

SUPPLEMENTARY DEED OF AGREEMENT

ST BERNADETTE'S SCHOOL, NAENAE

THIS DEED OF AGREEMENT is made on the 21st day of March One Thousand nine hundred and ninety (1990) BETWEEN THE ROMAN CATHOLIC ARCHBISHOP OF THE ARCHDIOCESE OF WELLINGTON 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 April 1981 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 St Bernadette's School, Naenae as an integrated school (hereinafter referred to as "the School").
- B The Proprietor and the Minister are now agreed on the need to amend Clause 25 of the Deed of Agreement pursuant to Section 7(9) of the Private Schools Conditional Integration Act 1975.
- C The Proprietor and the Minister are now agreed on the need to redefine the School Premises as defined in the First and Second Schedules of 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:

A handwritten signature in black ink, appearing to be 'D.W. Mawley', is located in the bottom right corner of the page.

1. THAT the word "blue" in the 7th line in Clause 25 of the original Deed of Agreement be deleted from that Agreement and the word "yellow" be substituted therefor.
2. THAT the Deed of Agreement bearing date the 28th day of April 1981 is hereby amended by deleting and cancelling the First and Second Schedules and the Plan annexed to the Second Schedule.
3. THAT the Schedules and Plan attached to this Supplementary Deed of Agreement are hereby substituted as the First and Second Schedules in the Deed of Agreement.
4. 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 THOMAS STAFFORD WILLIAMS
THE ROMAN CATHOLIC ARCHBISHOP OF
THE ARCHDIOCESE OF WELLINGTON

and sealed with his seal of office
in the presence of:

P. Gallagher
Catholic Education Office
22-28 Hill Street
Wellington

+ Thomas S. Williams

KW

SIGNED by KEREHI WAIARIKI DICK GRACE
District Manager, Ministry of Education
Central South Region pursuant to
authority delegated by the Minister of
Education acting on behalf of
HER MAJESTY THE QUEEN in the presence of:




26 Kentucky St
Upper Mt

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, Church, Residence, Halls, School buildings and other improvements owned by the Roman Catholic Archbishop of the Archdiocese of Wellington situate at Naenae Road, Naenae, New Zealand, being known as St. Bernadette's Church, Presbytery, Hall, Scout Hall and School, Naenae, and being more particularly described as follows and delineated in green on the plan forming part of the Second Schedule hereto:

FIRSTLY

All that freehold parcel of land containing 1.2343 ha more or less situate in the City of Lower Hutt being part Subdivisions 3C, 3E, 3D1, 3D2, 3D3, 3D4, 2A, 2B, 2C and 2D2B of Section 42 Hutt District and being also Lot 1 on Deposited Plan 14102 and being all the land in Certificate of Title Volume 88 Folio 571 (Wellington Registry)

SECONDLY

All that freehold parcel of land containing 58m² more or less situate in the City of Lower Hutt being part of Subdivisions 2A of Section 42 Hutt District and being also Lot 1 on Deposited Plan 23459 and being all the land in Certificate of Title Volume A2 Folio 419 (Wellington Registry)

SUBJECT TO Section 59 of the Land Act 1948
(C.T. A2/419)

*JW
Kwong*

SECOND SCHEDULE

Description of land and 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 plan forms part of this schedule TOGETHER WITH all the School buildings and other improvements thereon together with a reservation in favour of the non-integrating areas more particularly delineated in blue on the annexed plan of full rights of access inter se and of ingress and egress to and from those excepted portions over the access thereto shaded yellow on the annexed plan from and to Naenae Road, Naenae.

JWS
RW