

SUPPLEMENTARY DEED OF AGREEMENT

ST JOSEPH'S SCHOOL, NEW PLYMOUTH

THIS DEED OF AGREEMENT is made on the *2nd* day of *September* One thousand nine hundred and ninety-one (1991) BETWEEN THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF PALMERSTON NORTH 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 14th day of September 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 **St Joseph's School, New Plymouth** 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 14th day of September 1982 is hereby amended by deleting and cancelling the First Schedule and the Plan annexed to the Second Schedule.

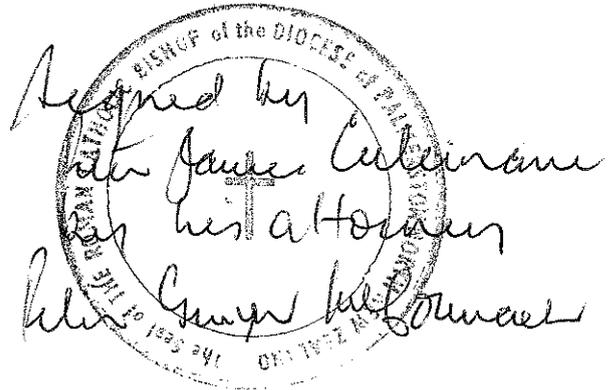
2. THAT the Schedule and Plan attached to this Supplementary Deed of Agreement are hereby substituted as the First Schedule defining the Proprietor's Land and the Plan annexed to the Second Schedule defining the School Premises in the Deed of Agreement.

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 PETER JAMES CULLINANE
THE ROMAN CATHOLIC BISHOP OF
THE DIOCESE OF PALMERSTON NORTH
and sealed with his Seal of
Office in the presence of:

L. P. Broderick



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:

Eric Pedersen

*Judith Manchester
53 Cronick Tce
Wellington 5*

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, buildings and other improvements owned by the Roman Catholic Bishop of the Diocese of Palmerston North situate in Calvert Road, New Plymouth, being known as St. Joseph's School, New Plymouth, and being more particularly described as follows and delineated in green on the plan forming part of the Second Schedule hereto.

FIRSTLY, all that piece of land containing 2.1375 hectares more or less situate in the City of New Plymouth being Lot 2 on Deposited Plan No. 8909 and being part Section 3 Fitzroy District and being all the land comprised and described in Certificate of Title Volume A1 Folio 1234 (Taranaki Registry)

SUBJECT TO:

1. Order in Council No. 724 exempting Calvert Road fronting the within land from the provisions of (now) Section 128 of The Public Works Act 1928 subject to a Condition as to Building Line.
2. Transfer 289927 (Easement in Gross) Grant of the right to convey sewerage over part herein in favour of the New Plymouth City Council.

SECONDLY all that piece of land containing 1.0037 hectares more or less situate in the City of New Plymouth being Lot 19 on Deposited Plan No. 9209 and being part of section 3 Fitzroy District and being part of the land comprised and described in Certificate of Title Volume A1 Folio 1350 (Taranaki Registry)

SUBJECT TO:

1. Order in Council No. 724 exempting Calvert Road fronting the within land from the provisions of (now) Section 128 of The Public Works Act 1928 subject to a Condition as to Building Line.

2. Transfer No. 131523 Reservation of Stormwater Drainage and Pipeline Rights, subject to the provisions of Section 351E(a) of the Municipal Corporations Act 1954.
3. Transfer No. 131524. Reservation of Sewerage Drainage and Pipeline Rights, subject to the provisions of Section 351E(a) of the Municipal Corporations Act 1954.
4. Easement Certificate No. 132110 certifying further easements intended to be created by the operation of Section 90A of the Land Transfer Act 1952, subject to Section 351E(a) of the Municipal Corporations Act 1954.

There are debts owing by the Proprietor to:

1. The Diocesan Development Fund of the Diocese Palmerston North.
2. The Housing Corporation of New Zealand.

