

Dated at Wellington this 10th day of January 1984.

J. R. BATTERSBY,
for Minister of Works and Development.

(P.W. 20/886/1; Wn. D.O. 26/1/85)

16/1

Declaring a Sewage Easement, Acquired for a State Primary School in Block XII, Mangakahia Survey District, Whangarei County

PURSUANT to section 20 of the Public Works Act 1981, the Minister of Works and Development declares that a sufficient agreement to that effect having been entered into, the sewage easement (in gross) described in the Second Schedule hereto is hereby acquired over the land described in the First Schedule and shall vest in the Crown for a State primary school on the 19th day of January 1984.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

Servient Land

ALL those pieces of land situated in Block XII, Mangakahia Survey District, Whangarei County, described as follows:

Being

Part Lot 1, D.P. 97667; marked 'A' on plan.
Part Lot 1, D.P. 97667; marked 'B' on plan.

As shown marked as above mentioned on S.O. Plan 56872, lodged in the office of the Chief Surveyor at Auckland.

SECOND SCHEDULE

DESCRIPTION OF EASEMENT

THE full right of Her Majesty the Queen (called the Crown) to drain sewage by means of piped drains under the servient land such grant being in accordance with paragraph 4 of the Seventh Schedule to the Land Transfer Act 1952 together with the additional rights contained in paragraph 5 of the said Seventh Schedule provided that:

1. The Crown to be wholly responsible for the maintenance and repair of the sewage drain and effluent systems constructed within the area of the said easement.
2. The Crown may at any time on giving the owner no less than 4 weeks written notice in that behalf, surrender and extinguish the said easement.
3. The Crown acknowledges that there is a building situated on part of the said easement and all precautions will be taken so as to avoid disturbing the structure.
4. The owner agrees that in the event of the old building falling into disrepair or otherwise a new or any building would be sited clear of the easement.
5. The main pipeline between the building and the effluent drainage area will be 150 mm in diameter and will be laid one metre below the ground surface except in the region of the building and the effluent drainage area where it shall be laid approximately $\frac{1}{3}$ of a metre below ground surface.

Dated at Wellington this 10th day of January 1983.

J. R. BATTERSBY,
for Minister of Works and Development.

(P.W. 31/1155/35/15; Ak. D.O. 50/23/67/0)

16/1

Declaring Land in Paparua County to be Acquired for Scientific and Industrial Research Purposes

PURSUANT to section 20 of the Public Works Act 1981, the Minister of Works and Development declares that an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for scientific and industrial research purposes and shall vest in the Crown on the 19th day of January 1984.

SCHEDULE

CANTERBURY LAND DISTRICT

ALL that piece of land containing 254 square metres, situated in Block IV, Leeston Survey District, being part Lot 3, D.P. 10936; as shown marked 'B' on S.O. Plan 16036, lodged in the office of the Chief Surveyor at Christchurch.

Dated at Wellington this 11th day of January 1984.

J. R. BATTERSBY,
for Minister of Works and Development.

(P.W. 24/1791/2/0; Ch. D.O. 40/6/162)

16/1

Declaring a Water Supply Easement (In Gross) for Waterworks to be Acquired Over Land in the City of Upper Hutt

PURSUANT to section 20 of the Public Works Act 1981, the Minister of Works and Development declares that, an agreement to that effect having been entered into, a water supply easement in gross for waterworks is hereby acquired over the land described in the First Schedule hereto and shall vest in the Upper Hutt City Council on the 19th day of January 1984, and shall confer on the said council (hereinafter referred to as the "grantee"), the full free uninterrupted and unrestricted right, liberty, and privilege in perpetuity hereinafter set forth in the Second Schedule hereto but subject to the provisos set forth in the Third Schedule hereto.

FIRST SCHEDULE

WELLINGTON LAND DISTRICT

ALL that piece of land containing 30 square metres, situated in Block XIV, Akatarawa Survey District, being part Lot 35, D.P. 30826; as shown marked 'B' on S.O. Plan 32197, lodged in the office of the Chief Surveyor at Wellington.

SECOND SCHEDULE

THE full free uninterrupted and unrestricted right, liberty, and privilege for the grantee its successors and assigns at all times hereinafter set forth that is to say:

- (a) To use any line or lines of pipes laid in or through the subject land or any line or lines of pipes laid in replacement or in substitution for all or any of such pipes.
- (b) Where no such line or pipes exists to lay, place, and maintain or to have laid, placed, and maintained as the grantee thinks fit for the purpose under the surface of the subject land and to repair, maintain, renew, and replace the same as often as occasion shall require.
- (c) To inspect, repair, maintain, renew, and replace as often as occasion shall require any pipes, manholes, inspection chambers or cleaning eyes used for the purpose of the pipeline and maintaining the effectiveness thereof at all times.
- (d) To make, sink, excavate, construct, and refill as need be and if requested by Alcon Homes Limited (hereinafter referred to as the "grantor") to remove and carrying away any surplus earth, clay, gravel, stones or other spoil which may be taken out of the said land and shall be surplus to the grantee's requirements in the exercise of any of the rights and powers hereby conferred.
- (e) In order to lay or construct or maintain the efficiency of any such pipeline the full free uninterrupted and unrestricted right, liberty, and privilege for the grantee, its employees, agents, workmen, and contractors with any tools, implements, machinery, vehicles or equipment of whatsoever nature necessary for the purpose to enter upon the subject land and to pass and repass and to remain there for any reasonable time for the purpose of laying, inspecting, cleaning, repairing, maintaining or renewing any such piping, manholes, inspection chambers or cleaning eyes and of opening up the soil of the land comprised in the easement to such extent as may be necessary and reasonable for that purpose.
- (f) Generally upon the subject land to do, perform and execute any other act matter or thing necessary or expedient for any of the purposes aforesaid provided that except in the case of emergency the grantee shall give the grantor reasonable notice in writing before undertaking any of the works aforesaid.

THIRD SCHEDULE

THE rights, liberties, and privileges set forth in the Second Schedule hereto shall be with the following provisos;

- (i) That the grantee shall and will at all times repair and maintain all such pipes and other installations hereinbefore referred to as may be constructed upon or under the subject land in a good and efficient state of repair for the purpose for which the same are designed and will prevent the same from becoming a nuisance.
- (ii) In the event of the grantee entering into and upon the subject land for the purpose of exercising its rights the grantee will carry out the necessary work with as little disturbance to the surface of the land as possible and will immediately upon completion of any work thereon restore the same as