



RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy




R.W. Muir
Registrar-General
of Land

Identifier **NA105B/72**
Land Registration District **North Auckland**
Date Issued 09 February 1996

Prior References
NA3D/1493

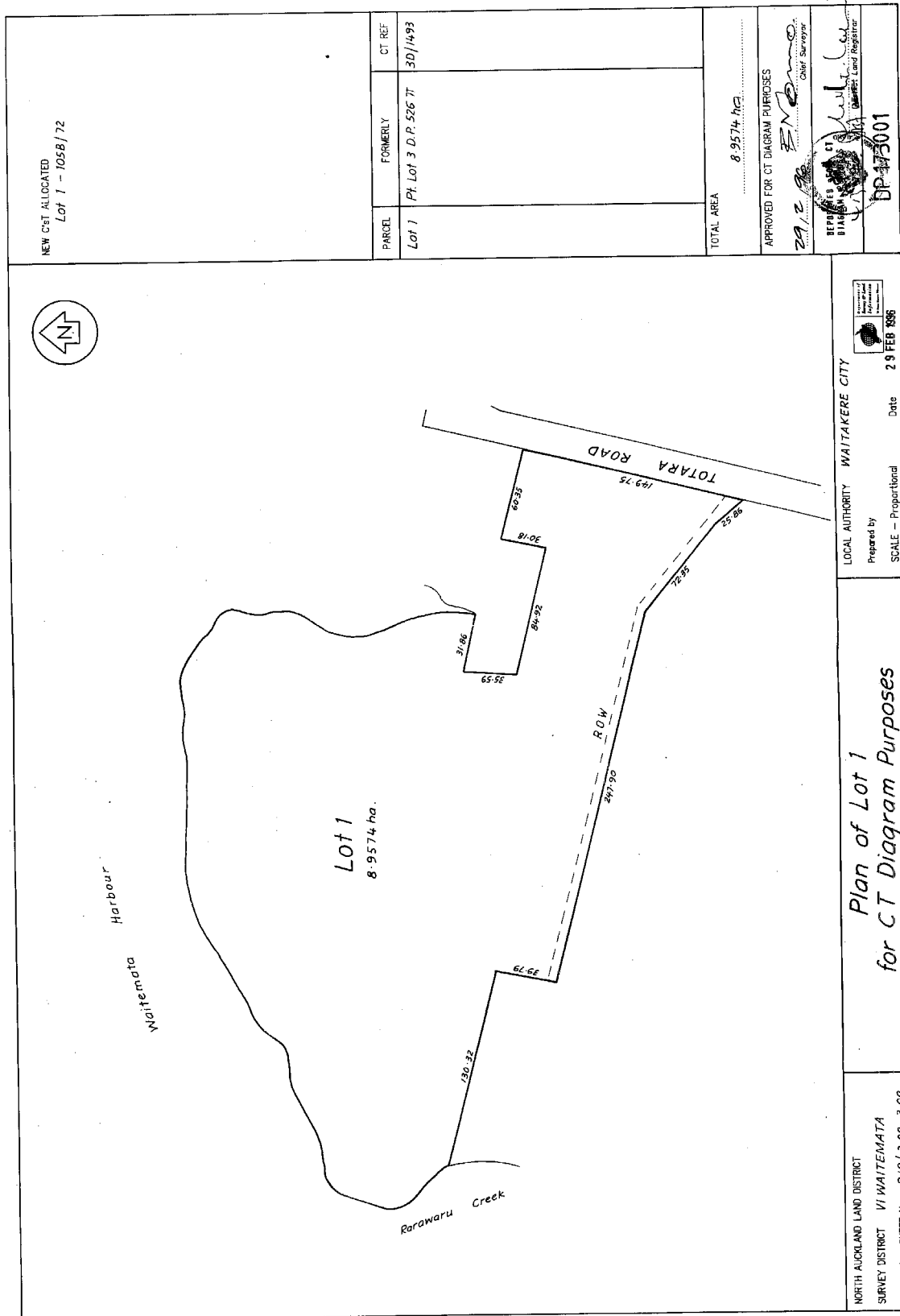
Estate Fee Simple
Area 8.9574 hectares more or less
Legal Description Lot 1 Deposited Plan 173001
Registered Owners
Metlifecare Limited

Interests

Subject to a right of way and to water supply, power and telephone rights over part marked A on Plan 170291 specified in Easement Certificate C952546.5 - 9.2.1996 at 3.18 pm

The easements specified in Easement Certificate C952546.5 are subject to Section 243 (a) Resource Management Act 1991 12465032.2 Water Areas Acquisition Notice under Schedule 5 Clause 12 of the Overseas Investment Act 2005 - 9.8.2022 at 9:27 am

12465032.3 Mortgage to New Zealand Permanent Trustees Limited - 9.8.2022 at 9:27 am



C952546.5 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).

WWe Ronald MONTGOMERY of Henderson, Poultry Farmer and Barbara Eleanor MONTGOMERY his wife

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. 170291 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. 170291

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, Water supply, Power and Telephone	Part Lot 3 DP 52677	"A"	Lot 1 DP 170291	103D/590

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:~~

BL
RM

1. Rights and Powers:

- (a) The rights and powers of the grantee under the right of way specified in the Schedule hereto are the same as those set out in clause 1 in the Seventh Schedule to the Land Transfer Act 1952 and clauses 1 and 2 of the Ninth Schedule to the Property Law Act 1952.
- (b) The rights and powers of the grantee to convey water specified in the Schedule hereto are the same as those set out in clauses 2 and 5 in the Seventh Schedule to the Land Transfer Act 1952.
- (c) The rights and powers of the grantee under the rights to convey the power and telephone supply specified in the Schedule hereto are in addition to and are the same rights and powers as those set out in clause 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952 as if the words "power and telephone supply" were inserted in lieu of the word "water" wherever the same appears in the said clause 2 and as if the words "wires cables and conduits" were inserted in lieu of the words "line of pipes" "pipes", "pipe or pipes" and "pipe line" wherever the same appear in the said clause 5.

Bel
RM

2. Terms, conditions, covenants or restrictions in respect of any of the above easements:
- (a) The costs of installation, maintenance, repair and reinstatement of the right of way, water, power and telephone easements on the said deposited plan 170291 shall be borne equally by the registered proprietor of the servient tenement and the registered proprietor of the dominant tenement.
 - (b) Where the need for installation, maintenance, repair or reinstatement of any or all of the easement rights is directly attributable to either the registered proprietor of the servient tenement or the registered proprietor of the dominant tenement, the cost shall in that case be borne wholly by that registered proprietor.
 - (c) Any dispute as to the terms or the interpretation of the easements to be created hereunder or of the liability of the parties shall be determined :
 - (i) by reference to mediation by a mediator to be appointed by the then President of the Auckland District Law Society, which reference shall commence when any party gives written notice to the other specifying the dispute and requiring its resolution under this clause;
 - (ii) if the dispute is not resolved under sub-clause (i) above, either party may then, but not earlier, submit the dispute to arbitration to be determined by an arbitrator under the Arbitration Act 1908 and this clause shall then be deemed to be a submission within the meaning of that Act.

Belh
RM

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

Bb
R M

Dated this *2nd* day of *February* 19*96*
Signed by the above-named RONALD
MONTGOMERY and BARBARA ELEANOR
MONTGOMERY
R Montgomery
Bb Montgomery

in the presence of
Witness *Verdon*
Occupation *Solicitor*
Address *Auckland*

John R. Verdon
Solicitor, Wynyard Wood
Auckland

REGISTERED IN DUPLICATE

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*

J. V. Hendy

Solicitor for the registered proprietor

The ~~above~~ within easements when created will
be ~~also~~ subject to Section 243(a) Resource
Management Act 1991

W. L. C. A.L.R.

1030/540
1058/72
NORTH AUCKLAND
NEW ZEALAND
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY NORTH AUCKLAND
ASST. LAND REG. CLERK
3.18 09.FEB.96 C 952546
54

WYNYARD WOOD
SOLICITORS
AUCKLAND

View Instrument Details



Instrument No	12465032.2
Status	Registered
Date & Time Lodged	09 August 2022 09:27
Lodged By	Chang, Hyung-Hwa
Instrument Type	Overseas Investment Act 2005 - Water Areas Acquisition Notice



Affected Records of Title	Land District
NA105B/72	North Auckland

Annexure Schedule Contains 4 Pages.

Signature

Signed by Hyung-Hwa Chang as Crown Representative on 07/07/2022 08:42 AM

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



Water areas acquisition notice

(Clause 12(1), Schedule 5 Overseas Investment Act 2005)

This recommended format may be used for lodgement as an electronic instrument under the Land Transfer Act 2017

Land Registration District

North Auckland

Record of Title (unique identifier)

NA105B/72

Registered Owner

Metlifecare Limited

Water Areas Acquisition Notice

Where a relevant overseas person acquires a fresh or seawater interest as a result of an overseas investment in sensitive land, Schedule 5 of the Overseas Investment Act 2005 gives the Crown the right to acquire a fresh or seawater interest from the owners of the fresh or seawater interests.

This notice is binding on any owner of the land pursuant to clause 1(2) of Schedule 5 of the Overseas Investment Act 2005.

In the event that the fresh or seawater interest is acquired, then unless agreed otherwise, the prescribed terms of the acquisition are those prescribed in Part 1 of Schedule 1 in the Overseas Investment Regulations 2005 (Vesting of fresh or seawater area) or Part 2 of Schedule 1 in the Overseas Investment Regulations 2005 (Granting of water areas covenant).

Dated (DD/MM/YYYY)

18	05	2022
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Attestation

Signed for and behalf of Her Majesty the Queen by the regulator pursuant to section 32 of the Overseas Investment Act 2005 under delegation pursuant to Schedule 6 of the Public Service Act 2020

Annie Visan
Land & Property Manager

Signed in my presence for and on behalf of Her Majesty the Queen

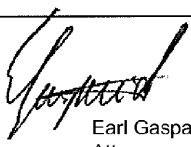
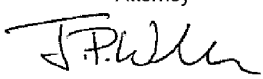

Signature of witness

Witness name: Kennie Critchlow

Occupation: Portfolio Manager

Address: 155 The Terrace, Wellington



 Earl Gasparich Attorney  Jonathan Patrick Wilde Attorney	Metlifecare Limited Signed in my presence by the Registered Owner  Signature of witness Witness name: KATHLEEN BIRCH Occupation: SISTER Address: Level 4, 20 Kent Street, Newmarket, Auckland.
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CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **Jonathan Patrick Wilde**, of Auckland, New Zealand, Chief Financial Officer of Metlifecare Limited (**Metlifecare**) certify that:

1. by deed dated 9 June 2022, Metlifecare appointed me its attorney; and
2. I have not received notice of any event revoking the power of attorney.

Signed at Auckland this 14th day of June, 2022

SIGNED by



Jonathan Patrick Wilde

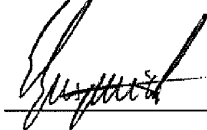
CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, **Earl Gasparich**, of Auckland, New Zealand, Chief Executive Officer of Metlifecare Limited (**Metlifecare**) certify that:

1. by deed dated 9 June 2022, Metlifecare appointed me its attorney; and
2. I have not received notice of any event revoking the power of attorney.

Signed at Auckland this 14th day of June 2022

SIGNED by



Earl Gasparich