

Under the Land Transfer Act 1952

C 270133.1 TE

Memorandum of Transfer

WHEREAS (1) JOHN MICHAEL STEVENS Self Employed and CERI STEVENS Secretary both of Auckland

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.

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 1009 square metres more or less

more or less being Lot 753 Deposited Plan 35362 being part allotments 19 and 20 Parish of Waikamiti and being all the land comprised and described in Certificate of Title Volum 2B Folio 326 North Auckland Land Registry.

SUBJECT TO: 1. Drainage Easement created by transfer 459460
2. Fencing agreement contained in Transfer 708125
3. Mortgage number C.228267.2

AND WHEREAS (2) NIGEL CRAIG ROBINSON Computer Operations Supervisor and PETRINA MARY BROPHY Accounts Clerk both of Auckland are registered as proprietors of an estate in fee simple as tenants in common in equal shares (SUBJECT AS AFORESAID) in that piece of land situated in the Land District of North Auckland containing 867 square metres more or less being Lot 751 on Deposited Plan 32354 and being part allotments 19 and 20 parish of Waikamiti and being all the land contained in Certificate of Title Volume 1056 Folio 187

SUBJECT TO:- 1. Drainage Easement created by Transfer 386501
2. Fencing agreement contained in Transfer 516390
3. Mortgage number B661047.3 in favour of ANZ Banking Group (NZ) Limited

NOW THEREFORE in consideration of the sum of ONE DOLLAR (\$1.00) (the receipt of which is acknowledged) paid to the said JOHN MICHAEL STEVENS and CERI STEVENS by the said NIGEL CRAIG ROBINSON and PETRINA MARY BROPHY, the said JOHN MICHAEL STEVENS and CERI STEVENS HEREBY TRANSFER AND GRANT to the said NIGEL CRAIG ROBINSON and PETRINA MARY BROPHY as the registered proprietors of Lot 751 Deposited Plan 32354 and their servants, tenants, agents, workmen licences and invites, an easement of right of way over that part of Lot 753 Deposited Plan 35362 marked "A" on the plan attached hereto to be forever appurtenant to Lot 751 Deposited Plan 32354 and any part of it.

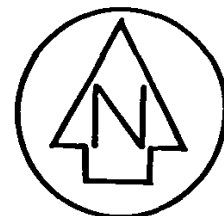
AND IT IS MUTUALLY COVENANTED between all parties hereto that:-

[Handwritten signatures]

1. The seventh schedule to the Land Transfer Act 1952 and the ninth schedule to the Property Law Act 1952 shall apply to the easement created by this transfer.
2. Any dispute as to the liability of the parties under covenant above shall be determined by arbitration under the Arbitration Act 1908 and its amendments.
3. No power is implied in respect of the easements created by this transfer for any party to determine any easement for any breach of covenant or condition (whether expressed or implied) or for any other cause whatsoever; it being the intention of the parties that each easement shall subsist unless and until it is surrendered with such consent of a local or territorial authority as may be required .

G. Li TAMB M. H.

Plan of Proposed Right of Way over Lot 753 D. P. 35362



Schedule of Proposed Easements			
Shown	Purpose	Servient Ten.	Dominant Ten.
(A)	R. O. W.	Lot 753 DP 35362	Lot 751 DP 32354

Pursuant to a resolution of the Waitakere City Council passed on the 22nd day of January 1991, approving pursuant to Section 348 of the Local Government Act 1974, the Right-of-Way shown hereon the Common Seal of the Waitakere City Council was affixed hereto in the presence of:



753

Dawn L. Chief Executive Officer

[Signature] Manager:
Finance & Administration

APPERTON GOLDSCHMIDT & PARTNERS

ors, Consulting Engineers, Town Planners

Box 41-177 St Lukes Telephone 868-625, 868-711

Scale 1:500

Local Body

Waitakere City

Project No. 9199

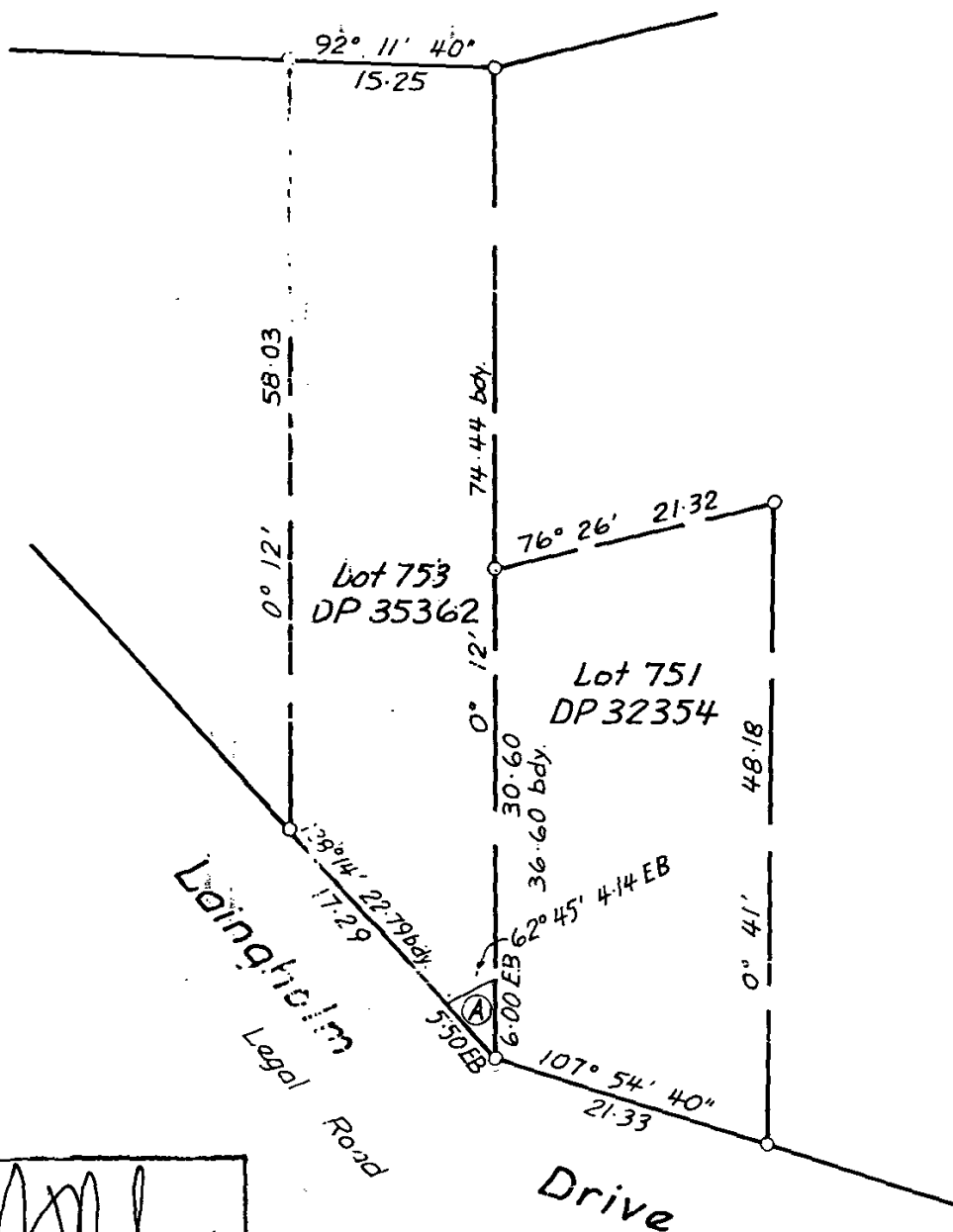
Sheet 1 of 1 Sheets

Approved [Signature]
26-11-90

(over 20.12)

Laingholm Drive

Legal Road



Correct *[Signature]*
20.6.91 L.T. Surveyor

[Handwritten signatures]

(over 20.12)

JACKSON C.

Regd. Surveyor

632 New North Road

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.~~

In witness whereof these presents have been executed this
of May 1991

14th

day

Signed by the above named

JOHN MICHAEL STEVENS and
PETRINA MARY BROPHY
in the presence of: —

LERI STEVENS

Signed by the said
NIGEL CRAIG ROBINSON and
PETRINA MARY BROPHY

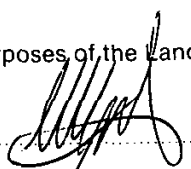
in the presence of:—

Solicitor
Perkins

No.

TRANSFER ~~OF~~ CREATING
RIGHT OF WAY EASEMENT

Correct for the purposes of the Land Transfer Act


SOLICITOR FOR THE TRANSFEEE

J M & K STEVENS

Transferor

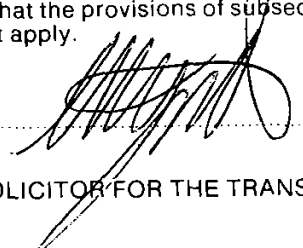
I hereby certify that this transaction does not contravene the provisions of Part 11A of the Land Settlement Promotion and Land Acquisition Act 1952.

SOLICITOR FOR THE TRANSFEEE

N C Robinson & P M Brophy

Transferee

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.


SOLICITOR FOR THE TRANSFEEE

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

Assistant / District Land Registrar

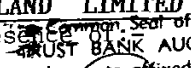
of the District of

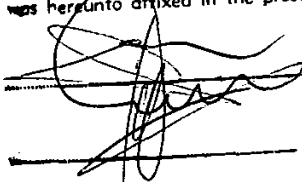
To The District Land Registrar
North Auckland Land Registry:

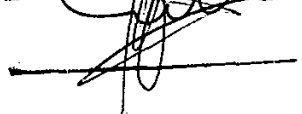
Trust Bank Auckland Limited HEREBY
CONSENTS to the creation of the Right
of Way Easement contained herein.

Dated this 16th day of May 1991.

The Common Seal of
TRUST BANK AUCKLAND LIMITED was hereto
affixed in the presence of


was hereunto affixed in the presence of:

 Director

 Secretary

Inder Lynch
Solicitors
PAPAKURA
(CML)

Solicitors for the Transferee

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12.25 30.MAY 91 C 270133-1
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR

