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Approved by the D.L.R., Wellington. No. 658014

(C)

New Zealand

MEMORANDUM OF TRANSFER

MEMORANDUM OF GRANT OF EASEMENT

KEITH JACKA HOLYOAKE of Wellington, Minister of the Crown as to three-eighths share ROGER HENRY JACKA HOLYOAKE of Dannevirke, Farmer as to one-eighth share, PETER GARDEN HOLYOAKE of Taupo, Farmer as to one-eighth share, DIANE FLORA COMBER of Wellington, Married Woman as to one eighth share, LYNLEY NORMA HYAMS of Gisborne, Married Woman as to one eighth share KEITHA JENNIFER MARY HOLYOAKE of Wellington, Spinster as to one eighth share (hereinafter referred to as "the Grantors")

being registered as proprietors of an estate in fee simple as tenants in common in the shares set out above

subject, however, to such encumbrances, liens and interests as are notified by memoranda

underwritten or endorsed hereon, in all that piece of land situated in the Tuhingamata West

Survey District containing Nineteen acres one rood six perches

(19a. 1r. 6p)

be the same a little more or less, being part of Tatua West and Whangamata No.1 Blocks and being part of Lot 3 on Deposited Plan S.12543 and therein coloured blue and being part of the land in Certificate of Title Volume 2010 Folio 28 (South Auckland Registry) (hereinafter referred to as "the said land firstly hereinbefore described")

IN CONSIDERATION of the sum of ONE DOLLAR (\$1.00) paid to them by IAN OGILVIE GIBBS formerly of Tokoroa, now of Auckland, Engineer (hereinafter referred to as "the Grantee") (receipt of which sum is hereby acknowledged) DOTH HEREBY TRANSFER AND GRANT unto the Grantee and his successors in title as registered proprietor or proprietors for the time being of all that piece of land situated in the Tuhingamata East and West Districts containing Two thousand and eighty-six acres three roods fifteen perches (2086a. 3r. 15p) being part of Tatua West and Whangamata No.1 Blocks and being Lot 4 on Deposited Plan S.12544 and Lot 5 on Deposited Plan S.12552 and being part of the land in Certificate of Title, Volume 2010, Folio 28 (South Auckland Registry) SUBJECT TO as to Section 2, Block 11 to the reservations and conditions imposed by Section 59 of the Land Act, 1948, THE FOLLOWING RIGHTS AND EASEMENTS AT ALL TIMES AND FOREVER

1. TO enter upon the said land firstly hereinbefore described for the purpose of taking and conveying water away from the Whangamata stream and for such purposes to erect a pumping station together with all appurtenances thereto including power lines upon the said land firstly hereinbefore described and to lay, place and maintain a line of water pipes to convey water through the same from the said pumping station in and under the said land, such pipes not to exceed four inches in diameter and to be laid where the same pass through or over arable land at a depth of not less than two feet (2') along and within the said land firstly hereinbefore described and to erect and maintain the necessary power lines to provide power for such pumping station.

2. FOR the Grantee, his servants, agents, contractors and workmen and with vehicles, implements or otherwise, to enter upon the said land firstly hereinbefore described, firstly for the purposes of inspecting, maintaining, repairing, rebuilding and reinstating the said pumping station and the said appurtenances and secondly for the purposes of opening up the soil and inspecting, cleaning and repairing the said pipes and maintaining the same in good and satisfactory order PROVIDED HOWEVER that in placing and laying the said line of pipes and in opening up the soil and inspecting, cleaning, repairing and renewing the said pipes the Grantee shall cause as little damage as possible to the surface of the said land of the Grantors and will at the cost of the Grantee restore the said surface as nearly as possible to its former condition or state consolidated to its proper level and as the case may be will replace the turf thereof and if necessary sow the same in English grasses with appropriate quantities of seed and manure for the full width and extent to which the same shall have been disturbed or interfered with.

AND IT IS HEREBY COVENANTED AND AGREED between the parties as follows :-

IN CONSIDERATION of the sum of

XXXXXXXXXXXX

The receipt of which sum is hereby acknowledged

Handwritten signatures and initials: J.M., D.M., L.M., W.G.

~~do hereby transfer to the said~~

~~allXXXXXXXXXXestate and interest in the said piece of landX~~

3. THAT the Grantors shall not at any time enter, obstruct the use of or interfere with the said pumping station or do anything to impede or restrict the free and uninterrupted flow of water through the said pipelines:

4. THAT the Grantee shall have the right to place 3" x 3" concrete poles in the soil of the said land along the lines of the said pipes at suitable points near boundaries, fences and intersections BUT in no case so as to interfere with farming operations or with traffic:

5. THAT the Grantee shall not take more than five thousand (5,000) imperial gallons of water during any period of twenty-four (24) hours under the rights and easements transferred and conveyed to him under this Memorandum:

6. THAT the Grantors will at all times effectively fence in the said land firstly hereinbefore described and will not permit or allow stock to graze upon or over the said land and will plant trees upon and protect the same from slips, washouts or other deviation and from blockage of the Whangamata stream and will take all necessary steps to establish and maintain the earth and other works within the said land firstly hereinbefore described.

7. THAT subject to the approval of the relevant authority under the Water and Soil Conservation Act 1967 to join in taking all necessary steps to establish and maintain earth and concrete works for satisfactorily damming and ponding the spring waters of the Whangamata Stream.

IN WITNESS WHEREOF these presents have been executed this

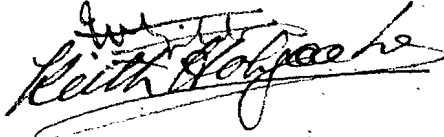
day of

January

23rd ^{mic} One thousand nine hundred and sixty-eight (1968)

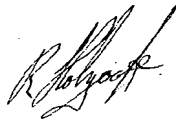
SIGNED by the said KEITH JACKA
HOLYOAKE in the presence of:-)

*P. A. Barnes J.P.
Civil Servant
Wellington*



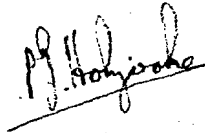
SIGNED by the said ROGER HENRY
JACKA HOLYOAKE in the presence
of:-)

*P. A. Barnes J.P.
Civil Servant
Wellington*



SIGNED by the said PETER GARDEN
HOLYOAKE in the presence of:-)

*P. A. Barnes J.P.
Civil Servant
Wellington*



I, KEITH JACKA HOLYOAKE

of Wellington, New Zealand, Prime Minister,

do solemnly and sincerely declare as follows:-

1. I have executed the Memorandum of Grant

of Easement

as the Attorney and

in the name of the therein-named and described

KEITHA JENNIFER MARY HOLYOAKE

under and by virtue of a certain Power of Attorney

bearing date the 18th day of December 1968,

a copy of which said Power of Attorney is deposited

in the Land Registry Office at Hamilton under

No. S.437780

2. I have not received any notice or information

of the revocation of the said Power of Attorney by

death or otherwise and I verily believe the same to

be in full force and effect.

AND I MAKE this solemn declaration conscientiously

believing the same to be true and by virtue of The

Oaths and Declarations Act 1957.

DECLARED at Wellington

this 30th day of December 1968

before me:-



A Solicitor of the Supreme Court of New Zealand

SIGNED by the said DIANE FLORA COMBER
in the presence of:-

P. A. Barnes J.P.
Civil Servant
Litchington

D. Comber

SIGNED by the said LYNLEY NORMA HYAMS
in the presence of:-

L. Hyams

*Sheela
Holcitor
Lisborne*

SIGNED by the said KEITHA JENNIFER
MARY HOLYOAKE in the presence of:-

X

*my ex attorney Keith Jenkins
Holyoke*
P. A. Barnes J.P.
Civil Servant
Litchington

*Keitha Jennifer Mary Holyoke
by her attorney
Keith Holyoke*

SIGNED by the said IAN OGILVIE GIBBS
in the presence of:-

Ian Gibbs

*John...
Lisborne
Litchington*

No. **S** 441040

REGISTERED IN
TRIPPLICATE

Correct for the purposes of the Land Transfer Act.

~~TRANSEER of~~
MEMORANDUM OF GRANT OF EASEMENT of
freehold land
Situate in Tuhingamata West Survey District

1/11/69, W. J. G.
Solicitor for the Purchaser,
Wellington.

Grantors
KEITH JACKA HOLYOAKE & ORS ~~Vendor~~

Grantee
IAN OGILVIE GIBBS ~~Purchaser~~

Particulars entered in the Register-Book,
Vol. 106 Folio 771

the 3rd April 1969.
at 10.30 o'clock.



J. G. W.
Assistant Land Registrar
District of Wellington

LAND & DEEDS	
Nature:	Grant of Easement
Firm:	Curtin
Date:	4 MAR 1969
Time:	Curtin 2.35
Fee:	\$2
Abstract No.:	1904

LAND & DEEDS	
Nature:	Deeds
Firm:	
Date:	3 APR 1969
Time:	10.30
Fee:	
Abstract No.:	3755

WATTS & PATTERSON
Solicitors,
WELLINGTON

