

SUPPLEMENTARY DEED OF AGREEMENT

SACRED HEART GIRLS' COLLEGE, HAMILTON

THIS DEED OF AGREEMENT is made on the 30th day of July one thousand nine hundred and ninety-nine (1999) BETWEEN **THE MISSION COLLEGE HAMILTON TRUST BOARD** a Body Corporate (hereinafter with its 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 22nd day of September, one thousand nine hundred and eighty (1980) 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 **Sacred Heart Girls' College, Hamilton** as an integrated school (hereinafter referred to as "the School").
- B The Proprietor and the Minister wish to vary the Deed of Agreement to replace the First Schedule and the Second Schedule and the Plan attached thereto with a new First Schedule and a new Second Schedule and Plan 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 First Schedule and the Second Schedule of the Deed of Agreement and the Plan annexed to the Second Schedule be deleted and the First Schedule and the Second Schedule and Plan annexed hereto be substituted therefor.
- 2 **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 year first hereinbefore written.

THE COMMON SEAL of
THE MISSION COLLEGE HAMILTON TRUST BOARD
was hereunto affixed by and in the presence of:

[Signature] Trustee
Mary Smith Trustee



Signed by **KATHY PHILLIPS**, 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:

Aileen Skeene
for Kathy Phillips

[Signature]
Warren Henson
Public Servant
13a Feist Street
Naenae

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, offices and other improvements owned by the Institute de Notre Dame des Missions Trust Board, situated at Clyde Street, Hamilton East, New Zealand, being known as Sacred Heart Girls' College, Hamilton and being more particularly described as follows:

FIRSTLY All that parcel of land containing 2018 square metres more or less situated in the Borough of Hamilton being Lot 1 and Lot 2 on Deposited Plan 25171 and being part Allotment 27 of the Town of Hamilton East, and being all the land in Certificate of Title Volume 659 Folio 197 (South Auckland Registry)

SUBJECT TO:

Certificate H466056 pursuant to Section 643(2) Local Government Act 1974.

SECONDLY All that parcel of land containing 8068 square metres more or less being Lot 1 on Deposited Plan 29875 and being part Allotments 30 and 31 Town of Hamilton East and being all the land in Certificate of Title Volume 27A Folio 751 (South Auckland Registry)

SUBJECT TO:

Mortgage No. S.513033 to the Housing Corporation of New Zealand.

THIRDLY All that parcel of land containing 1396 square metres more or less being Lots 1 and 2 on Deposited Plan 26482 and being part Allotment 32 Town

of Hamilton East, and being all the land in Certificate of Title Volume 12C Folio 672 (South Auckland Registry)

SUBJECT TO:

Mortgage S.513033 to the Housing Corporation of New Zealand.

FOURTHLY

All that parcel of land containing 2638 square metres more or less being Lots 3 and 4 on Deposited Plan 26482 and being part Allotment 32 Town of Hamilton East, and being all the land in Certificate of Title Volume 11B Folio 1145 (South Auckland Registry)

SUBJECT TO:

Mortgage S.513033 to the Housing Corporation of New Zealand.

FIFTHLY

All that parcel of land containing 1882 square metres more or less being Lots 2, 3 and 4 on Deposited Plan S.8295 and being part of Allotment 33 Town of Hamilton East, and being all the land in Certificate of Title Volume 2A Folio 296 (South Auckland Registry)

SIXTHLY

All that parcel of land containing 1395 square metres more or less being Lots 5 and 6 on Deposited Plan 779 and being part Allotment 29 Town of Hamilton East and being all of the land comprised in Certificate of Title Volume 584 Folio 318 (South Auckland Registry) Limited as to Parcels

SUBJECT TO:

Agreement as to fencing contained in Transfer 271717

SEVENTHLY

All that parcel of land containing 1123 square metres more or less being Lot 1 and 2 on Deposited Plan 25171 and being part Allotment 27 Town of Hamilton East and being all the land comprised in Certificate of Title Volume 659 Folio 198 (South Auckland Registry)

Handwritten signature and initials in the bottom right corner of the page.

EIGHTHLY All that parcel of land containing 916 square metres more or less being Lot 2 on Deposited Plan 8033 and being part allotment 27 Town of Hamilton East and being all the land comprised in Certificate of Title Volume 205 Folio 3 (South Auckland Registry)

There is a debt owing to:

The Institute de Notre Dame des Missions Trust Board Development Account.

NINETHLY All that parcel of land containing 670 square metres more or less being Lot 6 on Deposited Plan 799 and being part allotment 29, Town of Hamilton East and being all the land comprised in Certificate of Title 584/318 .

TENTHLY All that parcel of land containing 670 square metres more or less being Lot 5 on Deposited Plan 779 and being part of allotment 29, town of Hamilton East.

ELEVENTHLY All that parcel of land containing 1030 square metres more or less being Lot 1 on Deposited Plan 43123 and being part of allotment 26, Town of Hamilton East. and being all that land comprised in Certificate of Title 38C/586.



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** those excepted portions more particularly delineated in blue on the annexed plan hereto **RESERVING NEVERTHELESS** to the non-integrating areas full rights of access and ingress and egress.

