View Instrument Details

Instrument No	13227544.5
Status	Registered
Lodged By	Prior, Bonnie Helena Joan
Date & Time Lodged	21 Feb 2025 15:37
Instrument Type	Easement Instrument

Affected Records of Title	**Land District**
1199611	North Auckland
1199603	North Auckland
1199606	North Auckland
1199607	North Auckland
1199608	North Auckland
1199609	North Auckland
1199610	North Auckland

Annexure Schedule	Contains 3 Pages

Grantor Certifications

I certify that I have the authority to act for the Grantor and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

I certify that the Mortgagee under Mortgage 13210452.1 has consented to this transaction and I hold that consent ☑

Signature

Signed by Estelle Marie Thorpe as Grantor Representative on 27/03/2025 08:47 AM

Grantee Certifications

I certify that I have the authority to act for the Grantee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Estelle Marie Thorpe as Grantee Representative on 27/03/2025 08:48 AM

***** End of Report *****

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Form 22

Easement instrument to grant easement or *profit à prendre*

(Section 109 Land Transfer Act 2017)

Grantor

MILLBROOK ESTATE PROPERTY DEVELOPMENTS LP

Grantee

MILLBROOK ESTATE PROPERTY DEVELOPMENTS LP

Grant of Easement or *Profit à prendre*

The Grantor being the registered owner of the burdened land set out in Schedule A **grants to the Grantee** (and, if so stated, in gross) the easement(s) or *profit(s) à prendre* set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s)

Schedule A *Continue in additional Annexure Schedule, if required*

Purpose of Easement, or *profit*	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
Right of Way	A on DP606527	Lot 19 DP606527 RT 1199611	Lot 1 and Lots 4-8 (incl) on DP606527 RT 1199603 and 1199606-1199610 (incl)
	B on DP606527	Lot 19 DP606527 RT 1199611	Lots 4-8 (incl) on DP606527 RT 1199606-1199610 (incl)
Right to Drain Water	C on DP606527	Lot 6 on DP606527 RT 1199608	Lot 19 DP606527 RT 1199611
Right to Drain Water	C on DP 606527	Lot 6 on DP606527 RT 1199608	Lot 4 –5 and Lots 7 - 8 DP606527 RT 1196606 - RT 1196607 and RT 1196609 – RT 1196610 (incl)

Easements or *profits à prendre* rights and powers (including terms, covenants and conditions)

Delete phrases in [ ] and insert memorandum number as required; continue in additional Annexure Schedule, if required

Unless otherwise provided below, the rights and powers implied in specified classes of easement are those prescribed by the Land Transfer Regulations 2018 and/or Schedule 5 of the Property Law Act 2007

The implied rights and powers are hereby **varied] [negatived] [added to]** ~~or~~ **[substituted]** by:

~~[Memorandum number , registered under section 209 of the Land Transfer Act 2017]~~

the provisions set out in Annexure Schedule.

Annexure Schedule

Insert instrument type

Continue in additional Annexure Schedule, if required

ANNEXURE SCHEDULE

1. **DEFINITIONS**

1.1 In this easement instrument, the following terms shall have the following meanings:

1.2 "Lot Owners" means the registered owner of Lot 1 and Lots 4-8 (incl) on DP606527.

1.3 "Lot Owners 4 -8" means the registered owner of Lots 4-8 (incl) on DP606527

2. **VARIATION OF IMPLIED TERMS FOR RIGHT OF WAY**

2.1 The same rights and powers as set out in paragraph 6 of the Fifth Schedule to the Land Transfer Regulations 2018 and Fifth Schedule to the Property Law Act 2007, save that where there is a conflict between the provisions of the Fifth Schedule to the Land Transfer Regulations 2018 and the Fifth Schedule to the Property Law Act 2007, the provisions of the Fifth Schedule to the Land Transfer Regulations 2018 must prevail.

2.2 Clause 11(2) of the Fifth Schedule to the Land Transfer Regulations 2018 is deleted and replaced with:

(a) For the easement facility within easement area A, the Lot Owners are responsible equally for the repair and maintenance of the easement facility, and for the associated costs, for the purposes set out in subclause (1);

(b) For the easement facility within easement area B, Lot Owners 4-8 are responsible equally for the repair and maintenance of the easement facility, and for the associated costs, for the purposes set out in subclause (1).

3. **VARIATION OF IMPLIED TERMS FOR RIGHT TO DRAIN WATER**

3.1 Clause 11(2) of the Fifth Schedule to the Land Transfer Regulations 2018 is deleted and replaced with:

For the easement facility within easement area C, Lot Owners 4-8 are responsible equally for the repair and maintenance of the easement facility, and for the associated costs, for the purposes set out in subclause (1).