



# View Instrument Details

**Instrument No** 11273934.3  
**Status** Registered  
**Date & Time Lodged** 20 February 2019 16:22  
**Lodged By** Dewhurst, Sarah Louise  
**Instrument Type** Easement Instrument



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Affected Records of Title	Land District
848120	North Auckland
848123	North Auckland
848124	North Auckland
848125	North Auckland
848126	North Auckland
848127	North Auckland
848128	North Auckland
848130	North Auckland
848131	North Auckland
848133	North Auckland

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**Annexure Schedule:** Contains 3 Pages.

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## Grantor Certifications

- I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period
- I certify that the Mortgagee under Mortgage 11350480.3 has consented to this transaction and I hold that consent

## Signature

Signed by Georgina Brettargh Smith as Grantor Representative on 12/03/2019 03:15 PM

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## Grantee Certifications

- I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument
- I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument
- I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply
- I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period

## Signature

Signed by Georgina Brettargh Smith as Grantee Representative on 12/03/2019 03:15 PM

\*\*\* End of Report \*\*\*

**Easement instrument to grant easement or *profit à prendre***

(Section 109 Land Transfer Act 2017)

**Grantor**

E B DEVELOPMENTS LIMITED

**Grantee**

WHANGAREI DISTRICT COUNCIL

**Grant of Easement or *Profit à prendre***

The Grantor being the registered owner of the burdened land set out in Schedule A grants to the Grantee (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

**Schedule A***Annexure Schedule, if required**Continue in additional*

Purpose of Easement, or <i>profit</i>	Shown reference (plan)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right to Drain Sewage	Marked with the letters 'A', 'B', 'C', 'T' and 'N', 'L', 'M', 'O', 'S' and 'P', 'J' and 'R', 'Q', 'W' and 'X' 'Y' on DP 527090	848120 848133 848128 848125 848123 848124 848126 848127 848130 848131	In gross
Right to Drain Water	Marked with the letters 'C', 'D', 'E', 'F', 'G', 'H' and 'S', 'I and 'K' on DP 527090	848128 848123 848124 848125 848126 848127	In gross

RGS

**Easements or profits à prendre rights and powers (including terms, covenants and conditions)**

Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby ~~varied~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

~~{Memorandum number \_\_\_\_\_, registered under section 209 of the Land Transfer Act 2017}~~

[the provisions set out in Annexure Schedule B]

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*Insert instrument type*

Easement

*Continue in additional Annexure Schedule, if required*

**ANNEXURE SCHEDULE B**

The registered proprietors of the Burdened Land being Record of Title 848127 shall not within that part of the property as is shown marked with the letter "S"

- (i) plant shrubs or trees nor permit shrubs or trees to be planted or grow; nor
- (ii) construct a fence nor permit a fence to be constructed; nor
- (iii) construct any item within the burdened land which alters the nature of any overland flow nor permit the construction of any item within the burdened land which alters the nature of any overland flow; nor
- (iv) modify the existing ground contour in any way nor permit the existing ground contour to be modified in any way

unless a design from a suitably experienced and qualified chartered professional engineer mitigating the effects of the proposed activity is received and approved in writing by the Grantee's Senior Environmental Engineer.

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