

C 262700.4 EC

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

EASEMENT CERTIFICATE

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

X/We **NORMAN DIXON LISLE** of Pukekohe, Farmer, **DORIS ISABELLA LISLE** and **GLADYS EVELYN LISLE** both of Pukekohe, Spinsters as tenants in common in equal shares

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 19 under No. 143272 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. 143272

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, Electricity & Telephone	Lot 1	B	Lot 2	84D/710 84D/711

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:

- (A) In respect of the Right of Way the rights and powers as stipulated in the seventh schedule to the Land Transfer Act 1952.
- (B) Electricity and Telephone.

The full, free uninterrupted and unrestricted right, liberty and privilege for the grantee and his tenants (in common with the grantor, his tenants and other person lawfully entitled so to do) from time to time and at all times to convey electrical current and telephone or other similar electronic communication or electronic conveyance by way of underground cables across the land over which the easement is granted or created, together with the additional rights incidental thereto as follows:

(i) To lay, place and maintain, or to have laid, placed and maintained such cables of suitable material for the purpose under the land which the easement is granted or created and along the line defined for the purpose where such a line has been so defined.

(ii) In order to construct or maintain the efficiency of any such cables, the full, free, uninterrupted, and unrestricted right, liberty and privilege for the grantee, his tenants, servants, agents and workmen, with any tools, implements, machinery, vehicles or equipment of whatsoever nature necessary for the purpose, to enter upon the land over which the easement is granted or created and to remain there for any reasonable time for the purposes of laying, inspecting, repairing, maintaining and renewing such cables or any part thereof and of opening up the soil of that land to such extent as may be necessary and reasonable in that regard, subject to the condition that as little disturbance as possible is caused to the surface of the land of the grantor and that the surface is restored as nearly as possible to its original condition and any other damage done by reason of the aforesaid operations is repaired.

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

- (a) The registered proprietors for the time being of the dominant and servient tenements who require to use the right of way created shall be liable to contribute equally to such costs of surfacing, fencing, repairs and maintenance of such right of way PROVIDED HOWEVER that the liability to contribute proportionately to such costs should be restricted to the cost of surfacing, fencing, repairs and maintenance of those parts of the right of way extending from the legal public road to the farthest boundary therefrom of each respective tenement to the intent that each registered proprietor shall not be liable to contribute to such costs in respect of that part of the right of way beyond such farthest boundary of his or her land from the said legal public road.
- (b) The registered proprietors for the time being of the dominant and servient tenements who require and use the power and telephone services easement created shall be equally responsible for the installation, repair and maintenance of any such service and in the event that the surface of the land within the easement granted is required to be opened up, then such registered proprietor shall ensure that the ground surface is restored to as near as possible to its original condition and that there is freedom of egress and ingress along the right of way created.
- (c) Any dispute between the registered proprietors for the time being of the dominant and servient tenements in respect of any of the easements created which cannot be settled by agreement between the parties shall be settled by arbitration in accordance with the provisions of the Arbitration Act 1908 or any amendment or re-enactment thereof.

Dated this 2nd day of May 1991
Signed by the above-named NORMAN
DIXON LISLE, DORIS ISABELLA LISLE
AND GLADYS EVELYN LISLE

N D Lisle
D S Lisle
G E Lisle

in the presence of

Witness

Occupation

Address

[Signature]
[Signature]
[Signature]

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Correct for the purposes of the
Land Transfer Act

The within easements when
created will be subject to
Section 309(1)(a) Local
Government Act 1974

DBeew

ALR

Solicitor for the registered proprietor

STURROCK MONTEITH & CO
SOLICITORS
PUKEKOHE



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