

SUPPLEMENTARY DEED OF AGREEMENT

LISTON COLLEGE, AUCKLAND

THIS DEED OF AGREEMENT is made on the 3rd day of *March* One thousand nine hundred and ninety-two (1992) BETWEEN THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF AUCKLAND a Corporation Sole (hereinafter with his successors referred to as "the Proprietor") of the first part and HER MAJESTY THE QUEEN acting by and through the Minister of Education (hereinafter referred to as "The Minister") of the second part

WHEREAS

- A** By Deed of Agreement bearing date the 28th day of January 1982 as varied by any subsequent supplementary agreements (hereinafter referred to as "the Deed of Agreement"), the Minister and the Proprietor pursuant to section 7(2) of the Private Schools Conditional Integration Act 1975 established Liston College, Auckland as an integrated school (hereinafter referred to as "the School").
- B** The Proprietor and the Minister are now agreed on the need to redefine the Proprietor's Land and the School Premises as defined in the First and Second Schedules to the Deed of Agreement pursuant to Section 7(9) of the Private Schools Conditional Integration Act 1975.

NOW THIS DEED OF AGREEMENT WITNESSETH THAT IT IS HEREBY COVENANTED AGREED AND DECLARED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:

1. THAT the Deed of Agreement bearing date the 28th day of January 1982 is hereby amended by deleting and cancelling the First and Second Schedules and annexed Plan.

2. THAT the Schedules and Plan attached to this supplementary Deed of Agreement are hereby substituted as the First Schedule defining the Proprietor's Land and the Second Schedule defining the School Premises in the Deed of Agreement.

3. THAT the covenants conditions and restrictions contained and implied in the Deed of Agreement shall be read and construed subject to the modifications herein contained but in all other respects the Deed of Agreement is confirmed.

IN WITNESS WHEREOF these presents have been executed the day and the year first hereinbefore written.

SIGNED by DENIS GEORGE BROWNE

THE ROMAN CATHOLIC BISHOP OF

THE DIOCESE OF AUCKLAND

and sealed with his Seal of
Office in the presence of:

D. Lawson
Neil Lawson
1135 Amurath Road
Epsom, Auckland

D. G. Browne

SIGNED by ERIC PEDERSEN

Senior Manager, National Operations
Ministry of Education pursuant
to authority delegated by the
Minister of Education acting on
behalf of HER MAJESTY THE QUEEN
in the presence of:

Judith Manchester
Liaison Officer
53 Grosnick Terrace
Wellington 5

Eric Pedersen

FIRST SCHEDULE

Description of total land buildings and other improvements comprising the Proprietor's land of which the School premises form part.

THE PROPRIETOR'S LAND

All that Land, School buildings and other improvements owned by The Roman Catholic Bishop of the Diocese of Auckland, situate at Henderson New Zealand, delineated in green on the annexed plan, being known as Liston College, Henderson, and being more particularly described as follows:

FIRST: all that Freehold parcel of land containing 1214 square metres more or less being Lot 38 Deposited Plan 46256 and being part Allotment 6 Parish of Waipareira and being all the land in Certificate of Title Volume 35D folio 1466 (North Auckland Registry) Subject to Mortgage No. 182226.1 to Housing Corporation of New Zealand 3.6.75 and varied 11.11.76 and varied 20.5.77 and No. 486763.1 Variation of terms of Mortgage 182226.1

SECONDLY all that Freehold parcel of land containing 6.5179 hectares more or less being Lot 44 Deposited Plan 46256 and being part Allotment 6 Parish of Waipareira and being all the land in Certificate of Title Volume 35D folio 1467 (North Auckland Registry).
Building Line Restriction in K64393.

Subject to Mortgage No. 182226.1 to Housing Corporation of New Zealand 3.6.75 and varied 11.11.76 and varied 20.5.77 and No. 486763.1 Variation of terms of Mortgage No. 182226.1

THIRDLY All that Freehold parcel of land containing 829 square metres more or less being Lot 12 Deposited Plan 43275 and part Allotment 6 Parish of Waipareira and being all the land in Certificate of Title Volume 40C folio 274 (North Auckland Registry).

FOURTHLY All that Freehold parcel of land containing 27.5 perches more or less being Lot 39 Deposited Plan 56435 and being part Allotment 6 Parish of Waipareira and being all the land in Certificate of Title Volume 8C folio 649 (North Auckland Registry).
Building line restriction contained in A 134478.

There is a debt owing to the Diocesan Development Fund of the Roman Catholic Diocese of Auckland.

J.S.P.

SECOND SCHEDULE

Description of land buildings and other improvements comprising the school premises.

THE SCHOOL PREMISES

All that part of the Proprietor's land as described in the First Schedule hereto, delineated in red on the annexed plan of the Proprietor's land, which forms part of this Schedule TOGETHER WITH all the school buildings and other improvements thereon SAVE AND EXCEPT Blocks K, L & M more particularly delineated in blue on the annexed plan TOGETHER WITH a reservation in favour of the non-integrating areas of full rights of access inter se and of ingress and egress to and from those excepted portions over the access thereto shaded on the annexed plan from and to Rathgar Road.

J.P. D.B.

References
Prior C/T. 5C/971

Land and Deeds 69

No. 8C/649

Transfer No.
N/A Order No.



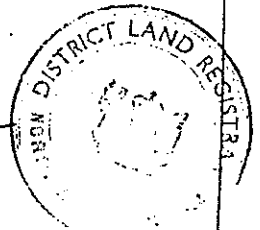
CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 21st day of June one thousand nine hundred and sixty-six under the seal of the District Land Registrar of the Land Registration District of NORTH AUCKLAND

WITNESSETH that UNIVERSAL BUILDERS LIMITED at Auckland.

is seised of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and Interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 27.5 perches more or less being Lot 39 Deposited Plan 56435 and being part Allotment 6 Parish of Waipareira.

W. Brennan
Assistant Land Registrar.



Memorials brought forward.

Building line restriction contained in A134478 5 feet from the side line of Lot 58 Plan 56435.

A69227 Mortgage to Norman Shackleton Produced 7.4.1965 at 12.05 o'clock.
W. Brennan
A.L.R.

XIV Waitemata

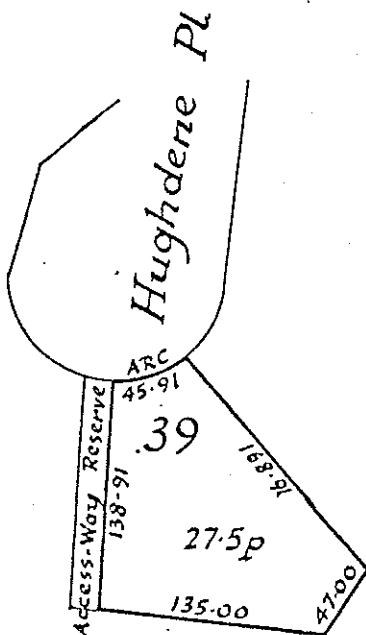
A188887 Transfer to Donald Robin Teirney of Auckland, painter. Produced 25.11.1966 at 12.05 o'clock.
W. Brennan
A.L.R.

A188888 Mortgage to The State Advances Corporation of New Zealand. Produced 25.11.1966 at 12.05 o'clock.
W. Brennan
A.L.R.

103314 Settled under the Joint Family Homes Act 1964 on Donald Robin Teirney the abovenamed and Pauline Valerie Teirney his wife - 5.5.1972 at 9.52 o'clock.
J.C.S. Schuller
A.L.R.

588792.2 Transfer to George Allen Barrington of Auckland boilerman and Melba Barrington his wife - 4.10.1979 at 2.46 o'clock.
J.C.S. Schuller
A.L.R.

588792.3 Mortgage to Housing Corporation of New Zealand - 12.10.1982 at 2.46 o'clock.
J.C.S. Schuller
A.L.R.



Scale: 1 inch = 1 chain

W. Brennan

30,000/8/65-3040 W

- O V E R -

No. 8C/649

3/4/81

588792.4 Mortgage to Her Majesty The Queen
- 4.10.1979 at 12.46 o'clock

DISCHARGED 1
13/10/80
A.L.R.

[Signature]
A.L.R.

B.066663.2 Transfer to Robert Neil Metcalfe of
Auckland bank officer and Carol Lois Carver of
Auckland typist - 19.5.1982 at 11.20 o'clock

DISCHARGED
18/11/90

[Signature]
A.L.R.

B.066663.3 Mortgage to ANZ Banking Group
(New Zealand) Limited - 19.5.1982 at 11.20 o'clock

[Signature]
A.L.R.

C.182652.2 Transfer to The Roman Catholic
Bishop of Auckland corporation sole - 31.8.1990
at 1.46 o'clock

[Signature]
A.L.R.

G. A. M. BANKING

[Signature]