Approved by Registrar-General of Land under No. 2002/6055

Easement instrument to grant easement or *profit à prendre*, or create land covenant

Sections 90A and 90F, Land Transfer Act 19

EI 7810059.9 Easemen

Cpy - 01/01, Pgs - 004, 08/05/08, 12:04

Registrar-General of Land Approval 02/6055EF A.D.L.S.

DocID: 212185968

Land registration district

WELLINGTON

Grantor *Surname(s) must be underlined or in CAPITALS.*

Jeffrey Alan McNAMARA and Angela Frances McNAMARA

Kevin Patrick BYERS and Melisa Marie BYERS

Grantee *Surname(s) must be underlined or in CAPITALS.*

KAPITI COAST DISTRICT COUNCIL

Grant* of easement or *profit à prendre* or creation or covenant

The Grantor, being the registered proprietor of the servient tenement(s) 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, **or creates** the covenant(s) **set out** in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).

Dated this 18 day of December 2007

Attestation

J. McNamara.	**Signed in my presence by the Grantor** *Signature of witness* *Witness to complete in BLOCK letters (unless legibly printed)* **Witness name** Pamela Ethel Heffernan **Occupation** Retired **Address** Waikanae
Signature [common seal] of Grantor	
The Common Seal of the KAPITI COAST DISTRICT COUNCIL was hereto affixed in the presence of: MAYOR JENNY ROWAN QSO, JP CHIEF EXECUTIVE LEIGH HALSTEAD	**Signed in my presence by the Grantee** *Signature of witness* *Witness to complete in BLOCK letters (unless legibly printed)* **Witness name** **Occupation** Mayor **Address** P.O. Box 91, Paekakariki
Signature [common seal] of Grantee	

KAPITI COAST DISTRICT COUNCIL The Common Seal of

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

[Solicitor for] the Grantee

*If the consent of any person is required for the grant, the specified consent form must be used.

REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule

Registrar-General of Land Approval 02/5032EF A.D.L.S.

Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement Instrument	Dated	18/12/07	Page 2 of 4 pages

(Continue in additional Annexure Schedule, if required.)

Continuation of Attestation

Signed in my presence by the Grantor

Signature of Witness

Witness to complete in BLOCK letters
(unless legibly printed)

Witness Name Jane Stevenson
Occupation Solicitor
Address WAIKANAE

Signature (common seal) of Grantor

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

Approved by Registrar-General of Land under No. 2002/6055

Annexure Schedule 1

Registrar-General of Land Approval 02/6055EF A.D.L.S.

Easement instrument Dated 18/12/07 Page 3 of 4 pages

Schedule A *(Continue in additional Annexure Schedule if required.)*

Purpose (nature and extent) of easement, *profit*, or covenant	Shown (plan reference)	Servient tenement (Identifier/CT)	Dominant tenement (Identifier/CT *or* in gross)
Right to drain sewage	B	Lot 1 on Deposited Plan 386409 being Certificate of Title 345890	))
Right to drain sewage	H	Lot 3 on Deposited Plan 386409 being Certificate of Title 345892	)) Easement in gross in favour of
Right to drain stormwater	D	Lot 2 on Deposited Plan 386409 being Certificate of Title 345891	) Kapiti Coast District Council)
Right to drain stormwater	M, K, L	Lot 3 on Deposited Plan 386409 being Certificate of Title 345892	))

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 specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Ninth Schedule of the Property Law Act 1952.

The implied rights and powers are **[varied] [negatived] [added to]** or **[substituted]** by:

[Memorandum number , registered under section 155A of the Land Transfer Act 1952].

[the provisions set out in Annexure Schedule 2].

Covenant provisions

Delete phrases in [ ] and insert memorandum number as required.
Continue in additional Annexure Schedule if required.

The provisions applying to the specified covenants are those set out in:

[Memorandum number , registered under section 155A of the Land Transfer Act 1952]

[Annexure Schedule 2].

All signing parties and either their witnesses or solicitors must sign or initial in this box

Approved by Registrar-General of Land under No. 2002/5032

Annexure Schedule

Registrar-General of Land Approval 02/5032EF A.D.L.S.

Insert type of instrument
"Mortgage", "Transfer", "Lease" etc

Easement	Dated	18/12/07	Page 4 of 4 Pages

(Continue in additional Annexure Schedule, if required.)

ANNEXURE SCHEDULE 2

In addition to the rights and powers implied in general for easements and in particular for the above class of easement in Schedule 4 of the Land Transfer Regulations 2002, the following rights and powers apply:

1. The Grantor is prohibited from erecting any buildings, walls, fences or other structure on the servient land without first obtaining the specific written consent of the Grantee.

2. The issue of a Building Consent pursuant to the Building Act 2004, or any subsequent replacement legislation, shall not be regarded as written consent for the purposes of this easement document.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

REF: 7025 – AUCKLAND DISTRICT LAW SOCIETY