

- (d) Will not do permit or suffer any act whereby the rights, liberties and easements or any of them hereby granted to the Board or whereby any thing laid, made, constructed or erected under or pursuant to any right herein contained may be interfered with or affected and if the level of the surface of the easement line shall be so altered or affected by the Grantor as to make any manhole, valve or surface box or other appurtenant structures aforesaid unusable the Grantor will forthwith at the option of the Board repair or amend the same or pay to the Board the cost of so doing.
- (e) Will at all times at the request and cost of the person or persons body or bodies requiring the same execute and do every assurance and thing for further or more perfectly assuring, granting and confirming all or any of the rights, liberties and easements hereinbefore expressed to be hereby acquired and granted unto and to the use of the Board as by it shall be reasonably required.

## 4. The Board:

- (a) Will at all times hereafter repair and cleanse any sewer to which this instrument relate and which is now in the easement line and every sewer which may hereafter be laid, made, constructed or erected by the Board as aforesaid in such manner that the same shall not be a nuisance or annoyance to the Grantor or to the registered land comprising the easement line.
- (b) Will remove and carry away all clay, gravel, shingle, stones and earth which shall be excavated or taken out and not used or otherwise disposed of in laying, making, constructing, erecting, inspecting, maintaining, cleansing, repairing, extending, altering, removing, enlarging or replacing any sewer as aforesaid or in the making or sinking of any trenches or shafts and shall without delay restore the surface of the easement line as nearly as possible to the condition and state in which it was immediately prior to its disturbance by the Board.
- (c) Will repair and make good any damage which may be done to any fence or fences or to any part of the easement line lands incurred in the exercise by it of any of the rights, liberties or easements hereinbefore contained, provided however that the Board shall not be responsible for or be held liable to contribute to the cost of removing existing buildings or similar improvements or any trees or any roots thereof which are at present on the easement line; and provided further that the Board shall not be liable for any damage to any pipes on the easement line (save as provided in paragraph (a) of this clause) where in the exercise of the rights, liberties or easements aforesaid such damage cannot reasonably be prevented.

5. Nothing herein contained or implied shall be deemed to compel the Board to conduct any sewage or other matter hereinbefore referred to through any such sewer as aforesaid or the easement line and the Board may commence, discontinue or resume such drainage at will.

6. Any right of action which shall at any time hereafter accrue to the Board by reason of any breach or non-observance of any of the Covenants herein expressed or implied and on the part of the Grantor to be observed or performed shall be enforced by the Board only against the registered proprietor or registered proprietors thereof at the time of such occurrence aforesaid to the intent that the liability of any registered proprietor for the time being of the easement line or any part thereof shall cease (except as to the acts and defaults occurring in respect of the easement line or that part thereof of which he is registered as proprietor and while he is so registered) upon his ceasing to be registered as proprietor of the easement line or that part thereof in respect of which such breach of non-observance shall occur.

7. Nothing herein contained shall be deemed to abrogate, limit, restrict or abridge any of the rights, powers or remedies vested in the Board by statute.

8. The rights and powers implied by section 90D of the Land Transfer Act 1952 are hereby negated.

Dated at Wellington this 10th day of April 1986.

A. MUNRO,  
for Minister of Works and Development.

(P.W. 50/2021/1; Ch. D.O. 40/14/104)

16/1

*Land Acquired for the Transmission of Electricity (Housing) in the City of Hamilton*

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 the transmission of electricity (housing) and shall vest in the Crown on the 17th day of April 1986.

## SCHEDULE

## SOUTH AUCKLAND LAND DISTRICT

ALL that piece of land containing 678 square metres, situated in the City of Hamilton, being Lot 106, D.P. S. 10020 and being part Allotment 247, Parish of Kirikiriroa. All certificate of title No. 10C/111.

Dated at Wellington this 9th day of April 1986.

A. MUNRO,  
for Minister of Works and Development.  
(P.W. 92/16/124/6; Hn. D.O. 92/16/192/6/1)

16/1

*Declaring the Leasehold Estate in Land Acquired for Soil Conservation and River Control Purposes in Westland 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, the leasehold estate in the land described in the Schedule hereto, held from Her Majesty the Queen by Colin Arnott Stewart under and by virtue of renewable lease No. 694 recorded in certificate of title, Volume 1C, folio 523, is hereby acquired for soil conservation and river control purposes and shall vest in The Westland Catchment Board on the 17th day of April 1986.

## SCHEDULE

## WESTLAND LAND DISTRICT

ALL that piece of land containing 18,4005 hectares, situated in Block XIII, Hohonu Survey District, being Section 3643.

Dated at Wellington this 8th day of April 1986.

A. MUNRO,  
for Minister of Works and Development.  
(P.W. 96/911000/0; Ch. D.O. 40/37/19)

16/1

*Land Acquired for a Limited Access Road and in Connection With a Limited Access Road in Block II, Aongatete Survey District, Tauranga County*

PURSUANT to sections 20 and 153 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 First Schedule hereto is hereby acquired for a limited access road, which has become road, limited access road and State highway and, pursuant to section 11 (1A) of the National Roads Act 1953 shall form part of State Highway No. 2, and the land described in the Second Schedule hereto is hereby acquired in connection with a limited access road, and further declares that the land described in the said First and Second Schedules shall vest in the Crown on the 17th day of April 1986.

## FIRST SCHEDULE

## SOUTH AUCKLAND LAND DISTRICT

ALL those pieces of land situated in Block II, Aongatete Survey District, described as follows:

Area m <sup>2</sup>	Being
2188	Part Allotment 149, Apata Parish; marked "G" on plan.
220	Part Allotment 149, Apata Parish; marked "J" on plan.

As shown marked as above mentioned on S.O. Plan 51663, lodged in the office of the Chief Surveyor at Hamilton.

## SECOND SCHEDULE

## SOUTH AUCKLAND LAND DISTRICT

ALL that piece of land containing 580 square metres, situated in Block II, Aongatete Survey District, being part Allotment 149, Apata Parish; as shown marked "I" on S.O. Plan 51663, lodged in the office of the Chief Surveyor at Hamilton.

Dated at Wellington this 10th day of April 1986.

A. MUNRO,  
for Minister of Works and Development.  
(P.W. 72/2/3A/0; Hn. D.O. 72/2/3/02)

16/1