



DocID: 61981668

ENCUMBRANCE INSTRUMENT

Encumbrancer: Christopher James Read Meban and Allan Colquhoun de Lautour

Encumbrancee: BAY OF PLENTY REGIONAL COUNCIL

Description of land and estate to be encumbered:

Estate in fee simple in all that parcel of land containing 30.7170 hectares more or less being Lot 2 Deposited Plan 479010 being part of the land in Certificate of Title 666738 (South Auckland Registry) ("the Land").

Background

- A. The Encumbrancer is registered as proprietor of the Land.
- B. The Encumbrancer has entered into an agreement with the Encumbrancee to carry out an Environmental Programme ("the Agreement"), on the condition that the Encumbrancer is to grant this Encumbrance Instrument to the Encumbrancee.

Duration

This Encumbrance Instrument is effective upon date of registration and remains valid until discharged by consent of the Encumbrancee.

Encumbrance

The Encumbrancer encumbers the Land for the benefit of the Encumbrancee with an annual rentcharge of \$50.00 including GST, if any, ("the Rentcharge") to be paid on the 1st day of December in each year if demanded by that date whilst this Encumbrance Instrument is in force (the first payment, if so demanded, being due on the 1st day of December 2018) subject to the following covenants and conditions:

1. The Encumbrancer for themselves and their successors in title covenants with the Encumbrancee that:
 - (a) The Encumbrancer will at all times observe and perform all of the terms and conditions of the Agreement on the part of the Encumbrancer (as landowner) to be observed and performed.
 - (b) If during the twelve months immediately preceding the first day of December in each year there has been no breach of the terms and conditions of the Agreement the Rentcharge due on that day shall be deemed to have been paid and the Encumbrancer shall be entitled to an acknowledgement to that effect.
2. The covenants set out in clause 1(a) shall be enforceable only against the owners and occupiers for the time being of the Land (and not otherwise against the Encumbrancer and the Encumbrancer's successors in title).
3. Sections 203, 204 and 205 of the Property Law Act 2007 apply to this Encumbrance Instrument but that otherwise and without prejudice to the

Encumbrancee's rights of action at common law as a rentchargee or encumbrancee:

- a) The Encumbrancee shall be entitled to none of the powers and remedies given to encumbrancees by the Land Transfer Act 1952 and the Property Law Act 2007; and
 - b) No covenants on the part of the Encumbrancer and their successors in title are implied into this Instrument other than the covenants for further assurance implied by Section 154 of the Land Transfer Act 1952.
4. This rent charge shall immediately determine and the Encumbrancer shall be entitled to a discharge of this Encumbrance Instrument if the covenants expressed in this Instrument become obsolete or no longer enforceable.

DATED this the 21st day of May 2018

EXECUTED by
Christopher James Read Meban)
as Encumbrancer in the presence of:)



Witness:



Full Name of Witness:

Occupation: Philip Harry Colin Kai Fong
Solicitor
Reliqua

Address:

DATED this the 21st day of May 2018

EXECUTED by
Allan Colquhoun de Lautour
as Encumbrancer in the presence of:)



Witness:



Full Name of Witness: Joanne McLean

Occupation: Accounting Clerk

K. W. CLAPHAM
SOLICITOR
GISBORNE

Address: Gisborne.

ENCUMBRANCE INSTRUMENT

LAND TRANSFER ACT 1952

Correct for the purposes of the
Land Transfer Act 1952

Bay of Plenty Regional Council



.....
General Manager, Catchment Management (Temporary) (Authorised Officer)

Particulars entered in the Register at the date
and at the time recorded below

.....
Assistant Land Registrar of the District of
South Auckland

MANUAL DEALING LODGEMENT FORM

Landonline Firm Code: davidbcha

LOGGING FIRM: David Barker Conveyancing

Private Individual:

Address: PO Box 21150

Hamilton

ASSOCIATED FIRM:

Client Code / Ref: ET-BOPRC

Contract Date:

Tax Statement included ☐

ENC 11398464.1 Encumt
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Copies
(inc. original)
DocID: 613313890

Dealing/SUD Number:
(LINZ use only)

Priority Barcode/Date Stamp
(LINZ use only)

Plan Number/Pre-Allocated or
to be Deposited:

Rejected Dealing Number:

Priority Order	CT Ref	Type of Instrument	Names of Parties	Document Fees	Resubmission	Notices	Priority Capture*	FEES \$ GST INCLUSIVE
1	666738	ENC	Meban & de Lautour - BOP Regional Council	\$176.00				176.00
2								
3								
4								
Land Information New Zealand / Manual Dealing Lodgement Form Fees Receipt and Tax Invoice GST Registered Number 17-022-895 LINZ Form P005 September 2015								
Annotations (LINZ use only): RECEIVED 27 MAR 2019 Original Signatures?								
Less fees paid on Dealing # Debit my Landonline account for (Only available for Landonline customers) or Cash / Cheque enclosed for (Only pay in cash if depositing in drop box at a LINZ processing centre) or Eft-pos payment due for (Eft-pos only available if lodging the dealing in person at a LINZ processing centre)								
Subtotal \$176.00								
Total for this dealing \$176.00								
176								
\$176.00								