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Guaranteed Title: SA55A/342

Property: 1128A Omanawa Road, Omanawa, Western Bay of Plenty District

Legal Description: Lot 7 Deposited Plan South Auckland 68634

CoreLogic Reference: 3184758/1

Processed: 25 March 2024

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

**Guaranteed Search Copy issued under Section 60 of the Land
Transfer Act 2017**




R.W. Muir
Registrar-General
of Land

Identifier SA55A/342
Land Registration District South Auckland
Date Issued 11 October 1994

Prior References
SA52A/962

Estate Fee Simple
Area 1.2970 hectares more or less
Legal Description Lot 7 Deposited Plan South Auckland
68634

Registered Owners
Cheryl Violet Smyth as to a 1/2 share
Dennis Smyth as to a 1/2 share

Interests

The within land has no frontage to a public road

Appurtenant hereto is a right of way and rights to convey water, convey water and electricity and telephone & electricity rights specified in Easement Certificate B136987.8 - 26.4.1993 at 1.35 pm

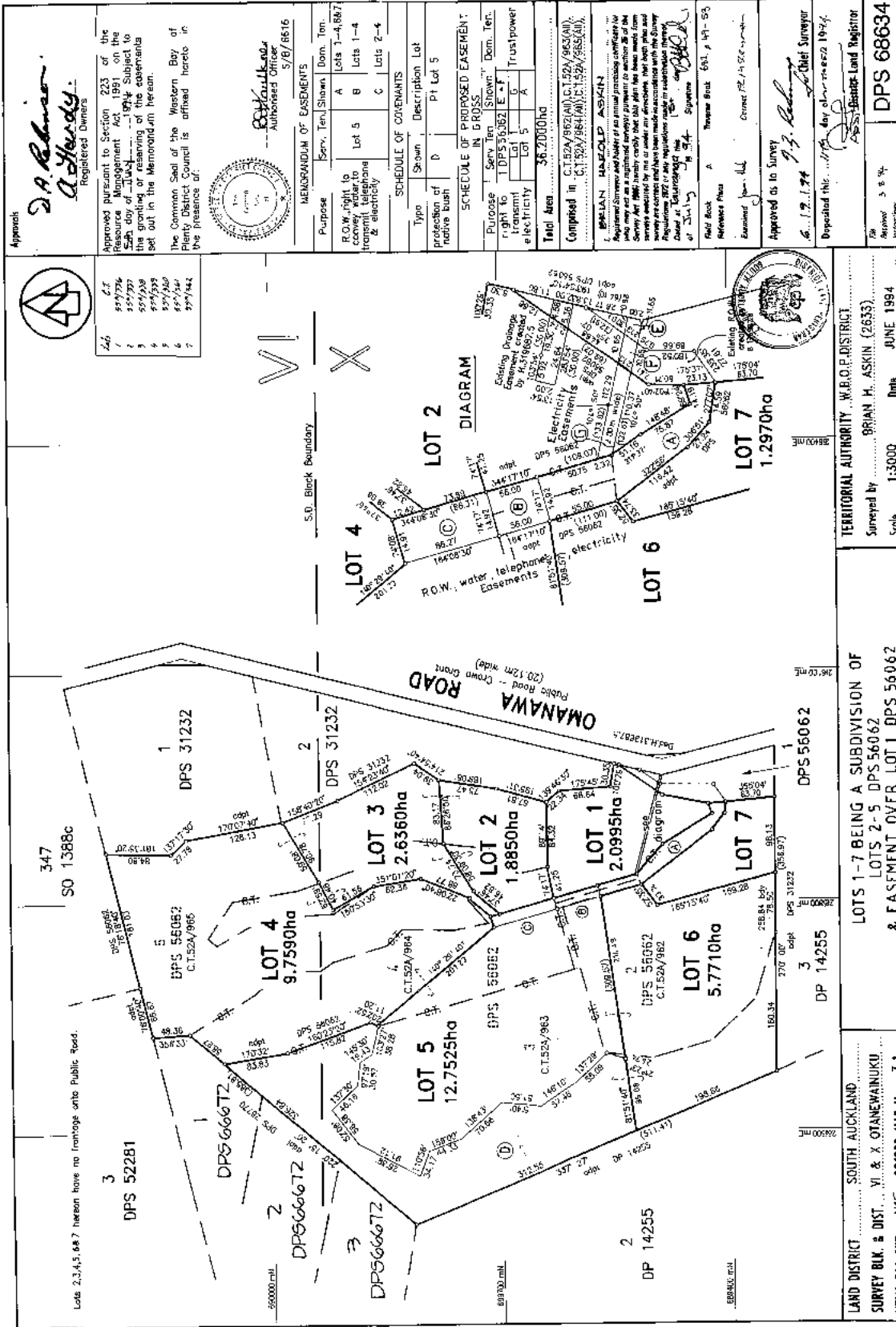
Appurtenant hereto is a right of way and rights to convey water and to transmit telephone and electricity specified in Easement Certificate B233068.7 - 11.10.1994 at 9.02 am

The easements specified in Easement Certificate B233068.7 are subject to Section 243 (a) Resource Management Act 1991

Fencing Covenant in Transfer B250602.3 - 11.1.1995 at 10.30 am

Land Covenant in Transfer B250602.3 - 11.1.1995 at 10.30 am

7696796.3 Mortgage to Westpac New Zealand Limited - 21.2.2008 at 2:40 pm



Approval: D.A. Redman, A. Hardy, Registered Owners

Approved pursuant to Section 223 of the Resource Management Act 1991 on the 25th day of July 1994 by the consent of the Planning Committee of the Manurewa District Council in the presence of:

MEMORANDUM OF EASEMENTS:
 Purpose: R.O.W. right to cross, transmit, telephone & electricity
 Serv. Ten. / Shown: A Lots 1-4, B, 7
 Dom. Ten.: Lots 1-4, C, Lots 2-4

SCHEDULE OF COVENANTS:
 Type: D
 Description: Lot 5
 Protection of native bush: P1 Lot 5

SCHEDULE OF PROPOSED EASEMENT IN GROSS:
 Purpose: Serv. Ten. / Shown: Dom. Ten.
 Right to transmit electricity: Lot 5, A, F
 Trustpower: Lot 5, A

Total Area: 36.2000ha

Compared in: C.T.52A/962(A), C.T.52A/963(A), C.T.52A/964(A), C.T.52A/965(A), C.T.52A/966(A)

TERMINAL AUTHORITY: W.B.O.P. DISTRICT
 Surveyed by: BRIAN H. ASKIN (2653)
 Scale: 1:5000 Date: JUNE, 1994

LAND DISTRICT: SOUTH AUCKLAND
SURVEY BLK. & DIST.: VI & X OTANEWAIKUKU
MZMS 261 SMT. UNIT: RECORD MAP No. 3.1

APPROVED ON: 18 OCT 1994

REVISIONS: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51

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Document, Interest, Instrument: B250602.3

Property: 1128A Omanawa Road, Omanawa, Western Bay of Plenty District

Legal Description: Lot 7 Deposited Plan South Auckland 68634

CoreLogic Reference: 3184912/1

Processed: 25 March 2024

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B 250602.3

Memorandum of Transfer

T

DENNIS ALLAN ROBINSON and ANNE ELIZABETH HARDY both of Tauranga,
Farmers

(herein called "the Transferor") being registered as proprietor of an estate

in fee simple

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in the piece or pieces of land situated in the Land District of **South Auckland** containing **1.2970 hectares** more or less being

Lot 7 on Deposited Plan S.68634 and being all Certificate of Title 55A/342

App
SUBJECT-TO:

1. Easements specified in Easement Certificate B.136987.8
2. Easements specified in Easement Certificate B.233068.7 (subject to Section 243(a) Resource Management Act 1991)

(hereinafter referred to as "the said Land")

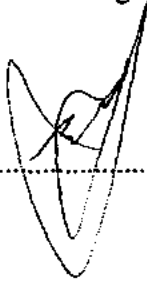


I, MICHAEL JOHN SMITH of Tauranga in New Zealand, Solicitor hereby certify:-

1. THAT by Deed dated the 26th day of September 1994 and registered in the South Auckland Registry under No: E.233068.1 DENNIS ALLAN ROBINSON of Tauranga, Farmer appointed me his attorney on the terms and subject to the conditions set out in the said Deed.

2. THAT at the date hereof I have not received any notice or information of the revocation of the appointment by death of the said Dennis Allan Robinson or otherwise.

DATED at Tauranga this 2nd day of December 1994.



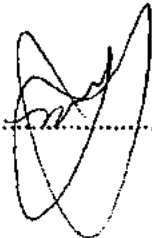
.....

I, MICHAEL JOHN SMITH of Tauranga in New Zealand, Solicitor hereby certify:-

3. THAT by Deed dated the 26th day of September 1994 and registered in the South Auckland Registry under No: B.233068.2 ANNE ELIZABETH HARDY of Tauranga, Farmer appointed me her attorney on the terms and subject to the conditions set out in the said Deed.

4. THAT at the date hereof I have not received any notice or information of the revocation of the appointment by death of the said Anne Elizabeth Hardy or otherwise.

DATED at Tauranga this 2nd day of December 1994.



.....

AND WHEREAS the Transferors were at the 11th day of October 1994 registered as proprietors of an estate in fee simple in all those parcels of land more particularly described in the Schedule hereinafter appearing (hereinafter called "the Dominant Tenement")

AND WHEREAS by Agreement for Sale and Purchase dated the 20th day of July 1994 the Transferors agreed to sell the said Land to MAURICE GEORGE ALLAN ROWE and NOELENE ALCIA ROWE both of Tauranga, Retired (hereinafter called "the Transferee") for the consideration hereinafter appearing

AND WHEREAS by the said Agreement for Sale and Purchase it was provided that the purchaser of the said Land should enter into certain covenants in the form hereinafter appearing restricting the user of the said Land for the benefit of the other Lots comprised in the Dominant Tenement

NOW THEREFORE IN CONSIDERATION of the sum of SIXTY-THREE THOUSAND DOLLARS (\$63,000.00) paid to the Transferors by the Transferee (the receipt of which sum is hereby acknowledged) and of the Transferee entering into the said covenants the Transferors DO HEREBY TRANSFER to the Transferee all their estate and interest in the said Land AND IN FURTHER PURSUANCE of these premises the Transferee for himself and his successors in title to the said Land as Servient Tenement DOETH HEREBY COVENANT AND AGREE with the Transferors for the benefit of the land comprised in the Dominant Tenement which has not heretofore been transferred by the Transferors and also separately with each and every one of the registered proprietors of and for the benefit of the land comprised in the Dominant Tenement which has heretofore been transferred to such proprietors by the Transferors THAT the Transferee will not at any time hereafter:

- (a) Erect or suffer to be erected on the property any dwelling house or dwelling unit containing a floor area of less than 100 square metres exclusive of roof overhangs, verandahs, decking, garaging and carports and any other accessory buildings.
- (b) Permit or suffer the erection of any temporary building or structure upon the land except such as may be used in conjunction with the construction of permanent buildings and which will be removed from the land upon completion of the work.
- (c) Permit or suffer the use of the land other than for such purposes as shall from time to time be in compliance with the current Western Bay of Plenty District Council scheme.
- (d) Permit or suffer the said land to be occupied or used for residential purposes from the date which is 12 months after the possession date unless the dwelling house or dwelling unit on the property have been substantially completed in accordance with the terms of this agreement and the buildings meet the requirements of the appropriate Local Authority.
- (e) Permit or suffer any rubbish to accumulate or be placed upon the land and not to permit any excessive growth of grass or vegetation so that the same becomes long or unsightly.
- (f) Erect or suffer to be erected on the property any building that shall not have a minimum of 60% of the exterior wall areas clad in one of the following materials:

Kiln fired brick
Concrete bricks, blocks or splitstone



Natural stone
Paint finished plaster stucco
Textured coated Harditex
Aluminium sheathed timber boarding
Timber weatherboarding or vertical boarding or battened sheet material
Hardies rusticated weatherboard.

TO THE INTENT that the restrictions upon the user of the Servient Tenement imposed by the foregoing covenants shall be forever appurtenant to each of the said Lots comprising the Dominant Tenement for all purposes connected with the use and enjoyment thereof.

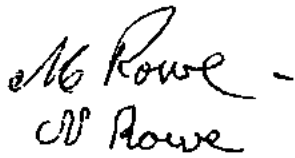
AND IN FURTHER PURSUANCE of these premises the Transferee HEREBY FURTHER COVENANTS that they will not call upon the Transferors to pay for or contribute towards the costs of erection or maintenance of any boundary fence between the abovedescribed land and the adjoining Lots 5 and 6 on Deposited Plan S.68634 PROVIDED THAT this covenant shall not enure to the benefit of any subsequent purchaser of those adjoining lots.

SIGNED by the Transferors)
DENNIS ALLAN ROBINSON and)
ANNE ELIZABETH HARDY)
in the presence of: by their Attorney)
Michael John Smith in the presence of)



Macrae
Carlene Macrae
Law Clerk
To Holland Beckett Maltby
Solicitors
TAURANGA

SIGNED by the Transferee)
MAURICE GEORGE ALLAN ROWE)
and NOELENE ALICIA ROWE)
in the presence of:)



Maurice
Solicitor
Intervener

BRIAN HENRY BULL

SCHEDULE OF LAND

1. 2.0995 ha more or less being Lot 1 on Deposited Plan S.68634 and being all of the land comprised and described in Certificate of Title 55A/336.
2. 1.8850 ha more or less being Lot 2 on Deposited Plan S.68634 and being all of the land comprised and described in Certificate of Title 55A/337.
3. 2.6360 ha more or less being Lot 3 on Deposited Plan S.68634 and being all of the land comprised and described in Certificate of Title 55A/338.
4. 9.7590 ha more or less being Lot 4 on Deposited Plan S.68634 and being all of the land comprised and described in Certificate of Title 55A/339.
5. 12.7525 ha more or less being Lot 5 on Deposited Plan S.68634 and being all of the land comprised and described in Certificate of Title 55A/340.
6. 5.7710 ha more or less being Lot 6 on Deposited Plan S.68634 and being all of the land comprised and described in Certificate of Title 55A/341.

W Rowe
W Rowe

W.M.

[Signature]

[Signature]

~~Consideration of the sum of~~

paid to the Transferor by

(herein called "the Transferee") the receipt of which sum is hereby acknowledged **Hereby Transfers** to the Transferee ~~all the Transferor's estate and interest in the said piece or pieces of land~~



In witness whereof these presents have been executed this 30th day of November 19 97

~~Signed by the Transferor~~

~~(by the affixing of its common seal)~~
in the presence of:



No.

MEMORANDUM OF TRANSFER

Correct for the purposes of the Land Transfer Act 1952

BRIAN HENRY BULL

Bull

SOLICITOR FOR THE TRANSFEREE

..... D. A. ROBINSON & A. E. HARDY Transferor

..... M. G. A. & N. A. ROWE Transferee

I hereby certify that this transaction does not contravene the provisions of Part II A of the Land Settlement Promotion and Land Acquisition Act 1952.

Particulars entered in the Register as shown herein on the date and at the time endorsed below.

Assistant / District Land Registrar of the

District of

"We hereby certify that the stamp duty on the agreement dated 1st August 1994 was paid to the Inland Revenue Department on 23 November 1994 under abstract number 00109001"

Bull

BRIAN HENRY BULL

Solicitor for the Transferee

Bull

SOLICITOR FOR THE TRANSFEREE

I hereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply.

Bull

SOLICITOR FOR THE TRANSFEREE

[Handwritten signature]

10.30 11.JAN95 B 250602.3
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY SOUTH AUCKLAND
ASST. LAND REGISTRAR

