

## SUPPLEMENTARY DEED OF AGREEMENT

THIS DEED OF AGREEMENT is made on the 5<sup>th</sup> day of September Two thousand and seven (2007) BETWEEN THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF HAMILTON a Corporation Sole (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 2<sup>nd</sup> day of February 1982 (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 MARY'S CATHOLIC SCHOOL, GISBORNE** (hereinafter referred to as "the School") as an integrated school.
- B The School has now been rebuilt on a new site and the Proprietor and the Minister are therefore agreed on the need to redefine the Proprietor's land as described in the First Schedule and the School premises as described in the Second Schedule to the Deed of Agreement by entering into a Supplementary 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 the date 2<sup>nd</sup> day of February 1982 is thereby amended by deleting and cancelling therefrom the First and the Second Schedule and the annexed Plan.
2. THAT the First and Second Schedule and Plan attached to this Supplementary Deed of Agreement are hereby substituted as the First and 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 and all and any supplementary Deed of Agreement shall be read and construed subject to the modifications herein contained but in all other respects the Deed of Agreement and any Supplementary Deed of Agreement is confirmed.

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

SIGNED BY DENIS BROWNE DD  
THE ROMAN CATHOLIC BISHOP  
OF THE DIOCESE OF HAMILTON

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

*D. Browne*



*Sharon Hudgway*  
*23 Lehequess Ave*  
*Hamilton*

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

*Kathy Phillips*

in the presence of:

*T. Webb*  
*Wellington.*

## 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 Hamilton, situated at Gisborne, New Zealand, delineated in green on the annexed plan, being known as Saint Mary's Catholic School, Gisborne and being more particularly described as follows:

All that Freehold parcel of land containing 3.0775 hectares more or less situated in the City of Gisborne being Part Lot 1 on Deposited Plan 8858 situated in Block II Turanganui Survey District (Gisborne Registry).

## 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 plan forms part of this Schedule TOGETHER WITH all the School buildings and other improvements thereon SAVE AND EXCEPT Block F in filled green on the annexed plan.