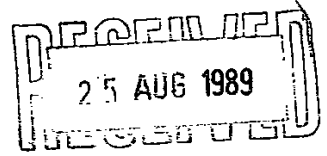


C123446.1

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Approved by the Registrar-General of Land, Wellington, No. 367635.80
Approved by the District Land Registrar, North Auckland, No. 4363/80



Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS NESSIE TOKI of Auckland, technician (as to a one third share) and IRENE TUI HOUNSELL of Auckland, telephone operator (as to a two thirds share)

("the Transferors") are being registered as proprietors 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 situated in the Land District of North Auckland

containing 1012 square metres more or less being Lot 6 on Deposited Plan 9710 and being the whole of the land comprised and described in Certificate of Title Volume 349 Folio 162 (North Auckland Registry) subject to fencing covenant in transfer 154741, ~~B277782.2 mortgage to Westpac Banking Corporation and B277782.3 mortgage to Metropolitan Life Assurance Co of NZ Limited~~ ("the servient tenement")

WHEREAS GARY ROBERT MCGREGOR of Auckland, polisher is registered as proprietor FIRST an estate in fee simple as to an undivided one half share in all that piece of land containing 1012 square metres more or less being Lot 3 Deposited Plan 9710 subject to fencing agreement in transfer 161275, Leases B872467.1 and B992712.1 and land covenants therein and SECONDLY an estate of leasehold created by Lease B872467.1 in Flat 1 Deposited Plan 124812 BOTH estates being comprised and described in composite Certificate of Title Volume 72D Folio 829 (North Auckland Registry) subject to ~~B890059.3 mortgage to ASB Bank Limited~~ United Building Society C063878.2

AND WHEREAS ALAN DAVID MCKENZIE sales representative and MICHELLE LEE-ANNE KEANE femme sole, both of Auckland are registered proprietors as tenants in common in equal shares FIRST of an estate in fee simple as to an undivided one half share in all that piece of land containing 1012 square metres more or less being Lot 3 Deposited Plan 9710 subject to fencing agreement in transfer 161275 Leases B872467.1 and B992712.1 and land covenants therein and SECONDLY an estate of leasehold created by lease B992712.1 in Flat 2 Deposited Plan 129478 subject to mortgage B932166.4 to ~~ASB Bank Limited~~ BOTH estates being comprised and described in Certificate of Title Volume 75D Folio 877 subject to ~~B932166.4 mortgage to ASB Bank Limited~~ (Gary Robert McGregor, Alan David McKenzie, and Michelle Lee-Anne Keane being hereinafter referred to as "the Transferees")* C063878.2 mortgage to United Building Society

AND WHEREAS a ~~sewer or~~ drain has been constructed by Alan David McKenzie and Michelle Lee-Anne Keane beneath the surface of the piece of land marked "A" on Deposited Plan 129428

AND WHEREAS the Transferors have agreed to grant the Transferees as appurtenant to Lot 3 Deposited Plan 9710 ("the dominant tenement") a right to drain ~~sewer or~~ water through the ~~sewer or~~ drain

Handwritten notes and signatures:
ML Keane
GMB
H
GMB
ML Keane
GMB
H
GMB
ML Keane
H

Statement of Passing over Information:

This information has been supplied by a third party. Accordingly, the Vendor and Austar Realty Limited are merely passing over this information as supplied to us by others. While we have passed on this information supplied by a third party, we have not checked, audited or reviewed the records or documents and therefore to the maximum extent permitted by law neither the Vendor nor Austar Realty Limited or any of its salespersons or employees accept any responsibility for the accuracy of the materials. Intending purchasers are advised to conduct their own investigation.

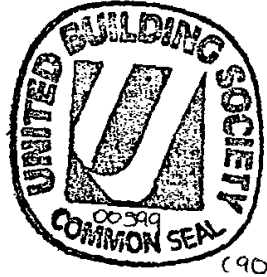
UNITED BUILDING SOCIETY the mortgagee
under mortgage C063878.2 HEREBY
CONSENTS to the within Transfer

DATED this 16th day of February 1990

The Common Seal of the
United Building Society was
hereto affixed in the presence
of :-

A. Lane Authorised
Officer

James Beal Authorised
Officer



In-Consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all

estate and interest in the

said land above described

*GMS
M. Keane
C. [unclear]
H [unclear]
H [unclear]
C. [unclear]
M. Keane
GMS
[unclear]*

NOW THEREFORE in consideration of the sum of ONE DOLLAR (\$1.00) (the receipt of which sum is hereby acknowledged) paid to the Transferors by the Transferees the Transferors do hereby transfer and grant to the Transferees to be forever appurtenant to the dominant tenement the right to drain ~~sewerage~~ water through the ~~sewer~~ drain constructed in or through that part of the servient tenement shown marked "A" on Deposited Plan 129428 AND for the consideration of the above grant of easement the Transferees do and each of them doth hereby covenant and agree with the Transferors that in the exercise of the rights and extended rights to drain ~~sewerage~~ water set forth in the Seventh Schedule to the Land Transfer Act, 1952 they will cause as little disturbance as possible to the servient tenement and that they will restore the surface thereof as nearly as possible to its original condition and repair any other damage done by reason of the aforesaid operations.

*[unclear]
M. Keane
GMS
[unclear]*

In witness whereof these presents have been executed this

21st

day

of *December*

19 89

Signed by the above named
NESSIE TOKI and
IRENE TUI HOONSELL

in the presence of:-

Lawyer, Solicitor, Auckland

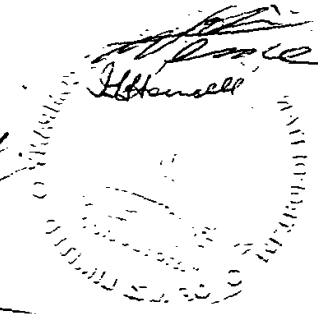
SIGNED by the abovesigned
GARY ROBERT McDERMID in the
presence of:-

[Signature]

SIGNED by the abovesigned
ALAN DAVID MCKENZIE and
MICHELLE LEE-ANNE KEANE

in the presence of:-

*B. J. Small
Legal executive to
A. W. Cuzzwell
Solicitor
Auckland.*



TRANSFER OF grant of
~~sewage and drainage easement~~

Correct for the purposes of the Land Transfer Act.

Solicitor for the Transferee.

..... M. Toki and I. T. Hounsell Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART IIA OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1952.

SOLICITOR FOR THE TRANSFEREE

G R McGregor, A D McKenzie
..... and M. L. A. Keane Transferee

~~Westpac Banking Corporation the mortgagee~~
under mortgage B277782.2 hereby consents
to the within transfer.

Dated _____ day of _____ 1989

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

.....
Assistant / District Land Registrar

.....
of the District of

Metropolitan Life Assurance ^{Company} of
NZ Limited the mortgagee under mortgage
no. B277782.3 hereby consents to the
within transfer.

"I hereby certify, for the purposes
of the Stamp and Cheque Duties Act
1971, that no conveyance duty is
payable on this instrument by reason
of the application of section 24(1) of
the Act, and that the provisions of
subsection (2) of that section do not
apply."

Dated 12th day of January 1989

The Common Seal of Metropolitan Life
Assurance Company of N.Z. Limited was
hereto affixed in the presence of:

Solicitor for the Transferee

.....
Assistant
Mortgage Manager

.....
Corporate legal
Officer

A W GUZZWELL
SOLICITOR
NEW LYNN

Solicitors for the Transferee

720/525
780/1000
3/5/89
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
APR 90 C 123448

