



Certificate of Title



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




R. W. Muir
Registrar-General
of Land

Identifier **WN37B/882**
Land Registration District **Wellington**
Date Issued 07 December 1990

Prior References
WN37D/520

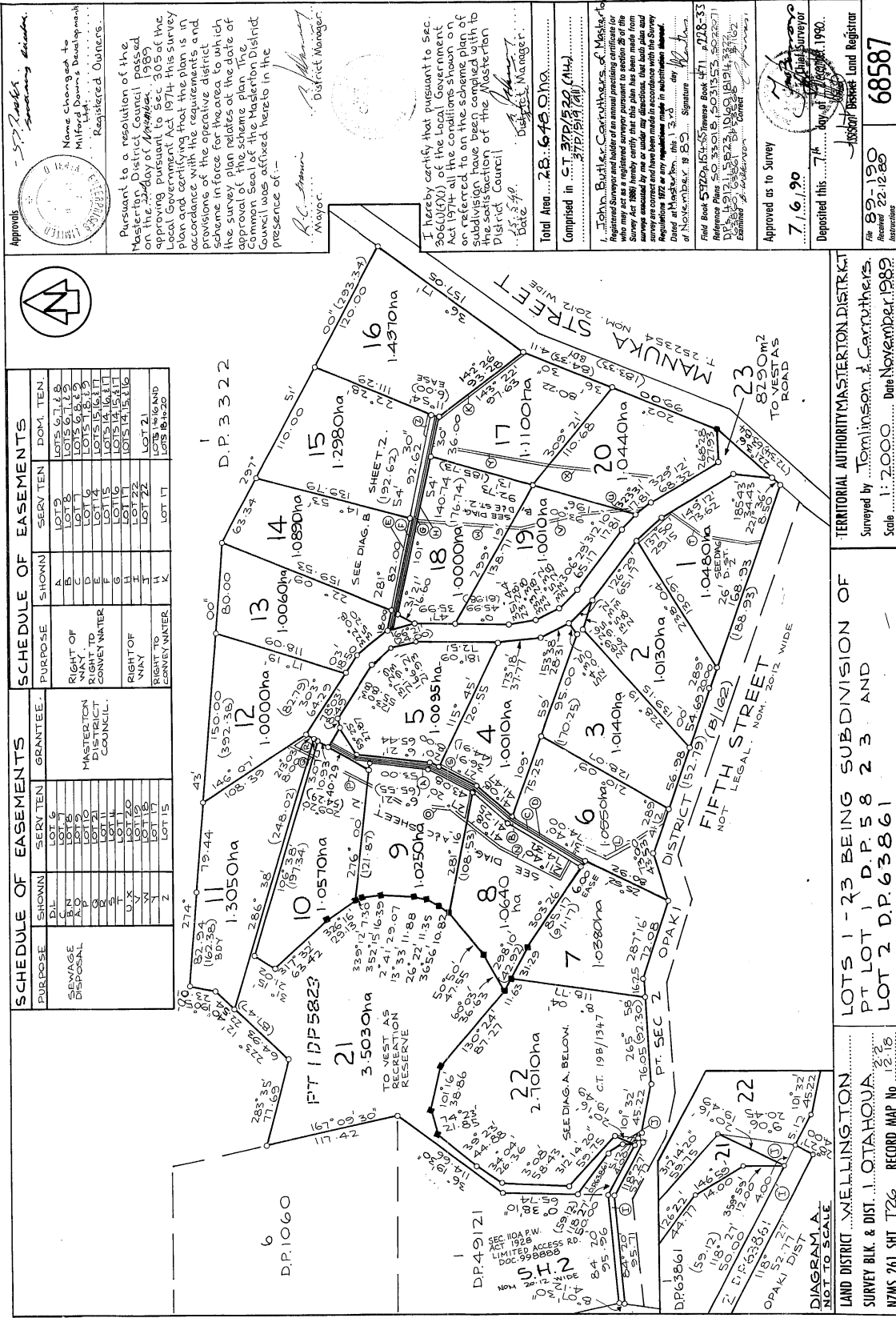
Estate Fee Simple
Area 1.0095 hectares more or less
Legal Description Lot 5 Deposited Plan 68587

Registered Owners

Bruce Donald Matthews as to a 1/2 share
Vicki Ann Matthews as to a 1/2 share

Interests

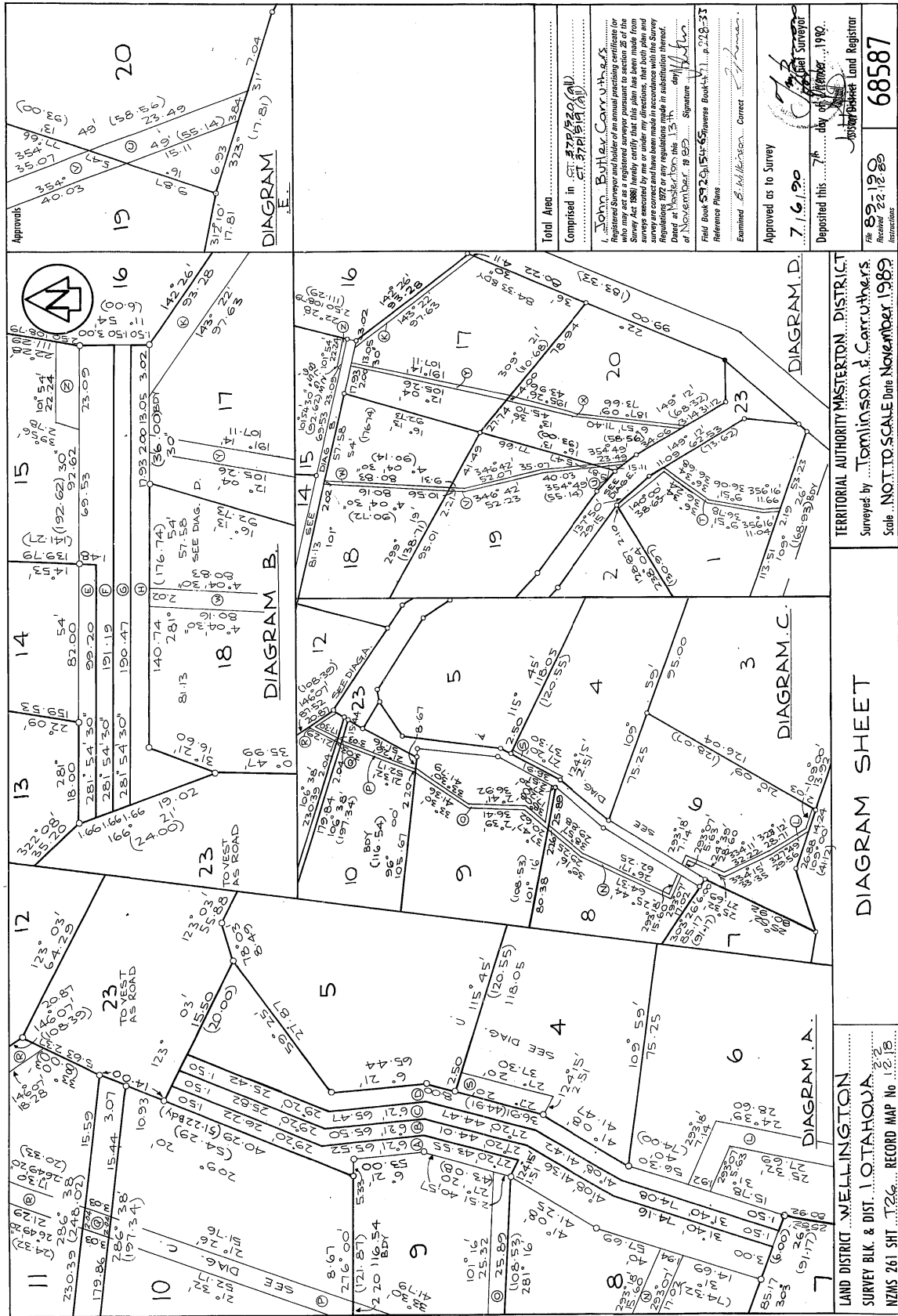
Appurtenant hereto is a right to convey water specified in Easement Certificate B134398.9 - 7.12.1990 at 9.10 am
Land Covenant in Transfer B148679.3 - 12.3.1991 at 12.00 pm
9710535.3 Mortgage to ANZ Bank New Zealand Limited - 13.6.2014 at 12:28 pm



Approval: *S.P. Ruck* Surveying Engineer
 Name changed to: *Mifflin Street Development Ltd.*
 Registered Owners:
 Pursuant to a resolution of the Masterton District Council passed on the 23rd day of November, 1989 approving pursuant to Sec 305 of the Local Government Act 1974 this survey plan and certifying that the plan is in accordance with the requirements and provisions of the operative district scheme in force for the area to which the survey of the scheme plan is of the Common Seal of the Masterton District Council was affixed hereto in the presence of:-
R.C. ... Mayor
... District Manager

I hereby certify that pursuant to Sec. 306(1)(a) of the Local Government Act 1974 all the conditions shown on or referred to on the scheme plan of subdivision have been complied with to the satisfaction of the Masterton District Council.
 Date: *21.5.90*
 District Manager

Total Area: **28.6480ha**
 Completed in: **CT 377/520 (14)**
 Registered in: **CT 377/519 (14)**
 I, *John M. Butler*, Cartographer of Masterton, Registered Surveyor and holder of an annual practicing certificate for the purposes of the Survey Act 1980 hereby certify that this plan has been made from a survey conducted by me or under my direction, that both plan and survey are correct and have been made in accordance with the Survey Act 1980.
 Signature: *John M. Butler*
 Registered in: **CT 377/520 (14)**
 Field Book: **5726, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 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LAND DISTRICT WELLINGTON DISTRICT
 SURVEY BLK. & DIST. 1 O.TAHOUA 22
 NZMS 261 SHT 126 RECORD MAP No 1218

TERRITORIAL AUTHORITY MASTERPLAN DISTRICT
 Surveyed by Tomlinson & Carruthers
 Scale NOT TO SCALE Date November 1989

Approved as to Survey 7.16.90
 Deposited this 7 day of June, 1990
John Butler Registrar
 No 89-120
 Received 22.12.89
 68587

Total Area.....
 Comprised in 377.40 (a)
John Butler Registrar
 Registered Surveyor and holder of an annual practicing certificate for
 who may use as a registered surveyor pursuant to section 28 of the
 Survey Act 1980 hereby certify that this plan has been made from
 surveys as corrected and have been made in accordance with the Survey
 Regulations 1972 or any regulations made in substitution thereof.
 Dated at Wellington this 15 day of April 1989
 Signature John Butler
 of November 19 89
 Reference File 5922/154-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000

W.A. HERRINGTON, SURVEYOR GENERAL, DEPARTMENT OF SURVEY AND LAND INFORMATION, NEW ZEALAND

Printed by Mapson, Wellington, New Zealand

B 148679.3

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Under the Land Transfer Act 1952

Memorandum of Transfer

WHEREAS GRAHAM EUGENE FISHER of Lower Hutt, Company Director (called "the registered proprietor") is

Handwritten signature

~~XXXXX~~ 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 that piece of land situated in the Land District of Wellington containing 1.0095 hectares

NEW ZEALAND STAMP DUTY LIH
15/02/910004&001 NONLIABLE *.00

more or less being Lot 5 on Deposited Plan 68587 (called "the Lot") and being all of the land comprised and described in Certificate of Title Volume 37B Folio 882 (Wellington Registry)

SUBJECT TO:

1. Easement Certificate B134398.9

(called "Lot 5").

AND WHEREAS the registered proprietor when registered as proprietor of all the land contained on Deposited Plan 68587 subdivided the land in to residential Lots, roads and accessways in the manner shown and defined on that plan for the purposes of the sale of the land in residential Lots as a building estate (called "the Subdivision")

AND WHEREAS it is the registered proprietor's intention that all residential Lots contained in the subdivision shall be subject to a general scheme applicable to and for the benefit of each residential Lot in that the owner or occupier for the time being of each of the said Lots shall be bound by the stipulations and restrictions set forth in the Schedule hereto and that the respective owners and occupiers for the time being of any of the said residential Lots in the subdivision may be

able to enforce the observance of such stipulations and restrictions by the owners or occupiers for the time being of any of the other said residential Lots in the subdivision in equity or otherwise howsoever.

AND WHEREAS the registered proprietor intends that the respective owners and occupiers of each Lot contained in the subdivision shall be subject to a general scheme applicable to and for the benefit of all the said Lots and that the registered proprietor for the time being of each Lot shall:-

- (a) Be bound by the restrictive covenants contained in the Schedule; and
- (b) Be able to enforce the observance of such restrictive covenants by ~~the~~^{the} registered proprietors for the time being of ~~the~~^{each} each of the other lots in the subdivision.

AND WHEREAS by agreement dated the 5th day of June 1990, the registered proprietor agreed to sell Lot 5 to RODNEY HUGH DUNCAN of Masterton, Pharmacist and JANE ELIZABETH DUNCAN his wife (hereinafter called "the Transferee") for the consideration hereinafter appearing and the Transferee agreed to purchase the same and to enter into the covenants on the part of the Transferee herein contained.

NOW THEREFORE in pursuance of the said agreement and in consideration of the sum of FORTY EIGHT THOUSAND DOLLARS (\$48,000.00) paid by the Transferee to the registered proprietor Doth hereby Transfer unto the Transferee all ~~his~~^{his} estate and interest in Lot 5 and in further pursuance of the said agreement the Transferee hereby covenants with the registered proprietor of the land that the Transferee will at all times hereafter observe and perform all of the covenants and obligations contained in the Schedule to the intent that the Lot shall:-

- (a) Be subject to the burden of the restrictive covenants contained in the Schedule for the benefit of all other Lots in the subdivision; and
- (b) Have the benefit of the restrictive covenants contained in the Schedule over or in respect of all other Lots in the subdivision.

PROVIDED THAT each person bound by this covenant shall be liable in respect of breaches of the restrictive covenants contained in the Schedule that occur while that person is the registered proprietor of the Lot in respect of which the breach occurs.


THE SCHEDULE

1. No dwelling, building or other structure (called "the Improvements") shall be commenced or erected or permitted to be erected commenced or erected on any of the Lots except where:

- (a) Plans and specifications for the Improvements have been submitted to *GRAHAM EUGENE FISHER and the prior ^{the said} consent in writing of GRAHAM EUGENE FISHER obtained to such plans and specifications and the situation of the Improvements on the Lot concerned; and

- (b) The Improvements are constructed erected and situated in accordance with the plans and specifications and situation approved by GRAHAM EUGENE FISHER or in such other manner as GRAHAM EUGENE FISHER shall approve in writing.

PROVIDED THAT once the consent or approval of GRAHAM EUGENE FISHER has been given pursuant to this clause in respect of any Lot and the Improvements are constructed and sited on that Lot in accordance with the consent or approval this restrictive covenant shall thereafter be extinguished in relation to that Lot to the intent that thereafter this clause need not be complied with in respect of any alteration to the Improvements or any further dwelling buildings or structures erected on the Lot concerned AND PROVIDED FURTHER THAT the reference in this clause to GRAHAM EUGENE FISHER shall be reference to him alone and shall not include his successors in title and assigns but in the event of his death all consents required by this covenant shall be obtained from the trustees of the estate of the said GRAHAM EUGENE FISHER.

2. No caravan, truck, bus, trailer, machinery or other unsightly object (not including any motor vehicle, small van or utility truck that is in good working order, repair and appearance) shall be permitted to remain on that part of any Lot that is situated between the dwelling situated on the Lot concerned and the street frontage of such Lot except when building operations are in ~~process~~ progress. 
3. No trade equipment or materials, debris, or rubbish shall be brought onto any part of any Lot except when building operations are in progress.
4. No Lot shall be further subdivided without the further consent of the registered proprietor first had and obtained.

No.

TRANSFER OF FEE SIMPLE

Correct for the purposes of the Land Transfer Act.

Thurston

Solicitor for the Transferee.

G E FISHER

Transferor

I HEREBY CERTIFY THAT THIS TRANSACTION DOES NOT CONTRAVENE THE PROVISIONS OF PART IIA OF THE LAND SETTLEMENT PROMOTION AND LAND ACQUISITION ACT 1952.

Thurston

SOLICITOR FOR THE TRANSFEREE

R H & J E DUNCAN

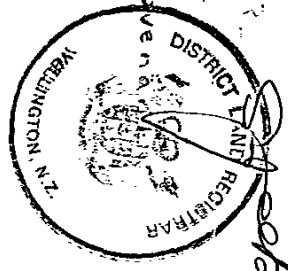
Transferee

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

12.00 12.MAR91 B 148679.3
ARTICULARS ENTERED IN REGISTER
LAND REGISTRAR WELINGTON
378/882
Restrictive
DISTRICT LAND REGISTRAR
Covenants



Solicitors for the Transferee

