

SUPPLEMENTARY DEED OF AGREEMENT

3002

SAINT BERNARD'S PRIMARY SCHOOL, BROOKLYN, WELLINGTON

THIS DEED OF AGREEMENT is made on the *thirteenth day of February*
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 20th day of August 1979 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 Saint Bernard's Primary School, Brooklyn, Wellington 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 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 amend Clause 25 of the Deed of Agreement pursuant to section 7(9) of the Private Schools Conditional Integration Act 1975.
- D The Proprietor and the Minister are now agreed on the need to amend the Fourth Schedule 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:

1. THE Deed of Agreement bearing date the 20th day of August 1979 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 and Second Schedules defining the Proprietor's Land and the School Premises in the Deed of Agreement.
3. THAT Clause 25 of the Deed of Agreement be deleted from that agreement and the subsequent clauses renumbered.
4. THAT the Fourth Schedule to the Deed of Agreement be amended by adding under the heading "SITE" the following table:

"To be completed by

	31.3.90	31.3.91	31.3.92	31.3.93
identify boundary pegs	x			
remove neutral screen cable between power pole and street connection	x			

Handwritten signature and initials

	31.3.90	31.3.91	31.3.92	31.3.93
erect safety fence between end of two-classroom block and east boundary	x			
clear growth on boundaries and erect suitable fences on mutual boundaries with adjacent properties			x	
stabilise all embankments and batters by approved methods			x	
replace approx. 40m ² of cracked, tilted and rough surface concrete slabs and form step to new surface			x	
remove concrete floor slab and seal off drains 450mm below ground level			x	
level, cultivate, top soil and grass site				x

”

JWS
KW
PP

5 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.

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:

+ *Thomas S. Williams*

P. Gallagher
Catholic Education Office
Wellington

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:

K. W. Dick Grace

Alison Han
26 Kentucky St
Upper Hut

FIRST SCHEDULE

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

THE PROPRIETOR'S LAND

All that the land, School buildings, hall, and other improvements owned by The Roman Catholic Archbishop of the Archdiocese of Wellington, situate at Taft Street, Brooklyn, Wellington, New Zealand being known as Saint Bernard's Primary School, Brooklyn, Wellington and being more particularly described as follows:

FIRST all that freehold parcel of land containing 281 square metres more or less being part Lot 42 on Deposited Plan No. 392 part Section 12 Ohiro District and being all the land in Certificate of Title Volume 164 Folio 163 (Wellington Registry)

SECONDLY all that freehold parcel of land containing 1047 square metres more or less situate in the City of Wellington being part of Section 12 Ohiro District and being also Lot 41 on Deposited Plan 392 and being all the land in Certificate of Title Volume 390 Folio 199 (Wellington Registry)

THIRDLY all that freehold parcel of land containing 1357 square metres more or less situate in the City of Wellington being part of Section 12 of the Ohiro District and being also Lot 76 on Deposited Plan 392 and Lot 1 on Deposited Plan 14535 and being all the land in Certificate of Title Volume 551 Folio 262 (Wellington Registry)

There are debts owing by the Proprietor to the Archdiocesan Development Fund of the Roman Catholic Archdiocese of Wellington.

JAS
KING
MJ

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, TOGETHER WITH all the School buildings, hall and other improvements thereon.

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PRIVATE SCHOOLS CONDITIONAL INTEGRATION ACT 1975

Pursuant to Section 10 of the Private Schools Conditional Integration Act 1975, notice is given that a supplementary integration agreement has been signed between the Minister of Education on behalf of Her Majesty the Queen acting through the Manager, District Operations, Central South (Wellington), Ministry of Education pursuant to delegated authority, and the Roman Catholic Archbishop of the Archdiocese of Wellington, as Proprietor of the following school:

St Bernard's Primary School, Brooklyn, Wellington

The said supplementary integration agreement was executed on the 13th day of February 1990. Copies of the supplementary integration agreement are available for inspection without charge by any member of the public at the **District Office of the Ministry of Education, 123 Molesworth Street, Wellington.**

Dated at Wellington this 14th day of February 1990.



Dick Grace

for Secretary of Education