

an agreement to that effect having been entered into, the land described in the Schedule hereto is hereby acquired for electricity purposes and shall vest in The Hamilton City Council on the date of publication hereof in the *Gazette*.

Schedule

South Auckland Land District

5.5 square metres, situated in Block II, Hamilton Survey District, being part Lot 9, D.P. 13822; as shown marked "A" on S.O. Plan 56682, lodged in the office of the Chief Surveyor at Hamilton.

Dated at Hamilton this 22nd day of July 1988.

W. G. KORVER, Acting District Solicitor.

(Lands H.O. 31/1274; Hn. 39/437/0)
ln8288

1CL

Declaring Land to be Crown Land in Taumarunui County

Pursuant to section 42 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the Acting District Solicitor of the Department of Lands, Hamilton, declares the land described in the Schedule hereto to be Crown land subject to the Land Act 1948.

Schedule

Wellington Land District

610 square metres, situated in Block XVI, Kaitieke Survey District, being part Section 5, Block III, Town of Waimarino; as shown marked "A" on S.O. Plan 35222, lodged in the office of the Chief Surveyor at Hamilton.

Dated at Hamilton this 22nd day of July 1988.

W. G. KORVER, Acting District Solicitor.

(Lands H.O. 20/1405; Hn. D.O. 33/212/0)
ln8289

1CL

Declaring Land to be Road in the City of Manukau

Pursuant to section 114 of the Public Works Act 1981, the Minister of Lands declares the land described in the Schedule hereto to be road, which shall vest in The Manukau City Council.

Schedule

North Auckland Land District

All that piece of land containing 21 square metres, situated in Block XIV, Otahuhu Survey District, being part Lot 19, D.P. 14894; as shown marked "A" on S.O. Plan 60632, lodged in the office of the Chief Surveyor at Auckland.

Dated at Auckland this 22nd day of July 1988.

R. F. SMITH, District Manager.

(Lands Ak. D.O. 15/6/0/60632)
ln8277

1CL

Declaring Easements Over Land Acquired for Water Supply Purposes in the Bay of Islands County

Pursuant to sections 20 (1) and 28 of the Public Works Act 1981, and to a delegation from the Minister of Lands, the District Manager, Department of Lands declares that, an agreement to that effect having been entered into, easements in gross over the land described in the Schedule hereto (right of way and right to convey water) is hereby acquired for water supply purposes (which may be surrendered by notice in the *Gazette*) and shall vest in the Crown on the 4th day of August 1988, such grant being in accordance with the powers and rights set out in clauses 1, 2 and 5 of the Seventh Schedule of the Land Transfer Act 1952, with the following modifications:

(a) The boundaries of the easement shall not be fenced and

the owner or occupier of the land shall have the right to use the same (except for such use as may be reasonably held to interfere with the enjoyment of the Crown and its assigns as owner of the pipeline hereunder) but shall not erect any building construction or fence or plant any trees or shrub on the easement strip or disturb the soil of the easement strip below a depth of 300 mm from the surface or do anything which would or could damage or endanger the pipeline without the consent of the Crown or its assigns being first obtained in writing. Any such consent shall not be unreasonably withheld.

(b) When the pipeline is above or below the surface of the ground it shall be placed so as to interfere as little as possible with ordinary cultivation as aforesaid of the said land and in so doing or in laying, maintaining, repairing, inspecting or renewing or removing the pipeline as little damage as possible shall be caused to the said land. Any such damage caused shall be made good by the Crown and the land shall be restored as near as reasonably practicable to the condition existing before entry or alternatively the Crown may at its option compensate the Owner for any damage.

(c) If the owner, his servants, contractors, agents, invitees or workmen shall in any way damage the pipeline the liability of the owner in respect of such damage shall be as follows:

(i) If the owner shall have obtained a permit (either in writing or in such other manner as the Crown may from time to time in its absolute discretion determine) from the Crown authorising him to carry out any particular work on the pipeline easement and in the course of carrying out such work in compliance with the conditions set forth in such permit such damage shall occur then the owner shall not be liable for the costs of and incidental to the repairing of such damage.

(ii) If prior to commencement of any work on the pipeline easement the owner shall fail to obtain a permit in writing from the Crown and if having obtained such permit as aforesaid fails to comply with the terms and conditions set forth therein or otherwise imposed by the Crown in respect thereof and if such damage shall occur during the course of such work then the owner shall be liable for the first \$1,000 only in the cost of making good such damage and incidental loss which may have been suffered by the Crown provided that the aforesaid limitation of liability to \$1,000 to be borne by the owner as aforesaid shall be adjusted upwards automatically on an annual basis by relating the same to movements in the General Consumer Prices Index (CPI) for New Zealand published from time to time by the New Zealand Department of Statistics to establish at any given time in the future the then value of the aforesaid sum of \$1,000. Such adjustments shall be made on the basis of movements in the CPI for 12 month periods ending on the 31st day of March in each and every year the first such adjustment to be made for the year ending 31st day of March 1987.

(d) The Crown shall have the right to erect and maintain such fixtures or markers as may be necessary to indicate the location of the pipeline provided that such fixtures or markers do not interfere with the reasonable management of the said land.

Schedule

North Auckland Land District—Bay of Islands County

All those pieces of land described as follows:

Area m ²	Being
163	Part Section 66, Block XII, Kaeo Survey District; marked "A" on plan.
985	Part Section 66, Block XII, Kaeo Survey District; marked "B" on plan.