

View Instrument Details



Instrument No 11273934.5
Status Registered
Date & Time Lodged 20 February 2019 16:22
Lodged By Dewhurst, Sarah Louise
Instrument Type Easement Instrument



Affected Records of Title	Land District
848120	North Auckland
848121	North Auckland
848122	North Auckland
848123	North Auckland
848124	North Auckland
848126	North Auckland
848127	North Auckland
848128	North Auckland
848129	North Auckland
848130	North Auckland
848131	North Auckland
848132	North Auckland
848133	North Auckland
848134	North Auckland

Annexure Schedule: Contains 3 Pages.

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 Natasha Johanna Van Der Wal as Grantor Representative on 20/02/2019 04:06 PM

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 Natasha Johanna Van Der Wal as Grantee Representative on 20/02/2019 04:11 PM

*** End of Report ***

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Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

EB DEVELOPMENTS LIMITED

Grantee

EB DEVELOPMENTS LIMITED

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

Continue in additional Annexure Schedule, if required

Purpose of Easement, or <i>profit</i>	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way and Right to Convey Water	"A" on DP 527090	Lot 64 DP 527090 RT 848120	Lot 65 DP 527090 RT 848121
	"B" on DP 527090	Lot 77 DP 527090 RT 848133	Lot 76 DP 527090 RT 848132
	"C" on DP 527090	Lot 72 DP 527090 RT 848128	Lot 70 DP 527090 RT 848126 Lot 71 DP 527090 RT 848127 Lot 73 DP 527090 RT 848129

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Right to drain Water	"T" on DP 527090	Lot 78 DP 527090 RT 848134	Lot 77 DP 527090 RT 848133
	"U" and "X" on DP 527090	Lot 75 DP 527090 RT 848131	Lot 76 DP 527090 RT 848132
	"V" on DP 527090	Lot 66 DP 527090 RT 848122	Lot 65 DP 527090 RT 848121
	"Z" on DP 527090	Lot 74 DP 527090 RT 848130	Lot 73 DP 527090 RT 848129
	"C" on DP 527090	Lot 72 DP 527090 RT 848128	Lot 73 DP 527090 RT 848129
	"A" on DP 527090	Lot 64 DP 527090 RT 848120	Lot 65 DP 527090 RT 848121
	"Y" on DP 527090	Lot 68 DP 527090 RT 848124	Lot 67 DP 527090 RT 848123

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] [negatived] [added to] or [substituted] by:

[Memorandum number _____, registered under section 209 of the Land Transfer Act 2017]

[the provisions set out in Annexure Schedule _____]

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Annexure Schedule 1

Page 1 of 1 Pages

Instrument type

Easement Instrument

Continue in additional Annexure Schedule, if required.

EASEMENTS

Easements or rights and powers (including terms, covenants and conditions) continued...

GENERAL CONDITIONS

1. Any maintenance, repair or replacement of any easement facility in respect of any easement set out herein that is necessary because of any act or omission by the Grantor or the Grantee (as defined in paragraph 1 of Schedule 5 to the Land Transfer Regulations 2018) must be carried out promptly by that Grantor or Grantee at the sole cost of that Grantor or Grantee or in such proportion as relates to the act or omission.
2. Where practicable, easement facilities in respect of the within easement, other than the easement of right of way, shall be placed under and within the ground comprising the stipulated course.

This provision does not extend to those easement facilities which are required to be located on or above the ground for the proper functioning, maintenance and inspection of the easements.
3. If, in respect of easements of rights of way, there is conflict between the provisions of Schedule 5 to the Land Transfer Regulations 2018 and the provisions of the Fifth Schedule to the Property Law Act 2007 then the latter shall prevail.
4. Where there is conflict between the rights, powers, terms, covenants or restrictions herein (the modifications) and the provisions of Schedule 5 to the Land Transfer Regulations 2018 and/or the provisions of the Fifth Schedule to the Property Law Act 2007, then the modifications shall prevail.