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Approved by the District Land Registrar, Auchland, No. 2875. [New Zealand).

Memorandum of Transfer By-Uday o Drainage Easement.





Wibereas ROBERT FOSTER of Hamilton Fruiterer

(hereinafter called "the transferor

is registered as proprietor of an estate in fee simple

subject, however, to such encumbrances, liens, and interests as are notified by memoranda underwritten or endorsed hereon, in that piece of land containing SEVEN ACRES TWO.

ROODS THIRTY TWO AND NINE TENTHS PERCHES more or less being Lots 1 to 26.. inclusive on a Plan deposited in the Land Registry Office at Auckland as.. Number 39377 being part of Allotment 9 of the Parish of Karangahape and... part of the land comprised in CERTIFICATE OF TITLE VOLUME 277 FOLIO 144... (Auckland Registry) and the residue of the land comprised in CERTIFICATE OF TITLE VOLUME 277 FOLIO 186 (Auckland Registry)

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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 transferor DO THE 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

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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 crainage 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 Transferor doth for himself his executors administrators and assigns. and the registered proprietor or proprietors for the time being of the said land covenant with the transferee its successors and assigns that the transferor his 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 bereby 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

One thousand nine hundred and fifty two

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day of

Signed by the said ROBERT FOSTER

R. Fores

as transferor in the presence of

herbor Auckland

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No.

Transfer By Way of Brainage Easement over

Correct for the purposes of the Land Transfer Act.

Solicitor for Transferee.

THE BODY CORPORATE KNOWN AS THE CHAIRMAN COUNCILLORS AND INHABITANTS OF THE COUNTY OF WAITEMATA Transferee. Particulars entered in the Register Book, 277/144 and 277/186 27 h day of hay 1952 at 11-15 o'clock.	
of the District of Auckland. Assistant Land Registrar	diddies in the same of the sam
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RUSSELL. McVEAGH & CO., Solicitors, AUCKLAND.	-

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