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O.T. Fred. Hill C.T. 478/65
24-I-63 106323 - 08/10/63

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Approved by the District Land Registrar, Auckland, No. 2155.

(New Zealand)

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Memorandum of Transfer 692390 TE

17121972

GEORGE WHITNALL SNOW of Rotorua, Public Servant as Executor
~~WHEREAS, / ELLEN JESSIE SNOW~~ and FREDA ELLEN BARNES ~~sett~~ of Auckland

law clerks (hereinafter with their respective executors administrators and assigns
called "the transferors") , being registered as proprietors

of an estate in fee simple as tenants in common in equal shares

subject, however, to such encumbrances, liens, and interests as are notified by memoranda underwritten

or endorsed hereon, in all that piece of land containing 1 rood 11.8 perches more or less
being Lot 120 on Deposited Plan No. 19099 by portion of Allotment 35 Parish of
Waikomiti and all the land comprised and described in Certificate of Title Volume
478 folio 65 Auckland Registry subject to Sections 16 and 17 of the Land Act 1924

and to drainage rights created in and by Transfer No. 215495 and to agreement as to
fencing in Transfer No. 223132 AND WHEREAS the transferors are desirous of giving
and granting to THE BODY CORPORATE called THE MAYOR COUNCILLORS AND CITIZENS
OF THE CITY OF AUCKLAND a municipal corporation duly constituted under the
provisions of the Municipal Corporations Act 1954 (hereinafter with its successors
and assigns called "the transferee") as and in the nature of an easement in gross

for ever the right to lay and maintain water pipes and mains through under and
across those parts of the land above described being the pieces of land shown
coloured yellow on the plan hereon (hereinafter called "the said lands") and to
convey water through the same for and in connection with the waterworks system of
the transferee NOW THEREFORE in pursuance of such desire the transferors DO AND

EACH OF THEM DOTH HEREBY TRANSFER AND GRANT unto the transferee in perpetuity as

an easement in gross full free and uninterrupted right liberty authority and
license from time to time and at all times hereafter to lay construct relay recon-
struct cleanse repair and maintain a water pipeline and main or any number of
water-pipe lines and mains of such size and type as the transferee shall think fit
through under and across the said lands and to convey water in unimpeded flow through
the said pipes and mains and for such purpose by its engineers surveyors servants
agents employees workmen and contractors to enter upon and to pass and repass over
the said lands with or without horses or vehicles laden or unladen and materials
machinery and implements to make on the said land any cuttings fillings grades
batters or trenches and to reopen any such trenches and to lay construct place remove
relay reconstruct cleanse repair and maintain any water pipes and mains or lay lift
repair and relay any substitutional or additional pipes and mains and to do all and
singular upon through under or across the said land such acts deeds matters and
things as the transferee its engineers surveyors servants agents employees workmen
or contractors may consider necessary or desirable for or in any wise in connection
with the laying constructing placing inspecting removing relaying reconstructing
cleansing repairing and maintaining or using such water pipes and mains and the
transmission of water through under and across the said lands AND in consideration
of the foregoing grant by the transferors the transferee DOTH HEREBY COVENANT AND
AGREE with the transferors that it will :

- (a) At all times repair and maintain all such pipes and mains as may be laid or
constructed through under and across the said lands in pursuance of these
presents in a good and efficient state of repair for the purposes for which
the same are designed and will prevent the same from becoming a nuisance.
- (b) Cause as little damage as possible to the surface of the said land.
- (c) Repair and make good all damage to fences gates paths or drains in upon or
around the said lands caused by the carrying out by the transferee of any
of the works hereinbefore mentioned.

C. J. ...

Mohlan ...

- (d) At the cost of the transferee restore the surface of the said lands as nearly as possible to its former condition or state and as may be necessary replace the soil thereof with the surface and turf thereof adjusted and consolidated to the appropriate level.
- (e) Pay and compensate the transferors for all damage caused by any such works to any cultivation crop trees or shrubs of any kind for the time being growing on the said lands

AND for the consideration aforesaid the transferors DO AND EACH OF THEM DO HEREBY COVENANT AND AGREE with the transferee :-

- (a) That they will not place any buildings or erections of a permanent nature on or over the said lands and will not at any time hereafter do permit or suffer any act whereby the rights powers licenses and liberties hereby granted to the transferee may be interfered with or affected or whereby the said pipe lines and mains may be interfered with or damaged.
- (b) Nothing herein contained or implied shall be deemed to compel the transferee to convey water through the said pipes and mains and the transferee may from time to time discontinue the conveyance of water through the same at will.

IN WITNESS WHEREOF these presents have been executed the 10th day of December One thousand nine hundred and seventy two

SIGNED by the said GEORGE WHITNALL)
SNOW in the presence of:-)

G. W. Snow

*J. H. ...
 Solicitor
 Auckland.*

SIGNED by the said FREDA ELLEN)
BARNES in the presence of:-)

D. G. Barnes

*B. Sheave
 Solicitor
 Auckland.*

THE COMMON SEAL of THE BODY CORPORATE)
 called THE MAYOR COUNCILLORS AND CITIZENS)
OF THE CITY OF AUCKLAND was hereunto)
 affixed pursuant to a resolution passed at)
 a meeting of the Auckland City Council)
 held on the 10th day of December)
 1959 in the presence of:-)



[Signature] MAYOR

[Signature] TOWN CLERK

jmg

P.O. Box 2207, AUCKLAND

9 January

63

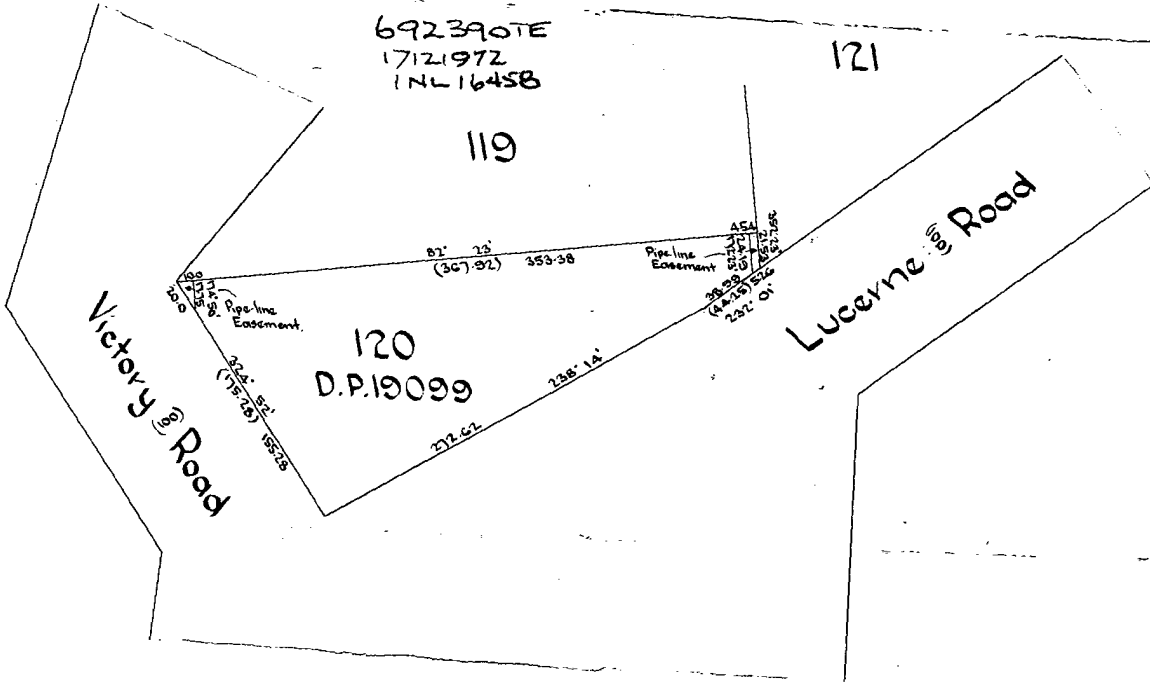
Dear Sirs,
Transfer 692390 - 19.12.1962 - SNOW G.W. & ANOR
to CITY OF AUCKLAND C.T. 478/65

This Transfer by way of grant of water easement should be submitted to the Inland Revenue Dept. (Duties) for payment of duty.

Yours faithfully,

(F.A. SADLER)
District Land Registrar
Per: KD

Messrs Butler & White,
Solicitors,
P.O. Box 1142,
AUCKLAND.



Plan of Part of Land in C.T. 478/65

Scale: 80 links to an inch.

Correct
Drawn
Draughtsman,
21/12/62

J. Hill
Regd Surveyor.
19/8/59.

692390

No.

TRANSFER of

Correct for the purposes of the Land Transfer Act.

Transferor

[Signature]

Solicitor for Transferee.

Transferee

Particulars entered in the Register-Book, Vol. *438*
Fol. *65*

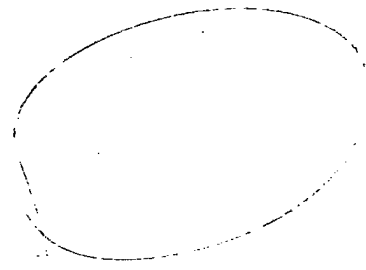
the *19th* day of *December*
1962 at *12.02* o'clock.

This transfer by way of grant of [unclear] should be [unclear] to [unclear] in [unclear] of [unclear]



[Signature]
Assistant Land Registrar of the
District of Auckland

Registered in triplicate



LAND & DEEDS	
Nature:	<i>Capital</i>
Firm:	<i>Butler White & Hanna</i>
19 DEC 1962	
Time:	<i>12.02</i>
Folio:	<i>240</i>
Abstract No.:	<i>8948</i>

[Handwritten mark]

*of - 12/-
+ 110/-
or 120/- (day
12/12/62)*

BUTLER, WHITE & HANNA,
SOLICITORS,
AUCKLAND.

