

# View Instrument Details



**Instrument No** 11435133.1  
**Status** Registered  
**Date & Time Lodged** 23 December 2019 08:48  
**Lodged By** Ward, Ann  
**Instrument Type** Easement Instrument



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Affected Records of Title	Land District
397962	North Auckland
410250	North Auckland

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**Annexure Schedule** Contains 3 Pages.

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## 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 9142041.2 has consented to this transaction and I hold that consent

## Signature

Signed by Elise Markwick as Grantor Representative on 13/01/2020 12:23 PM

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## 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 Elise Markwick as Grantee Representative on 13/01/2020 12:23 PM

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

Approved for ADLS by Registrar-General of Land under No. 2018/6266

**EASEMENT INSTRUMENT TO GRANT EASEMENT OR PROFIT À PRENDRE**

Sections 109 Land Transfer Act 2017

**Grantor**

Hokianga Stage 1 Limited

**Grantee**

Body Corporate 403082

**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 (Nature and extent) of easement, or profit	Shown (plan reference)	Burdened Land (Record of Title)	Benefited Land (Record of Title) or in gross
<b>Right of Way</b> <b>Right to Drain Water</b> <b>Right to Drain Sewage</b> <b>Right to Convey Water</b> <b>Right to Convey Electricity</b> <b>Right to Convey Telecommunications and Computer Media</b> <b>Right to Convey Gas</b>	<b>B and C on DP 399744</b>	<b>Lot 1 DP 399744 (RT 397962)</b>	<b>Lot 2 DP 399744 (RT 410250)</b>

**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~~ ~~negated~~ ~~added to~~ or ~~substituted~~ by:

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

[the provisions set out in Annexure Schedule \_\_\_\_\_]

**The rights and powers implied in specific classes of easement are those prescribed by the Land Transfer Regulations 2002 and/or the Fifth Schedule of the Property Law Act 2007.**

**For the avoidance of doubt the Land Transfer Regulations 2018 do not apply.**



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E-mail: [info@fncc.govt.nz](mailto:info@fncc.govt.nz)  
Website: [www.fncc.govt.nz](http://www.fncc.govt.nz)

13 December 2019

By email: [eng@martellimckegg.co.nz](mailto:eng@martellimckegg.co.nz)

Attention: Norma Gibson

**Martelli McKegg**  
Solicitors  
Level 20, PwC Tower  
188 Quay Street, PO Box 5745  
Auckland 1141

**Section 243(c) RMA Memorial over Hokianga Property – Hokianga Stage 1 Limited – 19 SH 12, Opononi**

Thank you for your correspondence and communications regarding the above matter.

The Far North District Council consents (pursuant to Resource Consent 2080150) to the registration of an easement in the form of the Easement Instrument you have provided. This creates a right of way, right to drain water, right to drain sewage, right to convey electricity, right to convey telecommunications and computer media, and right to convey gas over the areas marked B and C on DP 399744.

Yours faithfully



Erica Cooney  
**Senior Solicitor**



2nd floor Ascot Central, 7 Ellerslie Racecourse Drive, Remuera  
PO Box 11151, Ellerslie. T: 09 524 9785 F: 09 524 9785

**NOTICE OF DESIGNATED RESOLUTION**

*Section 213(1), Unit Titles Act 2010*

**To** The Proprietors

**Unit Plan:** 403082

**Body Corporate Number:** 403082


**Notice**

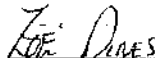
1. The Body Corporate has passed the resolution set out below, by special resolution without a meeting as per section 104 of the Unit Titles Act 2010.
2. The resolution is a designated resolution within the meaning of section 212, paragraph(c) under section 41 (5) of the Unit Titles Act 2010.
3. If you object to the resolution, you may give written notice to the body corporate 403082 at C/- Boutique Body Corporates Limited, Level 2 Ascot Central, 7 Ellerslie Racecourse Drive, Remuera of your objection within 28 days of receiving this notice. Notice of objection forms are available from the Ministry of Business, Innovation, and Employment.
4. A notice of objection must not relate to an easement or a covenant of a kind that will, under section 180(2)(b) of (c) or 181(2)(b) of the Unit titles Act 2010, continue after cancellation of the unit plan.

**Resolution**


1. *"That the Body Corporate consents to, and approves by way of special resolution, the registration of a Right of Way, Right to Drain Water, Right to Drain Sewage, Right to Convey Water, Right to Convey Electricity, Right to Convey Telecommunications and Computer Media and Right to Convey Gas over the areas marked "B" and "C" on Deposited Plan 399744 for the benefit of the Body Corporate".*
2. *"That the registered proprietors from time to time of the Property shall have the benefit of the easement area for the specified purposes set out above".*

**Signed for and on behalf of Body Corporate 403082:**

  
\_\_\_\_\_  
Body Corporate Secretary

  
\_\_\_\_\_  
Name  
BOUTIQUE BODY CORPORATES  
7 ELLERSLIE RACE COURSE DRIVE, REMUERA, AUCKLAND.  
Address

Before me:   
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Name  
3153 SARGFIELD ST  
\_\_\_\_\_  
Address  
HERVEY BAY  
N.Z.