

# B794401.7 EC

## EASEMENT CERTIFICATE

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

I/We RONALD WALTER RAYMOND DONALD of Pauatahanui, Company Director  
and ANNE RAEWYN DONALD his wife

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements 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 Wellington

on the day of 10X 2000 under No. 89163  
are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

### SCHEDULE DEPOSITED PLAN NO. 89163

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Right of Way Telecommunications Water Drainage Electricity Supply Gas Supply	Lot 9	Shown A and B	Lots 4 - 8	56C/747 56C/748 56C/749 56C/750 56C/751
Right of Way Telecommunications Water Drainage Electricity Supply Gas Supply	Lot 5	Shown C	Lots 6 - 8	56C/749 56C/750 56C/751
Telecommunications Electricity Supply	Lot 4	Shown D	Lots 5 - 9	56C/748 56C/749 56C/750 56C/751 56C/752



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.

1. Rights and powers:

Ans  
ARW

1. Rights and powers:

1.1 **Right of Way**

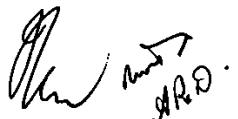
- (a) The rights and powers in relation to the easement of right of way shall be as set out in the Seven Schedule to the Land Transfer Act 1952 but deleting the words "with or without horses and domestic animals of any kind" in lines 5 and 6 therein and substituting for them the following words "with or without animals of any kind (and in the case of dogs at all times to be controlled by an effective leash or lead)."
- (b) The rights implied in easements for vehicular right of way as set out in the Ninth Schedule to the Property Law Act 1952 shall apply in addition to those set out in the Seventh Schedule to the Land Transfer Act 1952 (as varied and set out in (a) above).
- (c) For the purposes of clause 2(c) of the Ninth Schedule to the Property Law Act 1952 a reasonable contribution is to be calculated in equal shares having regard to the number of household units using the right of way.

1.2 **Electricity and Telecommunications**

- (a) The rights and powers in relation to the easement of "electricity" and "telecommunications" as mentioned in the schedule hereto shall include the full, free and uninterrupted and unrestricted right, liberty and privilege for the Grantee and his tenants (in common with the Grantor) his tenants and any other person lawfully entitled so to do). From time to time and at all times to take, convey and transmit electricity and telecommunications by means of electricity and telecommunication cables from the point of entry and following the stipulated course across the land as defined in the schedule hereto and together with the additional rights (mutatis mutandis) as set out in clause 5(c) of the Seventh Schedule to the Land Transfer Act 1952 but substituting the words "pipeline" therein for the word "electricity and telecommunication cables".

1.3 **Gas**

- (a) The rights and powers in relation to the easement of "gas" as mentioned in the Schedule hereto shall include the full, free, uninterrupted and unrestricted right, liberty and privilege for the Grantee and his tenants in common with the Grantor, his tenants and any other person lawfully entitled so to do from time to time and at all times to take, convey and lead by means of pipes, in a free and unimpeded flow (except where the flow is halted for a reasonable period necessary for essential repairs) and in any quantity from the source of supply and following the stipulated course across the land as defined in the Schedule hereto and together with the additional rights (mutatis mutandis) as set out in clause 5(c) of the Seventh Schedule to the Land Transfer Act 1952.



1.4 **Water drainage**

(a) The rights and powers in relation to the easement of "water supply" as mentioned in the Schedule hereto are those set out in the Seventh Schedule to the Land Transfer Act 1952, clauses 2 to 5 inclusive.

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

2.1 **Arbitration**

(a) If any dispute or difference shall arise between the registered proprietors for the time being and from time to time of either or any of the dominant or servient tenements as to the interpretation or effect of these presents or as to that which either or any of those persons ought fairly and reasonably to do in pursuance hereof or as to any other matter touching or concerning these presents then such dispute or difference shall be referred to and decided by reference to the arbitration of a single arbitrator that the parties can agree and decide on a suitable person to act in that capacity but otherwise the same shall be referred to and decided by reference to arbitration of two arbitrators (one to be appointed to each party to the dispute) an umpire appointed by those arbitrators before they enter upon the matters referred to them and otherwise the same shall be dealt with in a manner provided by the Arbitration Act 1908 or any statutory amendment or re-enactment thereof and this provision shall deem to be a "submission" within the meaning of the said Act.



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

Dated this 5th day of July 2000

Signed by the above-named RONALD WALTER RAYMOND DONALD and  
ANNE RAEWYN DONALD

in the presence of *R. Watson*

Witness ..... *R. Watson*

Occupation ..... *Solicitor*

Address ..... *Wellington*

*R. Watson*

*R. Donald*

JOHN KEMPTHORNE WATSON  
SOLICITOR

WELLINGTON

Correct for the purposes of the Land Transfer Act 1952

*J. K. Watson*  
(Solicitor for) the registered proprietor:

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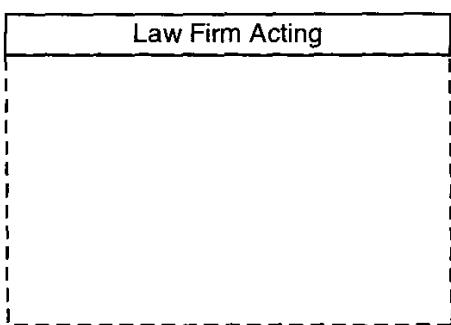
Land Transfer Act 1952

Subject to Section 243 (9)  
Resource Management Act 1996 when  
created.

aff  
for R.G.C.

Registered in Triplicate

9.00 26.JUL.00 B 794401.7  
PARTICULARS ENTERED IN REGISTER  
LAND REGISTRY WELLINGTON  
FOR OFFICE OF THE REGISTRAR GENERAL



Auckland District Law Society  
REF: 4050

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(except for "Law Firm Acting")

