644766TE 01011870

*(Approved by the District Land Registrar, Auckland, No.3077)*

New Zealand]

*Under the Land Transfer Act, 1952*

# Memorandum of Transfer

WHEREAS HARVEY THOMAS GUBB of Kaiwaka in the Provincial District of Auckland in the Dominion of New Zealand Farmer (hereinafter called "the Grantor") is being 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 all that piece of land situated in the Land District of Auckland containing

TWO HUNDRED AND THREE ACRES ONE ROOD ONE PERCH AND ONE TENTH OF A PERCH more or less being part of Lot 3 on Deposited Plan No. 28399 and being parts of the Southern, Middle, North Eastern and North Eastern Middle portions of Allotment 45 and of the South Western and Middle portions of Allotment 44 of the Parish of Kaiwaka and ALL the land comprised and described in Certificate of Title registered in Volume 788 Folio 253 of the Register Book of the Auckland Land Registry.

SUBJECT HOWEVER to Memorandum of Mortgage No. 379840.

AND WHEREAS DONALD IAN McINTOSH of Kaiwaka aforesaid Farmer (hereinafter called "the Grantee") 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 all that parcel of land situated in the said Land District containing.

ONE HUNDRED AND FIFTY THREE ACRES THREE ROODS TWENTY SEVEN PERCHES AND THREE TENTHS OF A PERCH more or less being Allotment North East 44 and parts of Allotments 37,43 and Middle 44 of the Parish of Kaiwaka and ALL the land comprised and described in Certificate of Title registered in Volume 861 Folio 231 of the Register Book of the Auckland Land Registry. (Limited as to Parcels).

SUBJECT HOWEVER to Memoranda of Mortgage registered Nos. 459159 and 473926.

AND WHEREAS the Grantee has with the consent of the Grantor ~~erected a pump house~~ installed pumping machinery and laid a line of pipes on the land of the Grantor. AND WHEREAS the Grantee has requested the Grantor to enter into these presents which the Grantor has agreed to do.

NOW THEREFORE THIS TRANSFER WITNESSETH that IN CONSIDERATION of the sum of one shilling paid by the Grantee to the Grantor (the receipt of which sum is hereby acknowledged) HE the Grantor DOTH HEREBY GRANT AND TRANSFER unto the Grantee the perpetual right to take water for his own domestic and farm use only from the spring on the land of the Grantor and convey it in or under a strip of the said land of a uniform width of ten links as the same is more particularly shown on the plan endorsed hereon coloured yellow and marked "Pipe Line Easement" by means of the line of pipes already laid by the Grantee AND ALSO the further right for the Grantee his executors administrators and assigns and their and each of their respective servants agents and workmen at all reasonable times to enter upon the said strip of land marked "Pipe Line Easement" and to open up the soil thereof for the purpose of inspecting cleaning repairing and renewing the said line of pipes and operating inspecting cleaning repairing and renewing the ~~pump house and~~ pumping machinery installed by the Grantee on the said land and maintaining the same in good order. TO THE INTENT that the rights hereby granted shall be for ever appurtenant to the land of the Grantee secondly hereinbefore described PROVIDED ALWAYS and the GRANTEE DOTH HEREBY COVENANT with the Grantor that he will at all times at his own expense keep the said line of pipes or any renewal thereof buried to

In consideration of

(the receipt of which sum is hereby acknowledged)

Do hereby Transfer to the said

all estate and interest in the

said piece of land above described

In witness whereof have hereunto subscribed name this

day of one thousand nine hundred and

Signed by the above named

in the presence of

a depth of not less than fifteen inches and will keep and maintain the same and the said ~~pump house and~~ pumping machinery in good condition and repair, AND that he will allow the Grantor to draw water from the said pipe line as and when he may require the same at two points as agreed upon between the parties AND that in opening up the soil and inspecting cleaning repairing renewing maintaining and operating the said line of pipes ~~pump house and~~ pumping machinery the Grantee will cause as little damage as possible to the surface of the said land and will at his own cost restore the said surface as nearly as possible to its former condition.

IN WITNESS WHEREOF these presents have been executed this 17th day of May One thousand nine hundred and sixty.

SIGNED by the said HARVEY THOMAS GUBB in the presence of:- ) H. T. Gubb

W. W. Holden
Solicitor
Whangarei

SIGNED by the said DONALD IAN McINTOSH in the presence of:- ) D. I. McIntosh

Myra Gordon
Postmaster
Kaiwaka

The Public Trustee of the Dominion of New Zealand as mortgagee under and by virtue of Memorandum of Mortgage registered in the Land Registry Office at Auckland as No. 379840 DOTH HEREBY CONSENT to the abovewritten grant of easement.

DATED the 25th day of July 1960.

~~SIGNED by the PUBLIC TRUSTEE by~~ the District Public Trustee for Auckland and SEALED with the latter's seal of ~~office in the presence of:~~

SIGNED on behalf of the Public Trustee by the District Public Trustee for Whangarei and sealed with the latter's seal in the presence of :-

District Public Trustee for Whangarei.

P. J. O'Connell
Solicitor
Whangarei

644766 TE
0101870

Blk III Otamatea S.D.
Nth Auckland L.D.
Otamatea County

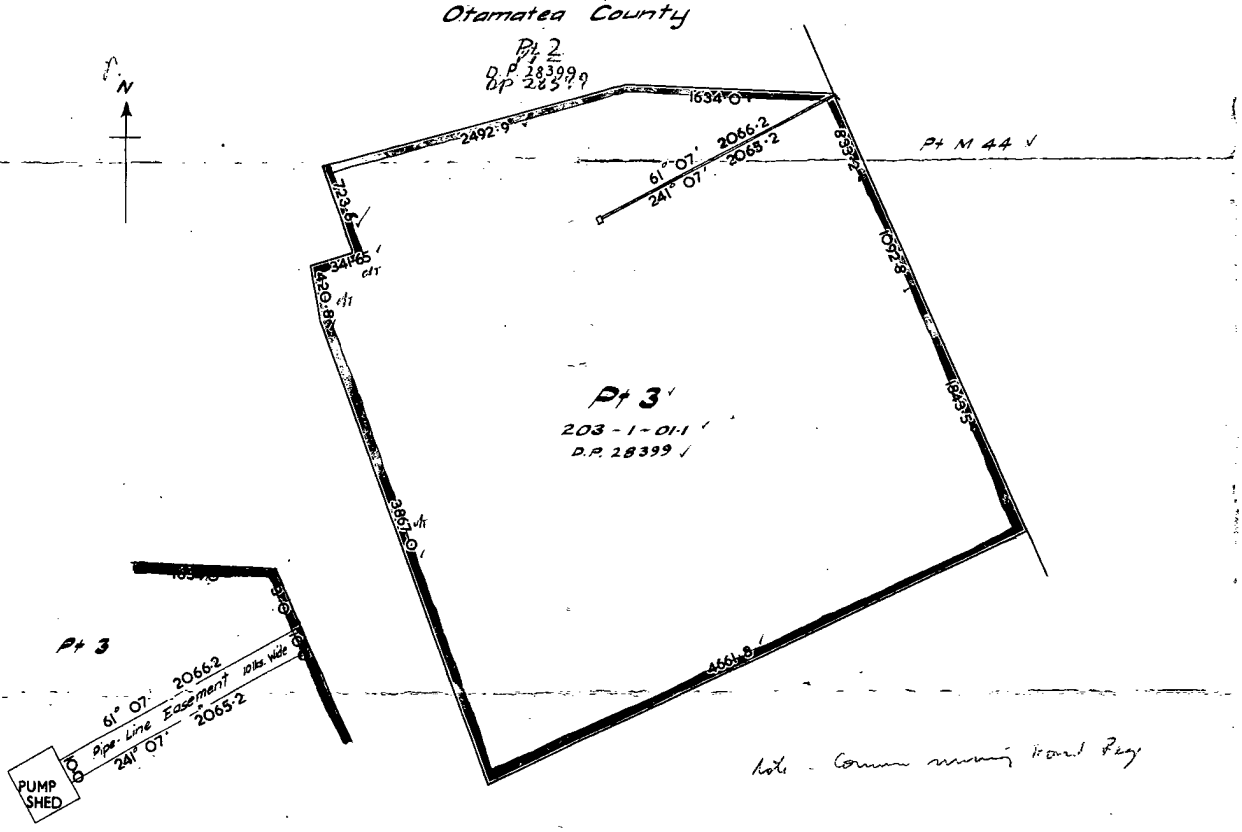



Diagram (Distorted)

Note - Common marking Iron Pegs

Ext 9CL

22 8 60

Scale - 10 ch to an inch

Registered Surveyor
12/11/59

No. 644766

208

*Correct for the purposes of the Land Transfer Act.*

TRANSFER ~~of~~ being
Grant of Easement.

*Solicitor for the Transferee*

HARVEY THOMAS GUBB *Transferor*

DONALD IAN McINTOSH *Transferee*

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Particulars entered in the Register-Book
188/253 ; 861/231

the 18th day of August 19 60

at 11.17. o'clock

AUCKLAND DISTRICT LAND REGISTRAR NEW ZEALAND

*Assistant Land Registrar*
*of the District of Auckland.*

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130A 03 04

Elliott & Holden,
Solicitors,
Warkworth.

LAND & DEEDS
Nature: Elliott
18 AUG 1960
11.17
£ 1 : 6
District No. 45948