



**RECORD OF TITLE**  
**UNDER LAND TRANSFER ACT 2017**  
**FREEHOLD**  
**Search Copy**



  
R.W. Muir  
Registrar-General  
of Land

**Identifier** **676234**  
**Land Registration District** **South Auckland**  
**Date Issued** 23 April 2015

**Prior References**

116810                      116811

---

**Estate** Fee Simple  
**Area** 67.5523 hectares more or less  
**Legal Description** Lot 3-4 Deposited Plan 328606 and Lot 2  
Deposited Plan 481700

**Registered Owners**

Fermanagh Trust Limited

---

**Interests**

5374427.3 Esplanade Strip Instrument pursuant to Section 232 Resource Management Act 1991 - 16.10.2002 at 9:00 am  
(Affects Lots 3 & 4 DP 328606)

Subject to Section 241(2) and Section 242(1) Resource Management Act 1991(affects DP 328606)

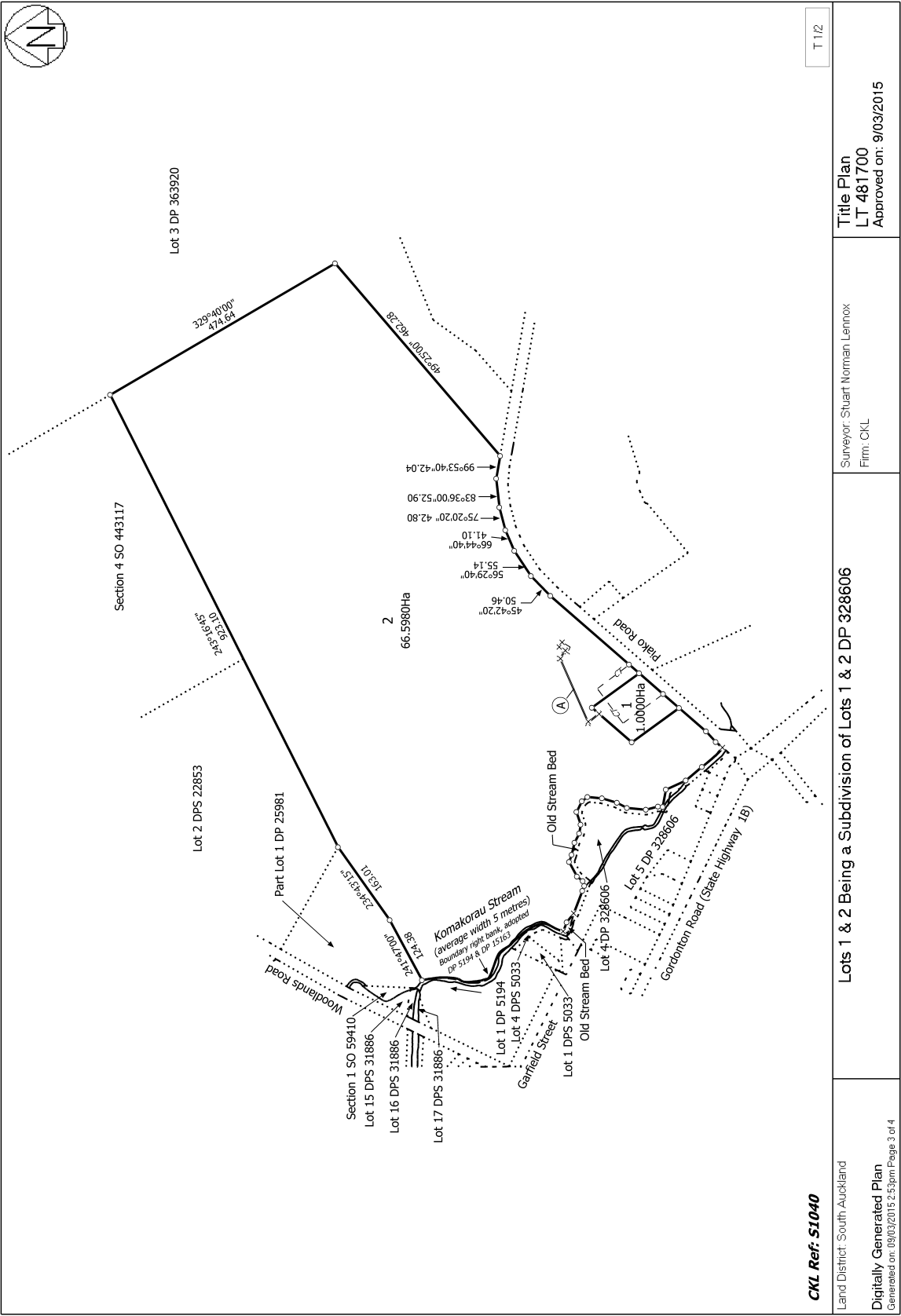
Subject to a right to convey water over part Lot 2 marked A on DP 481700 created by Easement Instrument 5940966.3 -  
22.3.2004 at 9:00 am

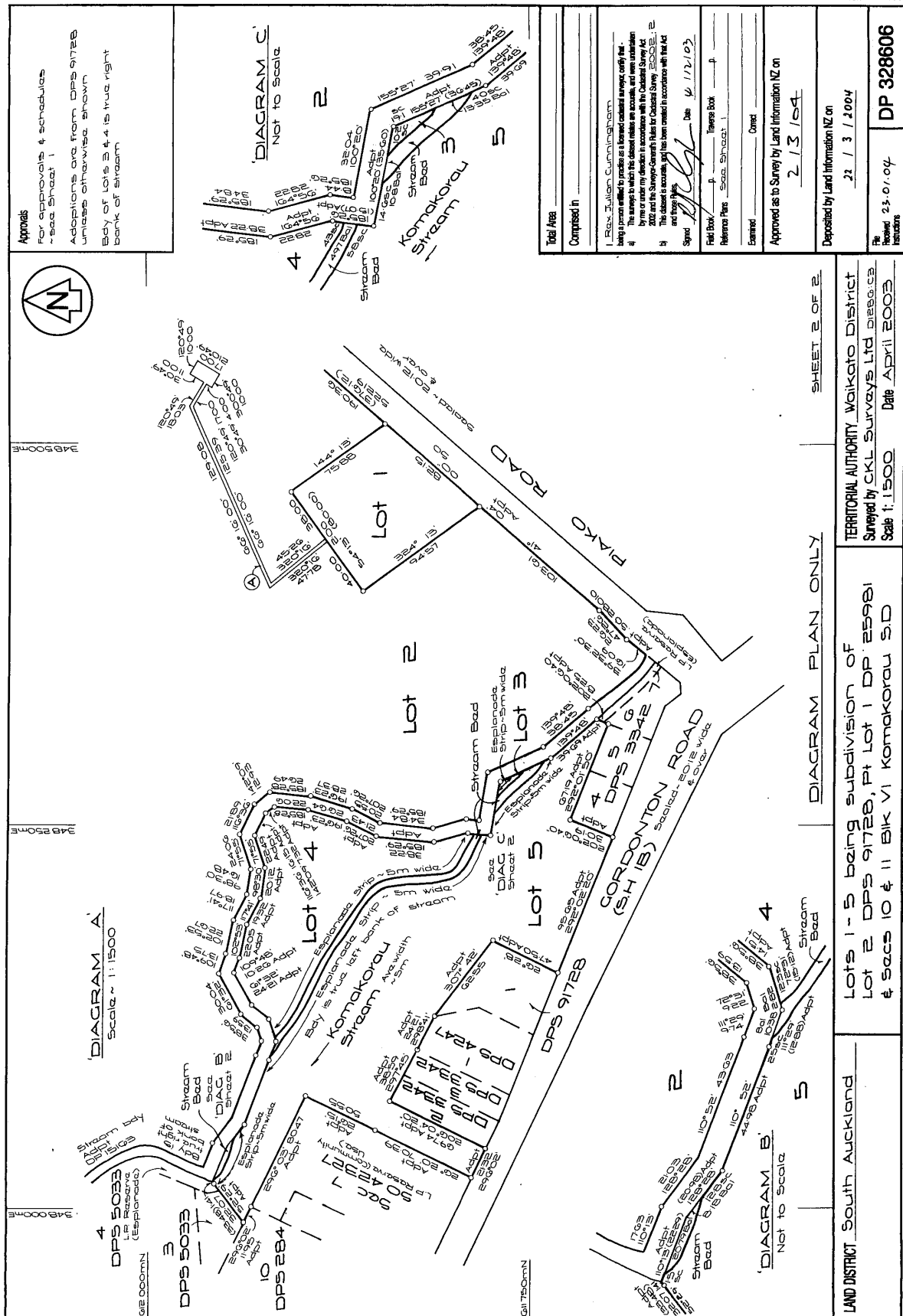
Appurtenant to Lot 2 DP 481700 part formerly Lot 1 DP 328606 is a right to convey water created by Easement  
Instrument 5940966.3 - 22.3.2004 at 9:00 am

The easements created by Easement Instrument 5940966.3 are subject to Section 243 (a) Resource Management Act 1991  
10002244.1 Surrender of the right to convey water over part marked A on DP 328606 not contained in Lot 1 DP 481700  
formerly part Lots 1 & 2 DP 328606 created by Easement Instrument 5940966.3 - 23.4.2015 at 11:43 am

Subject to Section 241(2) and Sections 242(1) Resource Management Act 1991(affects DP 481700 )

12468845.5 Mortgage to Heartland Bank Limited - 30.5.2022 at 4:57 pm





Approved by Registrar-General of Land under No. 2002/6055

**Easement instrument to grant easement or profit à prendre, or create land covenant**  
Sections 90A and 90F, Land Transfer Act 1952 **EI 5940966.3 Easement I**

Land registration district

**SOUTH AUCKLAND**



Cpy - 01/01, Pgs - 006, 01/04/04, 13:47



DocID: 611861641

Grantor

Surname(s) must be underlined or in CAPITALS.

**Morris Brian BARLOW & Graham Morris BARLOW**

Grantee

Surname(s) must be underlined or in CAPITALS.

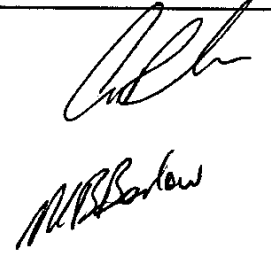
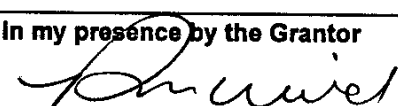

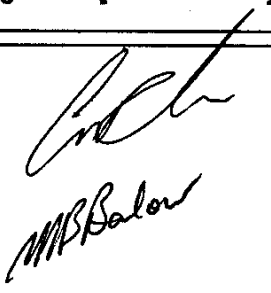
**Morris Brian BARLOW & Graham Morris BARLOW**

**Grant\* of easement or profit à prendre or creation or covenant**

The Grantor, being the registered proprietor of the servient tenement(s) 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, or creates the covenant(s) set out in Schedule A, with the rights and powers or provisions set out in the Annexure Schedule(s).


Dated this 29th day of January 2004.

Attestation

 Signature [common seal] of Grantor	<b>Signed in my presence by the Grantor</b>  Signature of witness Witness to complete in BLOCK letters (unless legibly printed) Witness name <u>Paula Wild</u> Occupation <u>Secretary</u> Address <u>Hamilton</u>
	<b>Signed in my presence by the Grantee</b>  Signature of witness Witness to complete in BLOCK letters (unless legibly printed) Witness name <u>Paula Wild</u> Occupation <u>Secretary</u> Address <u>Hamilton</u>
 Signature [common seal] of Grantee	

Certified correct for the purposes of the Land Transfer Act 1952.

3PEI \$50



[Solicitor for] the Grantee

\*If the consent of any person is required for the grant, the specified consent form must be used.

REF: 7003 - AUCKLAND DISTRICT LAW SOCIETY

**Dated**

**1**

10

2

(Continue in additional Annexure Schedule if required.)

1.

**Delete phrases in [ ] and insert memorandum number as required.**  
**Continue in additional Annexure Schedule if required.**

**[the provisions set out in Annexure Schedule 2].**

~~[Annexure Schedule 2]~~

sign or initial in this box

**Annexure Schedule**



Insert type of Instrument  
"Mortgage", "Transfer", "Lease" etc

**Easement Instrument**

Dated

Page **2** of **2** Pages

*(Continue in additional Annexure Schedule, if required.)*

- (a) Any maintenance, repair or replacement of the easement facility set out herein that is necessary because of any act or omission by the grantor and/or grantee (which includes any of their agents, employees, contractors, subcontractors or invitees) must be carried out promptly by that party at the sole cost of that party or in such proportion as relates to the act or omission.

If this Annexure Schedule is used as an expansion of an instrument, all signing parties and either their witnesses or solicitors must sign or initial in this box.

*[Handwritten signatures: CB and MBB]*

## ANNEXURE SCHEDULE – CONSENT FORM

*Land Transfer Act 1952 section 238(2)*

Page                      of                      Pages

Deposit of Plan 328606

**Person giving consent**

*Surname must be underlined*

**Capacity and interest of Person giving consent**

*(eg. Caveator under Caveat no.)*

ASB Bank Limited	As first mortgagee under mortgage number B657490.3
------------------	--

**Consent**

*Delete words in [ ] if inconsistent with the consent*

*State full details of the matter for which consent is required*

[Without prejudice to the rights and powers existing under the interest of the person giving consent,]

the Person giving consent hereby consents to:

Deposit of Plan 328606, creation of easements, and issue of new certificates of title.

Dated this 16<sup>th</sup> day of February 2004

**Attestation**

<p>SIGNED by ASB BANK LIMITED by its Attorney</p> <p>MARY MAGDALENE MORAIS</p> <p>In the presence of: <u>Robyn Marshall</u></p> <p>Witness: ROBYN MARSHALL</p> <p>Bank Officer _____ AUCKLAND</p>	<p>Signed in my presence by the Person giving consent</p> <p>_____</p> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name:</p> <p>Occupation:</p> <p>Address:</p>
<p>Signature [Common seal] of Person giving consent</p>	

23jan/6

**ASB BANK LIMITED**

**CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY**

I, Mary Magdaline Morais of Auckland in New Zealand, Acting Manager Loan Security Alterations, Lending Services of ASB Bank Limited.

**HEREBY CERTIFY**

1. **THAT** I hold the appointment of Manager Loan Security Alterations, Lending Services of ASB Bank Limited at Auckland (hereinafter called "the Bank").
2. **THAT** by Deed dated 28 November 2000 copies of which are deposited in the Land Transfer Office at:

Auckland	as No. D.575405.1F	(North Auckland Registry)
Blenheim	as No. 216108.1	(Marlborough Registry)
Christchurch	as No. 5020922.1	(Canterbury Registry)
Dunedin	as No. 5021507.1	(Otago Registry)
Gisborne	as No. 232181.1	(Gisborne Registry)
Hamilton	as No. B.643811.1	(South Auckland Registry)
Hokitika	as No. 115745.1	(Westland Registry)
Napier	as No. 713144.1	(Hawkes Bay Registry)
Nelson	as No. 404094.1	(Nelson Registry)
New Plymouth	as No. 476627.1	(Taranaki Registry)
Wellington	as No. B.819638.1	(Wellington Registry)

I, as holder of the appointment described in paragraph 1 hereof was constituted and appointed as attorney of the Bank on terms and subject to the conditions set out in the said Deed.

3. **THAT** as at the date hereof, I have not received any notice or information of the revocation of that appointment by winding up or dissolution of the Bank or otherwise.

**SIGNED** this

16<sup>th</sup>

day of

February 2004





## ANNEXURE SCHEDULE – CONSENT FORM

*Land Transfer Act 1952 section 238(2)*

Page                      of                      Pages

Deposit of Plan 328606

**Person giving consent**

*Surname must be underlined*

**Capacity and interest of Person giving consent**

*(eg. Caveator under Caveat no.)*

Morris Brian Barlow and Linda Dorothy Barlow

As second mortgagee under mortgage number B657490.4

**Consent**

*Delete words in [ ] if inconsistent with the consent*

*State full details of the matter for which consent is required*



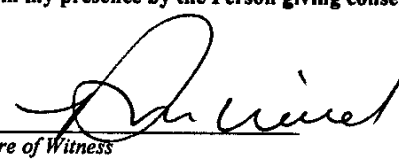
[Without prejudice to the rights and powers existing under the interest of the person giving consent,]

the Person giving consent hereby consents to:

Deposit of Plan 328606, creation of easements and issue of new certificates of title.

Dated this 29th day of January, 2004

**Attestation**

   Signature [Common seal] of Person giving consent	<p>Signed in my presence by the Person giving consent</p>  <hr/> <p>Signature of Witness</p> <p>Witness to complete in BLOCK letters (unless legibly printed)</p> <p>Witness name: <u>Paula Wild</u></p> <p>Occupation: <u>Secretary</u></p> <p>Address: <u>Hamilton</u></p>
---	---

23jan/7

# INSTRUMENT FOR ESPLANADE STRIP

PURSUANT TO REGULATION 21A RESOURCE MANAGEMENT (FORMS)  
REGULATIONS 1991 **C232 5374427.3 Esplana**

Cpy - 01/02, Pgs - 004, 16/10/02, 07:56



DocID: 610488861

## 1 RECITALS

**1.1 LEONARD GEORGE BAKER and EDITH MABEL BAKER** of Gordonton ("the Grantor") are registered as proprietors of the land described in Schedule A hereto ("the Land").

**1.2 WAIKATO DISTRICT COUNCIL** ("the Grantee") a Body Corporate under the provisions of the Local Government Act 1974 in whose district the land is situated.

## 2 CREATION OF ESPLANADE STRIP

THE Grantor creates in favour of the Grantee, an esplanade strip for the purpose of recreation (public access) described in Schedule B hereto.

## 3 COVENANTS

**3.1 THE Grantor and the Grantee covenant:**

**3.2 THE following acts are prohibited on the strip:**

(a) **WILFULLY** endangering, disturbing, or annoying any lawful user of the strip (including the owner or occupier of the strip);

(b) **WILFULLY** damaging or interfering with any structure adjoining or on the land, including any building, fence, gate, stile, marker, bridge, or notice;

(c) **WILFULLY** interfering with or disturbing any livestock lawfully permitted on the strip.

THE prohibitions referred to in paragraphs (b) and (c) above do not apply to the owner or occupier of the strip.

**3.3 THE following further acts are prohibited on the strip:**

(a) **LIGHTING** any fire;

(b) **CARRYING** any firearm;

- (c) **DISCHARGING** or shooting any firearm;
- (d) **CAMPING**;
- (e) **TAKING** any animal onto, or having charge of an animal, on the land;
- (f) **TAKING** any vehicle on to, or driving or having charge or control of any vehicle on, the land (whether the vehicle is motorised or non-motorised), except where the vehicle is used for farming purposes;
- (g) **WILFULLY** damaging or removing any plant (unless in accordance with the Noxious Plants Act 1978 or the Biosecurity Act 1993);
- (h) **LAYING** any poison or setting any snare or trap (unless acting in accordance with the Agricultural Pests Destruction Act 1967 or the Biosecurity Act 1993).

The prohibition referred to in paragraph (e) above does not apply to the owner or occupier of the land.

#### **SCHEDULE A**

**ALL** that parcel of land containing 3.6020 hectares more or less being Lot 2 on Deposited Plan S.91728 comprised in Certificate of Title 72C/299 (South Auckland Registry).

#### **SCHEDULE B**

An esplanade strip 5.0 metres in width along the bank of the Komakorau Stream on Lot 2 on Deposited Plan S.91728 being part of the land contained in Certificate of Title 72C/299 (South Auckland Registry).

DATED this *20th* day of *September* 2002

SIGNED by LEONARD GEORGE BAKER)  
in the presence of:

*L G Baker*

Name

Address

Occupation

*J. CAMPION LLB*  
*SOLICITOR*  
*HAMILTON*

*J B P H*

SIGNED by EDITH MABEL BAKER)  
in the presence of )

*E. M. Baker.*

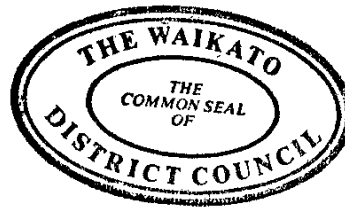
Name

Address

J. CAMPION LLB  
SOLICITOR  
HAMILTON

Occupation

The COMMON SEAL of THE  
WAIKATO DISTRICT COUNCIL  
was hereto affixed in the  
presence of:



Mayor

Chief Executive

EASEMT2

DATED 20 September 2002

**BETWEEN:**

LEONARD GEORGE BAKER  
EDITH MABEL BAKER

("the Grantor")

**AND:**

THE WAIKATO DISTRICT  
COUNCIL

("the Grantee")

---

## INSTRUMENT FOR ESPLANADE STRIP

---

EASEMT2  
J:\SECRETARY\GJ\2090501L

F  
③ Duplicate copy