

# Instruments attached to Records of Title

Appendix A1: Record of Title 856574

Legal Description: Lot 2 Deposited Plan 529042  
 Area: 71.3750 ha  
 Registered Owner: Fonterra Limited

<p>Subject to a right (in gross) to transmit electricity over part marked F on DP529042 in favour of Waipa Networks Limited created by Transfer 561283.1</p>	<p>Easement to convey electricity and communications over the land by means of overhead lines.</p> <p>Covenant to liaise with Waipa Networks over height of any buildings, erections, or trees on the easement. Clearance from overhead lines is a minimum of 4 metres.</p>
<p>Instrument No. 11480558.1</p>	<p>Variation to above easement - Provides for undergrounding of lines.</p>
<p>Instrument No. 8553689.2</p>	<p>No complaints covenant in favour of Fonterra Ltd granted by Transland Developments (2009) Ltd re noise, odour, spray drift, dust, any other environmental effects. Also provides that written approvals must be given for any future resource consents for like activities or for activities that will not produce greater environmental effects than existing activities. (Serviant Tenement 468934).</p>
<p>Instrument No. 9317864.4</p>	<p>Non complaint covenant as above (Serviant Land Identifier 609520).</p>
<p>Instrument No. 11273320.2</p>	<p>Easement - Right to convey water between Lot 1 and Lot 2 (Fonterra to Fonterra).</p>
<p>Instrument No. 11273320.3</p>	<p>Easement - Right to convey water between Lot 1 and Lot 2 (Fonterra to Fonterra).</p>
<p>Instrument No. 11273320.4</p>	<p>Restrictive Covenant (No complaints covenant).</p> <p>Favours the Hautapu Dairy Factory and its ongoing operations and/or intensification. Acknowledges that it is undesirable for sensitive activities including residential activities or rural residential activities to be undertaken near the Hautapu Site. Limits future uses on the land that may constrain the Dairy Factory operations. Limits ability to be sold to a competitor to the Dairy Factory. No complaints on Dairy Factory operations.</p>
<p>Instrument No. 11273320.5</p>	<p>Restrictive Covenant (No complaints covenant).</p> <p>Favours the development site. No activities, other than Dairy Factory operations, to occur on the Dairy Factory site within 500m that might give rise to adverse effects on the development (i.e. restricts bitumen plants, incineration activities, concrete batching or other such</p>

	activities that might cause dust or airborne contaminant nuisance to the development).
Instrument No. 11273320.6	Right to convey electricity in favour of Waipa Networks. Includes limitations on vegetation and structures that might interfere with the easement.

Appendix A2: Record of Title 805561

Legal Description: Section 1 Survey Office Plan 499872

Area: 1.2876 ha

Registered Owner: Bardowie Investments Ltd

Instrument No. 11095752.1	Easement - Right of Way, right to convey water, right to drain water and sewage, right to convey electricity, telecommunications and computer media.  Northern boundary.
Part IVA Conservation Act 1987	Relates to marginal strips.
Section 11 Crown Minerals Act 1991	Minerals reserved to the Crown
Instrument No. 11189654.3	Encumbrance in favour of NZTA: <ul style="list-style-type: none"> <li>- New buildings within 30 metres of the State Highway will meet standards for noise and vibration</li> <li>- Lighting on the land must be installed so that it is shielded from or directed away from the State Highway</li> <li>- Signage requires NZTA approval (to not distract State Highway users)</li> <li>- No complaints about activities on the State Highway (e.g. Works etc)</li> </ul>
Instrument No. 11289242.3	Mortgage to Westpac.
Instrument No. 11536770.1	Building Act Conditions (Waipa District Council).  The lots can only be transferred/leased together.
11723087.1	Mortgage Variation.

Appendix A3: Record of Title 811702

Legal Description: Section 4 Survey Office Plan 499872

Area: 6.4988 ha

Registered Owner: Bardowie Investments Ltd

Instrument No. 11095752.1	Easement - Right of Way, right to convey water, right to drain water and sewage, right to convey electricity, telecommunications and computer media.  Northern boundary.
Part IVA Conservation Act 1987	Relates to marginal strips.
Section 11 Crown Minerals Act 1991	Minerals reserved to the Crown.
Instrument No. 1154876.1	Fencing Covenant with the Crown.  That one party to the covenant may not be required by the other party to contribute to a fence between the owners land.
Instrument No. 1154876.2	Encumbrance relating to works taken on the site during the construction of the expressway.  Requires engineering and geotechnical advice prior to the construction of any building. There will be no recourse to the Crown in relation to construction on these sites.
Instrument No. 1154876.3	Encumbrance to NZTA in relation to the State Highway: <ul style="list-style-type: none"><li>- New buildings within 30 metres of the State Highway will meet standards for noise and vibration</li><li>- Lighting on the land must be installed so that it is shielded from or directed away from the State Highway</li><li>- Signage requires NZTA approval (to not distract State Highway users)</li></ul> No complaints about activities on the State Highway (e.g. Works etc).
Instrument No. 11289242.3	Mortgage to Westpac.
Instrument No. 11536770.1	Building Act Conditions (Waipa District Council).  The lots can only be transferred/leased together.
Instrument No. 11723087	Variation to Mortgage.

Instrument No. 12133385.1	Right to convey electricity and telecommunications in favour of Waipa Networks. Includes limitations on vegetation and structures that might interfere with the easement.
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