

SECOND SCHEDULE

AN easement in gross vesting in the Board its successors and assigns (herein referred to as "the Board") in perpetuity—

(a) The full free uninterrupted and unrestricted right, liberty, and privilege to take, convey, and lead water in a free and unimpeded flow and in any quantity through and over the lands described in the First Schedule hereto and more particularly shown as areas required for pipeline easement on Survey Office Plan No. 31525 (herein referred to as "the pipeline easement").

(b) For the aforesaid purposes the full and free right liberty and licence at all times to enter upon and lay such line of pipes through or under the pipeline easement as the Board may require and to place thereon and maintain valves, pipeline fittings, and to maintain such pipes of sufficient internal diameter and of suitable materials for the Board's purposes and to repair maintain renew and replace any such pipes or ancillary equipment as aforesaid as often as occasion shall require.

(c) In order to lay or construct or maintain the efficiency of any such pipeline or ancillary equipment as aforesaid the full free uninterrupted and unrestricted right, liberty, and privilege for the Board, its employees, workmen, agents, and contractors with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose to enter upon the pipeline easement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing any such pipes or ancillary equipment as aforesaid.

(d) The right to open up the soil of the land to such extent as may be necessary and reasonable for the purpose and to remove and carry away any surplus earth, clay, gravel, rock, stones, and other spoil which shall be taken out of the easement and shall be surplus to the Board's requirements in the exercise of any of the rights and powers hereby reserved.

(e) Generally upon the pipeline easement to do, perform, and execute all acts and things as may be necessary or proper for any of the purposes hereinbefore referred to and in the carrying out of any such purposes keeping all pipes and ancillary equipment as aforesaid in a good and sufficient state of repair for the purpose for which the same are designed and preventing the same from becoming a nuisance and doing as little damage to the surface of the easement as possible and regrassing and restoring the same as nearly as practicable to its former state and condition and repairing and making good all damage to fences gates or drains in upon or around the easement caused by the carrying out by the Board of any of the works hereinbefore mentioned.

Dated at Wellington this 26th day of September 1979.

On behalf of the Wellington Regional Water Board:

G. E. SHEEHAN, Secretary to the Board.

This notice was first published on the 13th day of October 1979.

5493

NOTICE OF INTENTION TO TAKE EASEMENT OVER LAND

IN the matter of the Public Works Act 1928, and in the matter of the Wellington Regional Water Board Act 1972:

NOTICE is hereby given that the Wellington Regional Water Board, a Board duly constituted under the provisions of the Wellington Regional Water Board Act 1972 and being the local authority within the meaning of the Public Works Act 1928, proposes under the provisions of the above-mentioned Acts and under the provisions of all other Acts and by all other powers and authorities enabling it in that behalf to execute a public work namely waterworks, and for the purposes of such public work an easement over the land described in the First Schedule hereto in the form more particularly set out in the Second Schedule hereto is required to be taken for waterworks purposes.

And notice is hereby further given that a plan of that portion of the land referred to in the First Schedule hereto in respect of which the easement is to be taken has been lodged in the office of the Chief Surveyor, Department of Lands and Survey, at Wellington, and there numbered Survey Office Plan No. 31526, a copy being exhibited at the offices of the Board at the M.E.D. Building, 40-44 Cuba Street, Wellington, and is there available for inspection by all persons, without fee, during ordinary office hours. All persons who are affected by the execution of the said public work or by the taking of the easement over the said lands, and who have any objection to the execution of the said public work or to the taking of the easement over the said lands or any of them should state their objections in writing,

and send the same within forty (40) days after the first publication of this notice to the Registrar of the Planning Tribunal, care of Tribunals Division, Private Bag, Postal Centre, Wellington.

And notice is hereby further given that if any objection is received as aforesaid and unless the objector otherwise requires a public hearing of any such objection will be held and each objector will be advised of the time and place of the hearing.

FIRST SCHEDULE

ALL that parcel of land containing 990 square metres, more or less, situate in Block X of the Kaitawa Survey District, being part Ngarawa West C23 and being also part Lot 7 on Deposited Plan No. 28171, being part of the land comprised and described in certificate of title, Volume F4, folio 360 (Wellington Registry), and being more particularly shown on a plan numbered Survey Office Plan No. 31526, lodged in the office of the Chief Surveyor, Lands and Survey Department, Wellington, and thereon marked "A", the registered proprietor of which said land is Victor Frederick Devereux of Wellington, electrician.

SECOND SCHEDULE

AN easement in gross vesting in the Board its successors and assigns (herein referred to as "the Board") in perpetuity on payment of the sum of seventy-five dollars (\$75) payable annually in advance so long as the several rights liberties and privileges hereinafter referred to shall continue to be used but with the right at any time to cease the user thereof—

(a) The full free uninterrupted and unrestricted right, liberty, and privilege to lay or construct septic tanks, soak holes or drainage pits for the purposes of receiving collecting and disposing of drainage effluent and waste materials through and on that portion of the land described in the First Schedule hereto and more particularly shown as drainage easement on Survey Office Plan No. 31526.

(b) For the aforesaid purposes the full and free right liberty and licence at all times to enter upon and lay such lines of pipes through or under the drainage easement for the purpose of conveying sewage and waste materials onto the easement as the Board may require and to place thereon and maintain manholes, valves or inspection chambers, cleaning boxes or eyes and to maintain such pipes of sufficient internal diameter and of suitable materials for the Board's purposes and to repair maintain renew and replace any such pipes or ancillary equipment as aforesaid as often as occasion shall require.

(c) In order to lay or construct or maintain the efficiency of any such septic tanks, soak holes, or drainage pits or pipelines or ancillary equipment as aforesaid the full free uninterrupted and unrestricted right, liberty and privilege for the Board, its employees, workmen, agents, and contractors with any tools, implements, machinery, vehicles, or equipment of whatsoever nature necessary for the purpose to enter upon the drainage easement and to remain there for any reasonable time for the purpose of laying, inspecting, cleansing, repairing, maintaining, and renewing any such septic tanks, soak holes, drainage pits, pipelines or ancillary equipment as aforesaid.

(d) The right to open up the soil of the land to such extent as may be necessary and reasonable for the purpose and to remove and carry away any surplus earth, clay, gravel, rock, stones, and other spoil which shall be taken out of the easement and shall be surplus to the Board's requirements in the exercise of any of the rights and powers hereby reserved.

(e) Generally upon the easement to do, perform, and execute all acts and things as may be necessary or proper for any of the purposes hereinbefore referred to and in the carrying out of any such purposes keeping all septic tanks, soak holes or drainage pits, pipes, and ancillary equipment in a good and sufficient state of repair for the purpose for which the same are designed and preventing the same from overflowing or becoming a nuisance, doing as little damage to the surface of the easement as possible and regrassing and restoring the same as nearly as practicable to its former state and condition and repairing and making good all damage to fences, gates or drains in upon or around the easement caused by the carrying out by the Board of any of the work hereinbefore mentioned.

Dated at Wellington this 26th day of September 1979.

On behalf of the Wellington Regional Water Board:

G. E. SHEEHAN, Secretary to the Board.

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