974832.2 Ec

Approved by the Dstrict Land Registrar Auckland No. 4322/77.

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein).

I,/We JOSEPH HENRY WALLACE HASTIE of Mangawhai, Farmer

being the registered proprietor(s) of the land described in the Schedule hereto hereby certify that the easements specified in that Schedule, the servient tenements in relation to which are shown on a plan of survey deposited in the Land Registry Office at Auckland on the 8th day of April 1981 under No. 92954 are the easements which it is intended shall be created by the operation of section 90A of the Land Transfer Act 1952.

SCHEDULE

DEPOSITED PLAN NO. 92954

Nature of Easement (e.g., Right of Way, etc.)	Servient Tenement		Dominant Tenement Lot No.(s) or other Legal Description	Title Reference
	Lot No.(s) or other Legal Description	Colour, or Other Means of Identification, of Part Subject to Easement		
Water	land marked A	A	Allotment 264 Parish of Mangawhai	942/141
Water	land marked B	B	Allotment 264 Parish of Mangawhai	942/141

State whether any rights or powers set out here are in addition to or in substitution for those set out in the Seventh Schedule to the Land Transfer Act 1952.

1. Rights and powers:

The rights and powers relating to the aforesaid water easements are:

SUBJECT to the provisions hereinafter appearing the registered propietors for the time being of the Dominant Tenement and their successors in title and their servants and agents shall have:-

(a) The full free uninterrupted and unrestricted right liberty and privilege from time to time and at all times (to take and draw water in such quantities as they shall reasonably require for the purposes of the Dominant Tenement) from the stream on the area marked B on Deposited Plan 92954 (there being no lower reparian owners) and to convey and lead the said water in free and unimpeded flow by underground pipe or pipes not exceedings 2.54 centimetres in diameter laid where same pass through or over arable land at depth of not less the 0.3048 metres and in any event not more than 0.9144 metres below the surface of the said land through and across those portions of the Serient Tenements marked A and B on the said deposited plan.

(b) The right to Maintain:-

(1) The existing pump shed already erected upon that portion of the Servient Tenement marked B on the said Deposited Plan
(2) The pump and electric motor already installed in the aforesaid pump shed
(3) The pipe or pipes already laid upon those portions of the Servient Tenements marked A and B on the said Deposited Plan

(c) The further right for them and all persons authorised by them at all reasonable times to enter upon thoseportions of the Servient tenements marked A and B on the said Deposited Plan for the purpose of inspecting repairing and renewing the aforesaid pump shed, pump, electric motor and ancillary equipment required to obtain water and for the purpose of inspecting repairing renewing relaying cleansing and maintaining any such pipe or pipes required to obtain water and convey the same as aforesaid, PROVIDED HOWEVER that where more than one proprietor of a Dominant Tenement shall avail himself of the right to pump and convey water by pipe the cost so doing and of maintaining the aforesaid pump shed pump electric motor pipes and ancilliary equipment which are used in common shall be borne by the said Dominant proprietors in fair and reasonable proportions between them according to their respective usages PROVIDED FURTHER that in the exercise of their rights hereunder the Dominant Proprietors shall do as little damage as possible and after any necessary work has been completed shall level off the surface in proper manner and resurface if necessary to restore it as nearly as possible to the condition it was in prior to the work being done and shall make good all damage (if any) to fences or other erections in a proper and workmanlike manner.

2. Terms, conditions, covenants, or restrictions in respect of any of the above easements:

Any dispute between any of the proprietors for the time being of any of the Dominant or Servient Tenements shall be referred to arbitration in accordance with the provisions of the Arbitration Act 1908 and its amendments.

Dated this 8th day of May 19 81

Signed by the above-named

JOSEPH HENRY WALLACE HASTIE } W Hastie

in the presence of

Witness E. Sellars

Occupation Solicitor

Address Wellsford

SIGNED by Desmond CLIFFORD CULLEN and IAN LEONARD CULLEN the registered proprietors of the Dominant Tenement in the presence of:- } D.C. Cullen I.L. Cullen

E. Sellars
Solicitor
Wellsford

EASEMENT CERTIFICATE

(IMPORTANT: Registration of this certificate does not of itself create any of the easements specified herein.

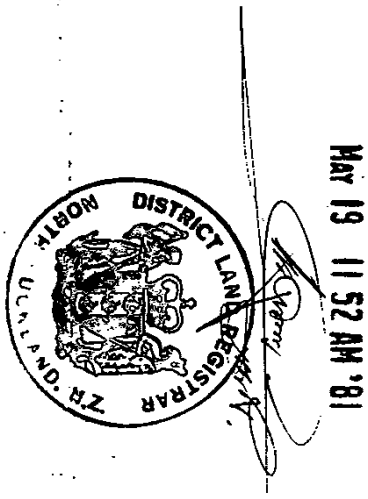
Correct for the purposes of the Land Transfer Act

E. Sellars

Solicitor for the registered proprietor



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E. SELLARS & CO,
SOLICITORS,
WELLSFORD.

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