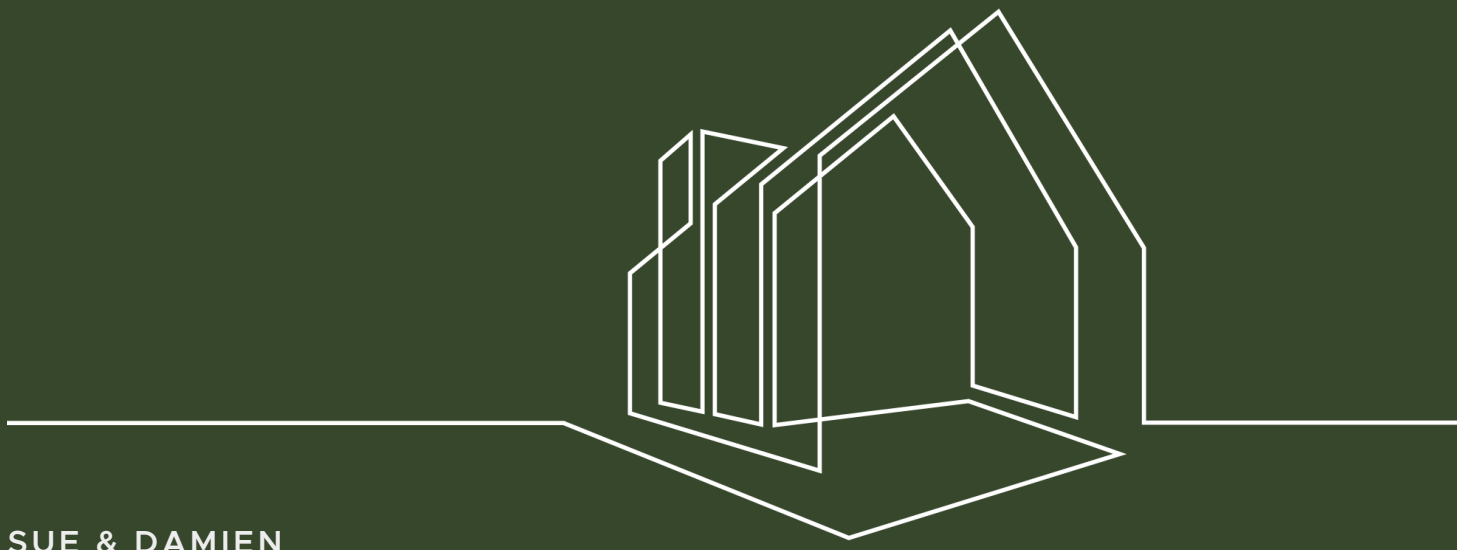
CERTIFICATE OF TITLE



SUE & DAMIEN

021 793 822 | 021 387 345

ownrealestate.co.nz

POWERED BY OWNLY LTD. LICENSED REAA 2008

OWN

REAL ESTATE

RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD

Guaranteed Search Copy issued under Section 60 of the Land Transfer Act 2017

R.W. Muir
Registrar-General
of Land

Identifier **NA101B/468**
Land Registration District **North Auckland**
Date Issued 05 February 1996

Prior References
NA61D/687 NA74C/301

Estate Fee Simple
Area 808 square metres more or less
Legal Description Lot 6 Deposited Plan 167007
Registered Owners
Michael John Morresey and Glynne Shirley Morresey

Estate Fee Simple - 1/8 share
Area 898 square metres more or less
Legal Description Lot 15 Deposited Plan 167007
Registered Owners
Michael John Morresey and Glynne Shirley Morresey

Interests

Subject to Section 241(2) Resource Management Act 1991

C950492.3 Consent Notice pursuant to Section 221(1) Resource Management Act 1991 - 5.2.1996 at 12.55 pm

C950492.4 Certificate pursuant to Section 321(3)(c) Local Government Act 1974 - 5.2.1996 at 12.55 pm

Subject to rights of way and rights to transmit electricity, convey water and gas over part marked A on DP 167007 specified in Easement Certificate C950492.7 - 5.2.1996 at 12.55 pm

The easements specified in Easement Certificate C950492.7 are subject to Section 243 (a) Resource Management Act 1991

Subject to a walkway right (in gross) over parts marked A and C (affects Lot 6 DP 167007) and over part marked D (affects Lot 15 DP 167007) in favour of the Whangarei District Council created by Transfer C950492.8 - 5.2.1996 at 12.55 pm

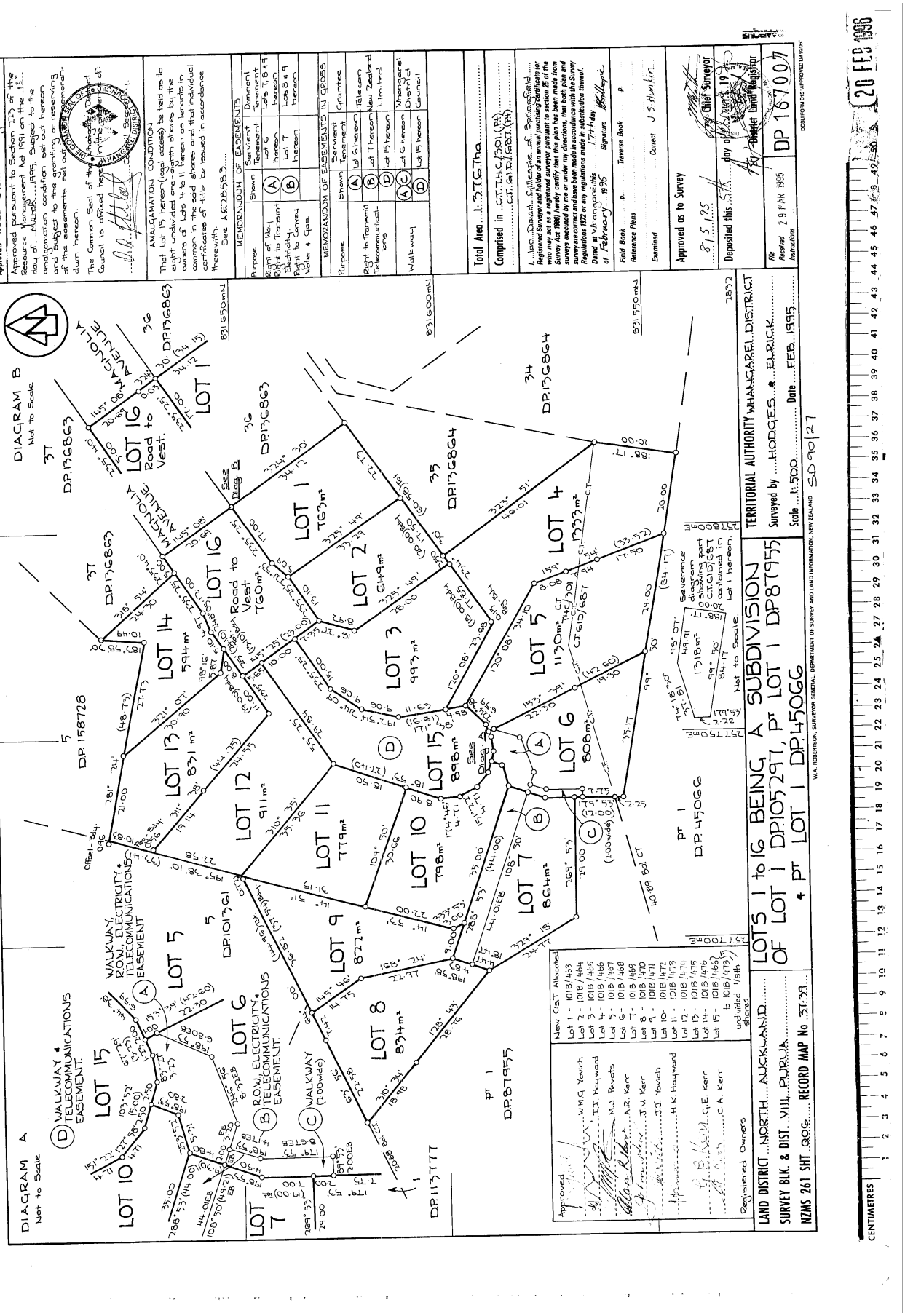
The easements created by Transfer C950492.8 are subject to Section 243 (a) Resource Management Act 1991

Subject to a telecommunications right (in gross) over part marked A (affects Lot 6 DP 167007) and over part marked D (affects Lot 15 DP 167007) in favour of Telecom New Zealand Limited created by Transfer C950492.9 - 5.2.1996 at 12.55 pm

The easements created by Transfer C950492.9 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Transfer D627202.1 - 1.8.2001 at 12.22 pm

11172242.4 Mortgage to ASB Bank Limited - 25.7.2018 at 12:20 pm


Approvals
Road shown is legal.
Approved pursuant to Section 321 of the Resource Management Act 1991 on the 15th day of March 1995 Subject to the amalgamation condition set out hereon and subject to the granting of reserving of the easements set out in memorandum hereon.
The Common Seal of the Whangarei District Council is affixed hereto in the presence of
Council Secretary
AMALGAMATION CONDITION
That Lot 15 hereon (legal access) be held as to eight undivided one-eighth shares by the owners of Lots 4 to 11 hereon as tenants in common in the said shares and that individual certificates of title be issued in accordance therewith.
See A 562538.3
MEMORANDUM OF EASEMENTS
Purpose | Shown | Servient Tenement | Dominant Tenement
Right of Way | A | Lot 6 hereon | Lots 1, 8 & 9 hereon
Right to Transmit Electricity | B | Lot 7 hereon | Lots 8 & 9 hereon
Right to Convey Water & Gas
MEMORANDUM OF EASEMENTS IN GROSS
Purpose | Shown | Servient Tenement | Grantee
Right to Transmit Telecommunications | A | Lot 6 hereon | Telecom New Zealand Limited
B | Lot 1 hereon
D | Lot 15 hereon
Walkway | A, C | Lot 6 hereon | Whangarei District Council
D | Lot 15 hereon
Total Area 1.3736ha
Comprised in CT 1145/201 (Pt) CT 6A1D/687 (Pt)
I, Alan David Gillespie of Whangarei being a Registered Surveyor and holder of an annual practising Certificate in force who may act as a registered surveyor, hereby certify that this plan has been made from Survey Act 1986 and that all the relevant provisions of that Act have been complied with. This plan has been made from survey carried out by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.
Dated at Whangarei this 17th day of February 1995 Signature
Field Book p. Traverse Book p.
Reference Plans
Examined Correct J.S. Hunkin
Approved as to Survey
8.1.1995
Chief Surveyor
Deposited this 5th day of March 1995
File Received 29 MAR 1995 Instructions
Land Registrar
DP 167007
DOES NOT DISAPPROVE MAP
20 FEB 1996
TERRITORIAL AUTHORITY WHANGAREI DISTRICT
Surveyed by HODGES & ELRICK
Scale 1:500 Date FEB 1995
SO 90127
LOTS 1 to 16 BEING A SUBDIVISION OF LOT 1 DP105297, PT LOT 1 DP87955 & PT LOT 1 DP45066
LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. VIII, PUKEA
NZMS 261 SHT 006 RECORD MAP No 37.39
Registered Owners
New CST Allocated
Approved
DIAGRAM A
Not to Scale
DIAGRAM B
Not to Scale
LOT 1 DP 167007
LOT 2 DP 167007
LOT 3 DP 167007
LOT 4 DP 167007
LOT 5 DP 167007
LOT 6 DP 167007
LOT 7 DP 167007
LOT 8 DP 167007
LOT 9 DP 167007
LOT 10 DP 167007
LOT 11 DP 167007
LOT 12 DP 167007
LOT 13 DP 167007
LOT 14 DP 167007
LOT 15 DP 167007
LOT 16 DP 167007
Road to Vest
WALKWAY R.O.W. ELECTRICITY & TELECOMMUNICATIONS EASEMENT
R.O.W. ELECTRICITY & TELECOMMUNICATIONS EASEMENT
WALKWAY (1.00 wide)
Severance diagram 00 shading part CT 6A1D/687 Lot 1 hereon.
Not to Scale.
CENTIMETRES

C950492-3 CONO

IN THE MATTER of the Resource Managerment Act 1991 ("the Act")

A N D

IN THE MATTER of a subdivision consent as evidenced by Land Transfer Plan No. 167007

A N D

IN THE MATTER of a Consent Notice issued pursuant to Section 221 of the Act by THE WHANGAREI DISTRICT COUNCIL ("the Council")

I, PATRICK JOHN KILLALEA District Planner for the Council HEREBY CERTIFY that the following conditions to be complied with on a continuing basis were imposed by the Council as conditions of approval for the subdivision as effected by Land Transfer Plan No. 167007 ("the plan")

1. The registered proprietors for the time being of the properties being Lots 1 to 14 on the plan shall in developing such properties undertake such development so that:

   (a) Cut batters are not to exceed 2 horizontal to 1 vertical

   (b) Filled batters are not to exceed 3 horizontal to 1 vertical

   (c) All ground surfaces are to be shaped to prevent the ponding of surface water

   (d) All fill shall be placed under controlled conditions and certified by a suitably experienced Registered Engineer

   (e) Cuts and fill shall be avoided on all slopes exceeding 15° unless certified by a suitably experienced Registered Engineer.

2. The registered proprietors for the time being of the properties being Lots 1 and 2 on the plan shall prior to the placing of any fill on such properties ensure that the area on which such fill is to be placed is benched with the fill to be compacted in a controlled manner. All unsuitable soil which is presently on these lots to be removed prior to the compaction of controlled fill with all fill to be tested and approved by a Registered Engineer and laid at the optimum density and with moisture conditions from tests carried out on borrow material to be to the New Zealand Standard compaction.

3. The registered proprietors for the time being of Lots 3 and 4 on the plan should avoid any cutting or filling on such properties with the foundations for any buildings on such properties being subject to specific engineering design by a Registered Engineer. Such cuttings or fillings made on such properties in excess of 300mm shall be subject to specific engineering design by a Registered Engineer and in any event subject to the requirements of the Council.

4. The registered proprietors for the time being of the properties being Lots 5 and 6 on the plan shall in undertaking any building/construction on such properties ensure that such building/construction is undertaken with foundations which are specifically designed because of their proximity to cut batters downslope to the north and the instability on the southern slopes of such properties.

5. The registered proprietors for the time being of any of the lots on the plan shall take into account the influence of foundations on constructed batters. Foundations shall be terminated below the influence line from the base of any excavation or retaining walls downslope unless it can be demonstrated by specific engineering design that retaining walls are adequate to resist the superimposed levels.

6. The registered proprietors for the time being of the properties being Lots 5, 6 and 7 on the plan shall in forming any cut batters on such properties ensure that such do not exceed 2 horizontal to 1 vertical and shall be topsoiled and grassed over after construction PROVIDED ALWAYS that if such cutting is less than .5 metres in height the batter slopes can be increased to 1 horizontal to 1 vertical.

7. The registered proprietors for the time being of the properties being Lots 4, 5 and 6 on the plan shall not build/construct any building/construction thereon without site specific investigation and design being undertaken so as to determine the stability of the proposal in relation to the property in question and the neighbouring properties PROVIDED ALWAYS that such building does not extend to include decks constructed separately from dwellings.

8. The registered proprietors for the time being of the properties being Lots 4, 5 and 6 on the plan shall in undertaking any building/construction thereon ensure that existing trees are not removed from the southern slopes without a stability assessment being undertaken.

9. The registered proprietors for the time being of the properties being Lots 4, 5 and 6 on the plan shall in providing for stormwater disposal on such properties ensure that stormwater shall not be concentrated and discharged on to the southern slopes of any of such properties.

DATED at Whangarei this 13th day of December 1995

SIGNED by the said PATRICK JOHN KILLALEA District Planner for THE WHANGAREI DISTRICT COUNCIL pursuant to the authority of the Council given pursuant to Sections 252(1)(a) and 715 of the Local Government Act 1974

P.J. Killalea.

P.J. Killalea

12.55 05.FEB96 C 950492.3

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
ASST. LAND REGISTRAR.....

D 627202.1T

TRANSFER

Land Transfer Act 1952

If there is not enough space in any of the panels below, cross-reference to and use the approved Annexure Schedule: no other format will be received.

Land Registration District

North Auckland

Certificate of Title No.	All or Part?	Area and legal description — ***Insert only when part or Stratum, CT***
101B/468	All	

Transferor *Surnames must be underlined*

Walter Mick George Yovich, Ian Irving Hayward, Alan Russell Kerr, John Vivian Kerr, Jeanette Julia Yovich, Helen Katherine Hayward, Geraldine Eila Kerr and **Colleen Anne Kerr** as to an undivided one-tenth share each and **Mark John Pevats** as to an undivided two-tenths share as tenants in common in the said shares

Transferee *Surnames must be underlined*

Glen McKenzie Pierce and Geziena Margareta Pierce

Estate or Interest or Easement to be created: *Insert e.g. Fee simple; Leasehold in Lease No. .....; Right of way etc.*

Fee simple subject to a Land Covenant: *(continued on Pages 2, 3 and 4 Annexure Schedule)*

Consideration

$55,000.00

Operative Clause

For the above consideration (receipt of which is acknowledged) the TRANSFEROR TRANSFERS to the TRANSFEREE all the transferor's estate and interest described above in the land in the above Certificate(s) of Title and if an easement is described above such is granted or created.

Dated this 27th **day of** July 2001

Attestation

Signed in my presence by the Transferor	IAN IRVING HAYWARD
Signature of Witness	
Witness to complete in BLOCK letters *(unless typewritten or legibly stamped)*	
Witness name	Vicki Marie Ferguson
Occupation	Accountant
Address	Parua Bay Whangarei

Signature, or common seal of Transferor

Certified correct for the purposes of the Land Transfer Act 1952

Solicitor for the Transferee

REF: 4135

Approved by Registrar-General
of Land under No. 1995/1004

TRANSFER

Land Transfer Act 1952

Law Firm Acting

CONNELL RISHWORTH
SOLICITORS
WHANGAREI

Auckland District Law Society
REF: 4135

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(except for "Law Firm Acting")

Continuation of "Estate or Interest or Easement to be created"

The transferor when registered proprietor of the land formerly contained in Certificates of Title 74C/301 (Pt) and 61D/687 (Pt) subdivided the land into residential lots in the manner shown and defined on Deposited Plan 167007 AND WHEREAS it is the transferor's intention to create for the benefit of the land in the Certificates of Title set out in Schedule A (hereinafter referred to as the "Dominant Lots") the land covenants set out in Schedule B over the land in Certificate of Title 101B/468 hereinafter referred to as the "Servient Lot") TO THE INTENT that the Servient Lot shall be bound by the stipulations and restrictions set out in Schedule B hereto and that the owners and occupiers for the time being of the Dominant Lots may enforce the observance of such stipulations against the owners for the time being of the Servient Lot.

AND AS INCIDENTAL to the transfer of the fee simple so as to bind the Servient Lot and for the benefit of the respective Dominant Lots the transferee DOTH HEREBY COVENANT AND AGREE in the manner set out in the Schedule B hereto so that the covenants run with the Servient Lot for the benefit of the respective Dominant Lots as described in Schedule A

SCHEDULE A

101B/463
101B/464
101B/465
101B/466
101B/467
101B/468
101B/469
101B/470
101B/471
101B/472
101B/473
101B/474
101B/475
101B/476 to 101B/473 undivided 1/8th shares

Continuation of "Estate or Interest or Easement to be created"

SCHEDULE B

BUILDING COVENANT

TheTransferee doth hereby covenant:

(a) Not to place, erect or install on the Servient Lot any building in which the materials of construction shall have been previously used.

(b) Not to have placed, erected or installed on the Servient Lot any dwellinghouse or building previously occupied or used or any temporary building.

(c) Not to have placed on the Servient Lot any caravan not roadworthy and that does not have a current Warrant of Fitness issued and not to have any caravan or any other vehicle used for accommodation purposes remain on the Servient Lot for a continuous period of more than three months.

(d) Not to have placed, erected or installed on the Servient Lot any building or structure other than a residential building or buildings and any building or structure usually or commonly used as a building or structure accessory to a residential dwelling.

(e) Not to have placed, erected or installed on the Servient Lot any dwellinghouse in respect of which the residential portion thereof (excluding garages, verandas, porches, stairwells and other accessory buildings and appurtenances) shall have a value (as at the date of construction) of less than "The Minimum Value" as herein defined. "The Minimum Value" shall be deemed to be the sum of $900.00 per square metre and that sum shall be adjusted as at the 1st of January in each and every year by the rate of inflation of New Zealand currency from the 1st of January 1990 until the 1st of January in the year in question and the rate of inflation shall be determined by the Consumers Price Index (all groups) of the New Zealand Government Statistics Department and in the event of there being no such index then the rate of inflation shall be determined in such manner as any Court of competent jurisdiction or arbitrator or other tribunal to which the question is referred by the parties to this Covenant shall determine.

(f) Not to have placed, erected or installed on the Servient Lot any residential building of which the residential portion (excluding garages, verandas, porches, stairwells and other accessory buildings and appurtenances) has an area of less than 100 square metres.

(g) Not to use any unpainted galvanised steel roofing or any galvanised wall cladding or fibrolite wall cladding (unless sprayed with a stucco type finish) in connection with the construction of the dwelling or ancillary buildings on the Servient Lot.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

Annexure Schedule

TRANSFER Dated 27th July 2001 Page 4 of 4 Pages

Continuation of "Attestation"

Signed in my presence by the Transferee:

Signature of Transferees: _____

Signature of Witness: _____

Witness name: ROBIN J. BARNES
Occupation: LEGAL EXECUTIVE
Address: WHANGAREI

Continuation of "Attestation"

Signed in my presence by the Transferors
WALTER MICK GEORGE YOVICH, , ALAN RUSSELL KERR, JOHN VIVIAN KERR, JEANETTE JULIA YOVICH, HELEN KATHERINE HAYWARD, GERALDINE EILA KERR, COLLEEN ANNE KERR and MARK JOHN PEVATS
all by their attorney **IAN IRVING HAYWARD**

_____
Witness to complete in BLOCK letters
(unless typewritten or legibly stamped)
Witness name: Vicki Marie Ferguson
Occupation: Accountant
Address: Parua Bay
Whangarei

_____
Signature of Transferor

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or their solicitors must put their signatures or initials here.

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **IAN IRVING HAYWARD** of Whangarei, in New Zealand, Chartered Accountant, hereby certify:

1. THAT by Deed dated 19th day of April 1996 **WALTER MICK GEORGE YOVICH** and **MARK JOHN PEVATS** Chartered Accountants, **ALAN RUSSELL KERR** and **JOHN VIVIAN KERR** Company Directors and **JEANETTE JULIA YOVICH, HELEN KATHERINE HAYWARD, GERALDINE EILA KERR** and **COLLEEN ANNE KERR** Married Women, all of Whangarei, in New Zealand appointed me their attorney on the terms and subject to the conditions set out in the said deed, which was deposited in the Land Registry Office at Auckland as No. C989018.2.

2. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the deaths of any of the said **WALTER MICK GEORGE YOVICH, MARK JOHN PEVATS, ALAN RUSSELL KERR, JOHN VIVIAN KERR, JEANETTE JULIA YOVICH, HELEN KATHERINE HAYWARD, GERALDINE EILA KERR and COLLEEN ANNE KERR** or otherwise.

DATED this 27th day of July 2001.

SIGNED at Whangarei by)
IAN IRVING HAYWARD)
on the date set forth)

Checked

12718\1

Approved by Registrar-General
of Land under No. 1995/1003

TRANSFER

Land Transfer Act 1952

Law Firm Acting
Connell Rishworth Solicitors Whangarei

Auckland District Law Society
REF: 4130

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND

REGISTRAR-GENERAL OF LAND NEW ZEALAND

12.22 01.AUG01 D 627202

LINZ COPY

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