Approved by the District Land Registrar, South Auckland No. 351560
Approved by the District Land Registrar, North Auckland, No. 4380/81
Approved by the Registrar-General of Land, Wellington, No. 436748.1/81

C590433.7Ec

EASEMENT CERTIFICATE

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

~~XXXX~~ **GEORGE MALCOLM LINNELL** of Auckland, 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 day of 1994 under No. 157542 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.

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		
Right of way	Lot 1	"A"	Lot 2	94C/582 (Servient) 94C/583 (Dominant)
Electric power supply	Lot 2	"B"	Lot 1	94C/583 (Servient) 94C/582 (Dominant)
Electric power supply	Lot 1	"C"	Lot 2	94C/582 (Servient) 94C/583 (Dominant)

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 registered proprietor of the Dominant Tenement and their successors in title ~~("the Grantee")~~, their employees, contractors, agents and authorised persons having business with them shall have the rights in over or on those parts of the Servient Tenement over which the easements are granted as set out below:-

1. Right of way easement.

The rights and powers set out under the head "Right of Way" in the Seventh Schedule of the Land Transfer Act 1952 and the rights and powers set out in the Ninth Schedule of the Property Law Act 1952.

2. Electric power supply easement.

The right to transmit and distribute electricity through transformers, equipment, cables and wires and for these purposes ~~the Grantee shall have~~ the full free and unrestricted right:-

(a) To install maintain inspect repair replace or add to electrical equipment (including lines, conduits, cables, terminals, supply points, transformers, man holes, boxes or any other equipment considered necessary or desirable for the transmission and distribution of electricity);

(b) To enter and re-enter on the Servient Tenement on foot or by any reasonable mode of transport;

(c) To take on to the Servient Tenement all necessary tools, materials, machinery and equipment;

(d) To carry out such works as are required for the exercise of the powers and authorities hereby granted.

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

1. The registered proprietor of the Servient Tenement shall not permit the growth of any trees, shrubs or other vegetation or the erection or establishment of any structure whatsoever which:-

   (a) may interfere with any of the easements; or
   (b) may endanger or cause nuisance to the easements or persons working on the easements in the course of their duties; or
   (c) breaches any bylaw or regulation or other statutory provision relating to the easements.

2. On completion of any work on the easements the surface of the land shall be restored as nearly as possible to its former condition.

3. The cost of construction, maintenance and repair of the easements shall be borne by all the registered proprietors of the Dominant and Servient Tenements in proportions equal to their use of the easements.

4. Any disputes relating to the easements shall be submitted at the request of either party to arbitration under the Arbitration Act 1908 on the following terms:-

   (a) The arbitrator is to be jointly agreed upon by the parties.
   (b) If the parties fail to agree upon an arbitrator within 7 days of the issue being submitted to them any party may require the President or other chief presiding officer of the Auckland District Law Society or its successor to nominate an arbitrator and that nomination will then bind the parties.
   (c) The reference shall be a reference to a single arbitrator.
   (d) The arbitrator's decision shall be final and binding and may include:-
      (i) order for costs
      (ii) order for enforcement
      (iii) interest on moneys payable

Dated this 28th day of MARCH 19 94

Signed by the above-named

GEORGE MALCOLM LINNELL

in the presence of

Witness .....

Occupation SOLICITOR

Address AUCKLAND.

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

Solicitor for the registered proprietor

11.01 19.APR94 C 590433.7

PARTICULARS ENTERED IN THE LAND REGISTRY AUCKLAND DISTRICT
ASST. LAND REGISTRAR

94C/582-583

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