

Under the Land Transfer Act 1952

## Memorandum of Transfer

B982282.1  
T

WHEREAS 1. HAROLD BRUCE TOLLEMACHE of Titirangi, Cutter and LYNN JOY TOLLEMACHE  
his wife (hereinafter called "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 1221 Square Metres

more or less being Lot 4 on Deposited Plan 54416 and being part Allotment 50

Parish of Waikomiti and being all the land comprised in Certificate of Title  
Volume 12B Folio 542 (North Auckland Registry)

SUBJECT TO (a) ☒ Fencing Covenant in Transfer A239113  
(b) ☒ Mortgage A239114 to The Housing Corporation of New Zealand  
(c) ☒ Family Benefit Charge A259001 to The Housing Corporation of  
New Zealand  
(d) ☒ Mortgage 677951.1 to Bank of New Zealand  
(e) ☒ Caveat <sup>B636730.1</sup>~~B636730.1~~ to Australian Guarantee Corporation  
(N.Z.) Limited

(hereinafter called "the first above-described land")

2. ANNE JESSEN of Auckland Married Woman (hereinafter called "the  
Transferee") is registered as proprietor of an estate in fee simple <sup>half</sup> ~~as to an undivided one third share~~ in all that  
piece of land containing 809 Square Metres more or less being Lot 3 Deposited Plan  
54416 and being part Allotment 50 Parish of Waikomiti and being all the land  
comprised and described in Certificate of Title Volume 11A Folio 98 (North Auckland  
Registry) <sup>an undivided one half share being</sup> ~~and the fee simple interest in~~ Certificate of Title Volume  
72D Folio 241 (North Auckland Registry)

SUBJECT TO (a) Fencing Covenant in Lease A218240

(b) Lease B880880.4

**both (c) Land covenant in Lease B880880.4.**

hereinafter called "the secondly above-described land")

3. THE Transferors have in consideration of the covenants on the part of the Transferee hereinafter contained agreed to grant to the Transferee a right of way appurtenant to the land secondly above-described over that part of the land first above-described marked "A" on the plan annexed hereto

NOW THEREFORE FOR THE CONSIDERATION AFORESAID The Transferors DO HEREBY TRANSFER AND GRANT UNTO THE TRANSFEE her executors administrators and assigns and her servants agents workmen and visitors and all persons having business with her or them a free and perpetual right of way ingress egress and regress on horseback or on foot and with or without impliments and vehicles of every description and kind loaded or unloaded by night as well as by day in over and upon that part of the first abovedescribed land marked "A" on the said plan for the purpose of giving access to and from the secondly above-described land and any part thereof such easement of right of way hereby created being in common with the Transferors their executors administrators and assigns and their servants agents workmen and visitors and all persons having business with them TO THE INTENT that such easement of right of way shall be forever appurtenant to the secondly above-described land Subject to the provisions contained in Clause 3 hereof.

4. IN CONSIDERATION of the premises the Transferee DOETH HEREBY COVENANT with the Transferors as follows :

- all* (a) That the <sup>Transferee</sup> will seal with concrete to the satisfaction of the Transferors in all respects the land marked "A" on the said plan
- (b) That the Transferee will pay one half of the cost of maintaining to the satisfaction of the Transferors the said land marked "A" and the Transferors shall likewise pay one half of the said cost of maintaining the said land.

S.4690



## CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

We, **Bruce Rainsford Rasmussen** of **Auckland** and **Terence Graham Nathall** of **Auckland**, New Zealand, Bank Officers, hereby severally certify:-

1. **THAT** by deed dated the 1st day of July 1985 copies of which are deposited in the Land Transfer Offices at:-

Auckland	as No.B500414.1	Hokitika	as No. 72477
Blenheim	as No. 127701	Invercargill	as No.124294.1
Christchurch	as No. 575092.1	Napier	as No.455064.1
Dunedin	as No. 646698/1	Nelson	as No.255386.1
Gisborne	as No. 160512.1	New Plymouth	as No.325999.1
Hamilton	as No.H623570.2	Wellington	as No.717023.1

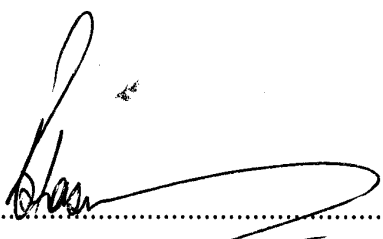
Bank of New Zealand appointed as its Attorneys on the terms and subject to the conditions set out in the said deed either:-

- (a) any two of the following persons, namely the Group Chief Executive and every General Manager, Deputy General Manager, Assistant General Manager, Chief Manager, District Manager, Area Manager, District Manager Administration and District Assistant Manager Administration for the time being of the said Bank and every other person who shall for the time being be acting as the Group Chief Executive or as a General Manager, Deputy General Manager, Assistant General Manager, Chief Manager, District Manager, Area Manager, District Manager Administration or District Assistant Manager Administration of the said Bank; or
- (b) any one of the persons referred to in paragraph (a) above together with any one of the following persons, namely every Branch Manager and Branch Loans Manager for the time being of the said Bank and every other person who shall for the time being be acting as a Branch Manager or Branch Loans Manager of the said Bank.

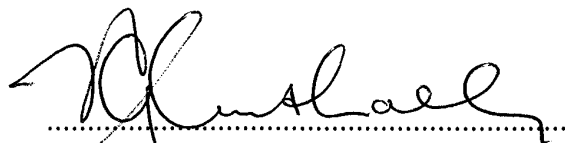
2. **THAT** we are respectively **DISTRICT MANAGER ADMINISTRATION** and **BRANCH MANAGER** of the said Bank and as such are Attorneys for the said Bank pursuant to the said deed.

3. **THAT** at the date hereof we have not received any notice or information of the revocation of that appointment by the winding up of the said Bank or otherwise.

SIGNED at **Auckland**  
this **20th** day of **December**  
19 **88**.

  
.....  
**DISTRICT MANAGER ADMINISTRATION**.....

SIGNED at **Auckland**  
this **20th** day of **December**  
19 **88**.

  
.....  
**BRANCH MANAGER**.....

68/5239

*Q* AUSTRALIAN GUARANTEE CORPORATION (N.Z.) LIMITED the Caveator under and by virtue of Caveat registered number ~~B636730-1~~ <sup>B636730-1</sup> ~~B636730-1~~ HEREBY CONSENTS to the within written Memorandum of Transfer BUT WITHOUT PREJUDICE otherwise to its rights, powers and remedies under the aforesaid Caveat.

DATED this 20th day of December 1988

SIGNED for and on behalf of  
AUSTRALIAN GUARANTEE CORPORATION  
(N.Z.) LIMITED by its Attorney~~s~~

*X*  
**RICHARD BLAY**

in the presence of:

*Chapman* ✓  
LAW CLERK TO  
CHAPMAN TRIPP SHEFFIELD YOUNG  
SOLICITORS, AUCKLAND.

) *[Signature]* *X*  
) *[Signature]* ✓  
)  
)  
)  
) AUSTRALIAN GUARANTEE CORPORATION  
) (N.Z.) LIMITED by its Attorney~~s~~

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.

CERTIFICATE OF NON REVOCATION OF POWER OF ATTORNEY

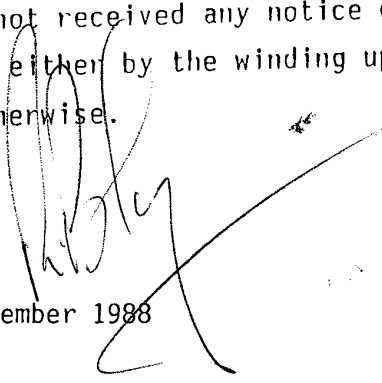
I, RICHARD BLAY, of Auckland, Credit Manager (Personal Loans) of Australian Guarantee Corporation (N.Z.) Limited hereby certify:

1. THAT by Deed dated 29 July 1977 Australian Guarantee Corporation (N.Z.) Limited, a duly incorporated company having its registered office at Auckland appointed me its Attorney on the terms and subject to the conditions set out in the said Deed, a copy whereof is deposited in the following Land Transfer Offices under the following numbers, namely:

Auckland	544182.1
Hamilton	1143189.1
Gisborne	123863.1
New Plymouth	242363.1
Napier	342228.1
Wellington	180952.1
Nelson	182201.1
Blenheim	088175.1
Christchurch	142283.1
Hokitika	052105.1
Dunedin	482745.1
Invercargill	027024.1

2. THAT at that date hereof I have not received any notice or information of the revocation of that appointment either by the winding up or dissolution of the said Company or otherwise.

SIGNED at Auckland this 9th day of December 1988



~~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~~

- (c) That neither the Transferors nor the Transferee shall park or permit to be parked any vehicles or equipment on the said land marked "A" or otherwise impede or obstruct the said land marked "A".

In witness whereof these presents have been executed this

of

*December*

19 *88*

*20th*

day

BANK OF NEW ZEALAND  
as Mortgagee HEREBY  
CONSENTS to the within  
written transfer.

*88/5239*

Signed by the above named  
HAROLD BRUCE TOLLEMACHE  
and LYNN JOY TOLLEMACHE

in the presence of:—

*H.R. Tollemache*  
*L.J. Tollemache*

Signed by the abovenamed

ANNE JESSEN

in the presence of:—

*H.R. Tollemache*  
*L.J. Tollemache*  
*Auckland*

*Bruce Tollemache*  
*L.J. Tollemache*

*Terrance Graham Nuthall*

*Terrance Graham Nuthall*

*Bank Officer*  
*Auckland*

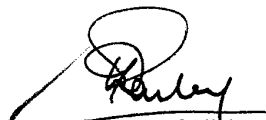
*Bank Officer*

*Auckland*

No.

TRANSFER OF

Correct for the purposes of the Land Transfer Act.



Solicitor for the Transferee.

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

.....TOLLEMACHE.....Transferor

SOLICITOR FOR THE TRANSFEREE

.....JESSEN.....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.

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

Solicitor for the Transferee

Assistant / District Land Registrar

of the District of .....

KENSINGTON SWAN,  
SOLICITORS,  
AUCKLAND, 1.

Solicitors for the Transferee

