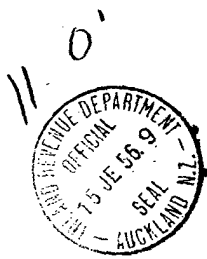


# Memorandum of Transfer By Way of Drainage Easement.



Stamp Duty AKQ

15-VI-56 25599 -DIY \*\*\*\*\*11-0

Whereas ELSIE VICTORIA McQUOID Spinster and EDWARD JAMES McQUOID Driver ..

both of Henderson (hereinafter called "the transferors ")

are registered as proprietors of an estate in fee simple as executors

W.C.C.  
E.V. & E.J.  
McQuoid

subject, however, to such encumbrances, liens, and interests as are notified by memoranda underwritten or endorsed hereon, in those pieces of land containing respectively the .. areas more or less and being those Lots shown on Deposited Plan 42669 ..... specified in the Schedule hereto being portions of Allotments 31 and 404 of the Parish of Waikomiti and being part of the land comprised in CERTIFICATES OF TITLE VOLUME 255 FOLIO 83 and VOLUME 911 FOLIO 152 (Auckland Registry) . Subject to building line restriction in K 45557 AND WHEREAS the .... Transferors have verbally agreed to give the easement hereafter set forth . to THE BODY CORPORATE known as THE CHAIRMAN COUNCILLORS AND INHABITANTS OF THE COUNTY OF WAITEMATA (hereinafter called "the transferee") .....

c/v 255/83  
prod.  
c/v 911/152  
pt. cancelled

*Handwritten initials*

~~And whereas the transferor requested THE BODY CORPORATE KNOWN AS THE CHAIRMAN COUNCILLORS AND INHABITANTS OF THE COUNTY OF WAITEMATA (hereinafter called "the transferee") to approve of the scheme of subdivision shown on the said plan which the transferee agreed to do upon the transferor giving the easement hereafter set forth~~ NOW THIS INSTRUMENT WITNESSETH that in pursuance of the said agreement and IN CONSIDERATION of the premises the transferors DO HEREBY TRANSFER AND GRANT unto the transferee its successors and assigns as an easement in gross full right liberty and license at all times hereafter:

(a) TO collect and concentrate at such place or places on any of the roads shown on the said plan as the transferee shall think fit all water whether from rain tempest spring seepage or soakage which shall fall upon or otherwise make its way to or upon any of the said roads and to drain discharge or allow to escape in any quantities the said water from any of such roads onto any part or parts of the lands hereinbefore described and without being responsible for any damage caused thereby or by the deposit of silt or debris brought onto the said lands or any part or parts thereof

(b) FROM time to time and at any time to enter upon the said lands or any part or parts thereof and thereon to dig lay construct repair maintain and inspect such drains and sewers as may be necessary or desirable for the better disposing of water which under the provisions hereof the transferee has the right to drain discharge or allow to escape from any of the said roads onto the said lands as aforesaid and to use the said drains or sewers for the purpose and as may be necessary or desirable in order to obtain the benefit of the grant hereby made Provided however that in digging laying or

constructing any such drain or sewer the transferee shall be bound to cause to the lands upon which the same is to be dug laid or constructed as little damage as is reasonably practicable due regard being had to recognised engineering principles of drainage and to the necessity for causing a minimum of damage and inconvenience to the general body of owners or occupiers of lands which may be affected by the construction of any such drain or sewer

And the Transferors do for themselves and the executors administrators and assigns of the survivor of them /and the registered proprietor or proprietors for the time being of the said land covenant with the transferee its successors and assigns that the transfers or such executors administrators . and assigns or such registered proprietor or proprietors as aforesaid will not at any time hereafter do or commit any act which will in any way interfere with the enjoyment by the transferee of the rights and liabilities hereby vested in it by virtue of the provisions hereof.

And it is hereby declared that the rights and immunities from liability which the transferee may now or hereafter possess by virtue of any statute or at common law shall not be prejudiced by the foregoing grant and no liability shall be created or deemed to be created upon the transferee in respect of the flow of water or solids from the point or points at which the same may enter upon or be deposited upon the said land.

In witness whereof this Instrument has been executed this 14th day of June One thousand nine hundred and fifty five six

Signed by the said ELSIE VICTORIA  
McQUOID and EDWARD JAMES McQUOID  
as transferors in the presence of

*E. J. McQuoid*  
*E. J. McQuoid*

*E. J. McQuoid*  
*Soberton*  
*Stuchland*

THE SCHEDULE

<i>E. J. McQuoid</i>	Lot 1	Area 1 rood 15.4 perches ✓	<i>E. J. McQuoid</i>	Lot 7	Area 3 acres ✓
<i>E. J. McQuoid</i>	<del>Lot 3</del>	<del>Area 1 rood 14.7 perches</del>		Lot 9	Area 1 rood 5.5 perches ✓
	Lot 6	Area 1 rood 16.6 perches ✓			<i>225/23</i>

All shown on Deposited Plan 42669

574772

No.

104

Correct for the purposes of the Land Transfer Act.

*Ch. Galbraith*

Solicitor for Transferee.

**Transfer By Way of Drainage**  
**Easement over Lots 1, 3, 6, 7 and**  
**9 on D.P. 42669**

MISS E.V. McQUOID & ANOR *Transferor.*

**THE BODY CORPORATE**  
**KNOWN AS THE CHAIRMAN COUNCILLORS AND**  
**INHABITANTS OF THE COUNTY OF WAITEMATA**  
*Transferee.*

Particulars entered in the Register Book 255/83  
*Re. 911/152*  
*19<sup>th</sup>* day of *June*, 1956  
at *12.10* o'clock.



*Y. McVeagh*  
Assistant Land Registrar

*Russell McVeagh*  
*5148*

LAND & DEEDS
Title: <i>J. Easement</i>
Firm: <i>Russell McVeagh</i>
19 JUN 1956
Time: <i>12.10</i>
Fee: £ <i>16</i>
Abstract No. <i>2350</i>

RUSSELL, McVEAGH & CO.,  
Solicitors,  
AUCKLAND.

