | D Pink                                                         | 4.0m +                               | 4.0m Air Space                                               |
| Prunus Cerasifera Nigra     | T                                                  | D Pink                                                         | 4.0m +                               | 3.0m Air Space                                               |
| Prunus Pink Perfection      | T                                                  | D Pink                                                         | 4.0m +                               | 4.0m Air Space                                               |
| Prunus Schimitsu Sakakura   | T                                                  | D Pink                                                         | 4.0m +                               | 5.0m Air Space                                               |
| Prunus Lauro-lacens         | BS                                                 | E White                                                        | 3.0m +                               | 3.0m G. Space                                                |
| Prunus Lusitanica           | BS                                                 | E White                                                        | 3.0m +                               | 2.5m G. Space                                                |
| Pseudopanax Gold Splash     | BS                                                 | E /                                                            | 3.0m                                 | 2.0m G. Space                                                |
| Pseudopanax Cyril Watson    | MS                                                 | E /                                                            | 2.5m                                 | 2.0m G. Space                                                |
| Pseudopanax Laetus          | BS                                                 | E /                                                            | 2.5m                                 | 2.5m G. Space                                                |
| Pyracantha Brilliant        | BS                                                 | E White                                                        | 2.5m                                 | 2.0m G. Space                                                |
| Pyracantha Magnifica        | MS                                                 | E White                                                        | 2.5m                                 | 2.0m G. Space                                                |
| Pyracantha Orange           | BS                                                 | E White                                                        | 2.5m                                 | 2.0m G. Space                                                |
| Rhododendron varieties      | MS                                                 | E Many                                                         | 2.0m                                 | 2.0m G. Space                                                |
| Tenckium Fruiticans         | MS                                                 | E Blue                                                         | 2.0m                                 | 2.0m G. Space                                                |
| Thuja Rheingold             | MS                                                 | E /                                                            | 2.0m                                 | 2.0m G. Space                                                |
| Viburnum Japonicum          | MS                                                 | E White                                                        | 2.0m                                 | 2.0m G. Space                                                |
| Westringia Fruiticosa       | MS                                                 | E Lavender                                                     | 2.0m                                 | 1.5m G. Space                                                |
| Westringia Morning Light    | SS                                                 | E White                                                        | 1.5m                                 | 1.5m G. Space                                                |

**In Consideration of the sum of**

TEN CENTS (00.10c) (the receipt of which is hereby acknowledged)

paid to the Transferor by AG Field Limited

itself as Transferee (hereinafter called "the Transferee") ~~that intention~~ and pursuant to the provisions and powers of Sections 49 and 66A of the Property Law Act 1952.

~~(herein called "the Transferee") the receipt of which sum is hereby acknowledged~~ <sup>the Transferor</sup> **Hereby Transfers** to the Transferee all the Transferor's estate and interest in ~~the said piece or pieces of land~~.

each of the Lots described in Schedule B

AND as incidental to and for the purposes of the Transfer so as to bind each of the Lots described in Schedule B for the benefit of each of the Lots described in Schedule A the Transferee covenants and agrees with itself as Transferor in the manner set out in Schedule C so that the restrictive covenant shall run with each of the Lots set out in Schedule B for the benefit of each of the Lots set out in Schedule A.

PROVIDED THAT the Transferee shall not be personally liable for any breach of the restrictive covenants in respect of any Lot in Schedule B above after it shall have parted with all interest in that Lot to the intent that the covenants shall bind only the owner and occupier for the time being of the Lot subject to the covenants.

AND it is hereby requested that the covenants herein be entered in the Register.

**In witness whereof** these presents have been executed this 11<sup>th</sup> day of April 19 97

Signed by the Transferor  
AG FIELD LIMITED by its  
Director ALAN GORDON FIELD  
and by ROBERT DUDLEY SYMNS  
as authorised signatory  
(by the affixing of its common seal)

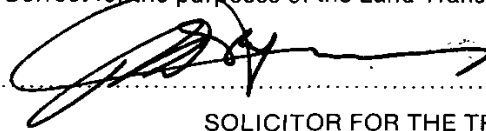
in the presence of:



Jacqueline Faulkner  
Legal Executive  
Symns Law  
Nelson

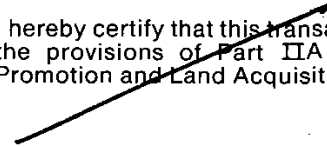
# MEMORANDUM OF TRANSFER

Correct for the purposes of the Land Transfer Act 1952



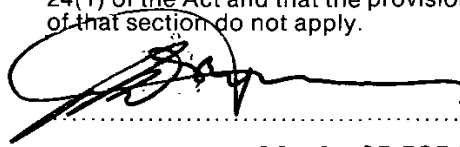
SOLICITOR FOR THE TRANSFEREE

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 TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.



SOLICITOR FOR THE TRANSFEREE

..... Transferor

..... Transferee

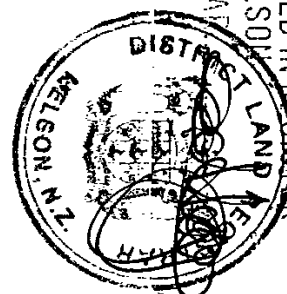
Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar of the

District of .....

FEES PAID  
HEREON AVAILABLE  
TO 23.6 / 07  
A.L.R.

PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY NELSON  
ASST. LAND REGISTRAR



9.35 28.APR97 367299



JS