

Form E

Encumbrance instrument

(Section 101 Land Transfer Act 1952)

Affected instrument Identifier and type (if applicable)	All/part	Area/Description of part or stratum
[]	All	

Encumbrancer

[The Adare Company Limited]

Encumbrancee

Hamilton City Council

Estate or interest to be encumbered

Insert e.g. Fee simple; Leasehold in Lease No. etc.

Fee Simple

Encumbrance Memorandum Number

Not Applicable

Nature of security

State whether sum of money, annuity or rent charge and amount

Annual rent charge of Ten Dollar (\$10.00)

Encumbrance

Delete words in [], as appropriate

The Encumbrancer encumbers for the benefit of the Encumbrancee the land in the above computer register(s) ("**Land**") with the above sum of money, annuity or rent charge, to be raised and paid in accordance with the terms set out in the Annexure Schedule and so as to incorporate in this Encumbrance the terms and other provisions set out in the Annexure Schedule for the better securing to the Encumbrancee the payment(s) secured by this Encumbrance, and compliance by the Encumbrancer with the terms of this encumbrance.

Terms

- 1 Length of term : 999 years
- 2 Payment date(s) : 1st of June each year if demand is made by the Encumbrancee to the Encumbrancer
- 3 Rate(s) of interest : Nil
- 4 Event(s) in which the sum, annuity or rent charge becomes payable : Written demand for payment being made by the Encumbrancee to the Encumbrancer

Covenants and conditions

Continued in Annexure Schedule(s), if required

By this Memorandum:

1. The Encumbrancer is the registered proprietor of the Land.
2. The Encumbrancer applied for a resource consent with the Encumbrancee to subdivide land that comprises the Land under Application [].
3. The Encumbrancee granted the said resource consent with the proviso that the following covenant is complied with:

The Encumbrancer for itself and its successors in title covenants with the Encumbrancee that the Land will not be further subdivided or used for residential purposes.
4. The said covenant shall be enforceable by the Encumbrancee.

Modification of statutory provisions

Continue in Annexure Schedule(s), if required