

SECOND SCHEDULE

SOUTH AUCKLAND LAND DISTRICT

Land Acquired for the Functioning Indirectly of a Road

ALL that piece of land containing 83 square metres, being Section 33, Block IX, Thames Survey District; as shown marked "A" on S.O. Plan 53676, lodged in the office of the Chief Surveyor at Hamilton.

Dated at Wellington this 8th day of April 1986.

A. MUNRO,
for Minister of Works and Development.

(P.W. 72/25A/2C/0; Hn. D.O. 72/25A/2C/01)

16/1

Declaring Land to be Access Way in the City of Manukau

PURSUANT to section 114 of the Public Works Act 1981, the Minister of Works and Development declares the land described in the Schedule hereto to be access way which shall vest in The Manukau City Council.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

ALL that piece of land containing 154 square metres, situated in the City of Manukau, and being Lot 11, L.T. Plan 102233.

Dated at Wellington this 9th day of April 1986.

A. MUNRO,
for Minister of Works and Development.

(P.W. 54/778/121; Ak. D.O. 15/6/0)

16/1

Declaring Land to be Road in Block XI, Kerikeri Survey District, Bay of Islands County

PURSUANT to section 114 of the Public Works Act 1981, the Minister of Works and Development declares the land described in the Schedule hereto to be road, which shall vest in The Bay of Islands County Council.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

ALL that piece of land containing 106 square metres, situated in Block XI, Kerikeri Survey District and being part Lot 1, D.P. 34480; as shown marked "A" on S.O. Plan 58837, lodged in the office of the Chief Surveyor at Auckland.

Dated at Wellington this 9th day of April 1986.

A. MUNRO,
for Minister of Works and Development.

(P.W. 33/1599; Ak. D.O. 50/15/3/0/58837)

16/1

Sewage Easement Acquired for the Purposes of the Christchurch Drainage Act 1951 in Papanui County

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 sewage and waste drainage easement in gross for the purposes of the Christchurch Drainage Act 1951 over the land described in the First Schedule hereto, vesting in the Christchurch Drainage Board the rights and subject to the conditions set out in the Second Schedule hereto, is hereby acquired for the purposes of the Christchurch District Drainage Act 1951 on the 17th day of April 1986.

FIRST SCHEDULE

CANTERBURY LAND DISTRICT

ALL those pieces of land situated in Block IX, Christchurch Survey District, described as follows:

| Area m ² | Being |
|------------------------|--|
| 175 | Part Lot 59, D.P. 43120; marked 'A' on plan. |
| 28 | Part Lot 1, D.P. 5250; marked 'B' on plan. |

As shown marked as above mentioned on S.O. Plan 16383, lodged in the office of the Chief Surveyor at Christchurch.

SECOND SCHEDULE

SEWAGE AND WASTE DRAINAGE EASEMENT

1. The Christchurch Drainage Board, a body corporate constituted by an Act of the General Assembly of New Zealand intitled the Christchurch District Drainage Act 1951 and having its office at Christchurch (with its successors and assigns referred to as and included in the term "the Board") shall have the unrestricted right, liberty and licence from time to time and at all times hereafter to take, carry, convey, lead and drain sewage and other waste material and fluid including trade wastes, other than condensing or cooling water in any quantities and any other liquid or matter usually conveyed and carried in sewers through, over, along (subject to clause 2 hereof) or under the servient land (referred to as "the easement line") and for such purposes and for other purposes of the easement full, free, uninterrupted and unrestricted right, liberty and licence from time to time and at all times hereinafter to lay, make, construct, erect, maintain, alter and repair sewers of such sizes and specifications as the Board may from time to time think fit and with or without manholes, valves and surface boxes and other appurtenant structures as the Board shall from time to time think fit through, over, along or under the easement line and with surveyors, workmen, contractors and other persons, horses, carts, wagons, motor vehicles, machinery, material, implements, tools and things to enter upon the easement line and the land contiguous thereto belonging to the Grantor and for those purposes to have access to and from the street across the remainder of the above described lands and to bring on to the easement line and remove therefrom such material, machinery or other things as the Board shall from time to time think fit and to sink and to make trenches and shafts on the easement line and to remove and carry away as hereinafter mentioned any of the clay and gravel, shingle, stones and earth which in the opinion of the Board it shall be necessary to take out of the easement line and to inspect, maintain, cleanse, repair, extend, remove and enlarge or replace any such sewers, manholes, valves, surface boxes and other appurtenant structures and generally to do and perform such acts and things in or upon the above described lands as may be necessary or proper for or in relation to any of the purposes aforesaid.

2. The Board's rights in respect of that part of the easement line first described in the Second Schedule hereto shall be restricted and limited as follows:

- The right is restricted to that of laying and using underground pipes laid at a depth and with sufficient protection to allow the passage of heavy vehicles and the cultivation of the land, above and over the pipes:
- The owner or occupier of all that piece of land containing 4284 square metres, being Lot 59, D.P. 43120, situated in Block IX, Christchurch Survey District, part G.N. 385847/1 (*Gazette*, 1982, page 1453) shall not be called upon to pay or contribute towards the cost of laying, making, constructing, erecting, maintaining, altering and repairing any sewers along the easement line except under paragraph (c) of clause 3.
- The Board shall exercise all due care in utilising the easement in order that the disruption of the owner or occupier (with their successors and assigns) of the land described in paragraph (b) of this clause is kept to a minimum.

3. The owners and occupiers of the easement line (with their successors and assigns and all and every person lawfully and equitably claiming through or under them referred to as "the Grantor") with their obligations being several and relating only to that portion of the easement line owned or occupied by them:

- Will not build under, over or upon the easement line or plant trees upon or permit or allow trees or any roots thereof to grow upon the easement line.
- Will not do or permit or suffer to be done any thing which may in any way injure or damage any sewer or manhole valve or surface box or other appurtenant structures as aforesaid now in or on the easement line or any sewer or manhole valve or surface box or other appurtenant structure as aforesaid which may hereafter be laid, made, constructed or erected as aforesaid or interfere with the free flow and passage through such sewer of any matter hereby authorised to be carried in the same.
- If the Grantor does or knowingly suffers to be done anything which shall injure or damage any sewer or manhole valve or surface box or appurtenant structure as aforesaid now in or on the easement line or any sewer or manhole valve or surface box or appurtenant structure as aforesaid which may hereinafter be laid, made, constructed or erected as aforesaid or shall interfere with the free flow or passage through such sewer or any matter hereby authorised to be carried in the same the Grantor shall and will forthwith at the cost and expense of the Grantor properly and substantially repair and make good all such injury or damage and restore such free flow and passage aforesaid and do all things necessary and expedient for the purposes aforesaid or any of them.