

SUPPLEMENTARY DEED OF AGREEMENT**ST MARY'S SCHOOL, ELLERSLIE, AUCKLAND**

THIS DEED OF AGREEMENT is made on the 25th day of November one thousand nine hundred and ninety-eight (1998) BETWEEN THE ROMAN CATHOLIC BISHOP OF THE DIOCESE OF AUCKLAND a body Corporate registered under the Religious Charitable and Education Trusts Act 1957 (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

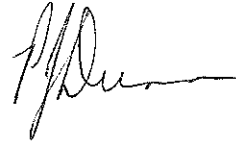
- A** By Deed of Agreement bearing date the 28th day of September 1982 as varied by any subsequent supplementary agreements (hereinafter referred to as "the Deed of Agreement"), the Minister and the Proprietor pursuant to section 7(2) of the Private Schools Conditional Integration Act 1975 established **St Mary's School, Ellerslie** 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 Second Schedule and the Plan attached thereto with a new Second Schedule and a new 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 Second Schedule of the Deed of Agreement and the Plan annexed thereto be deleted 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.

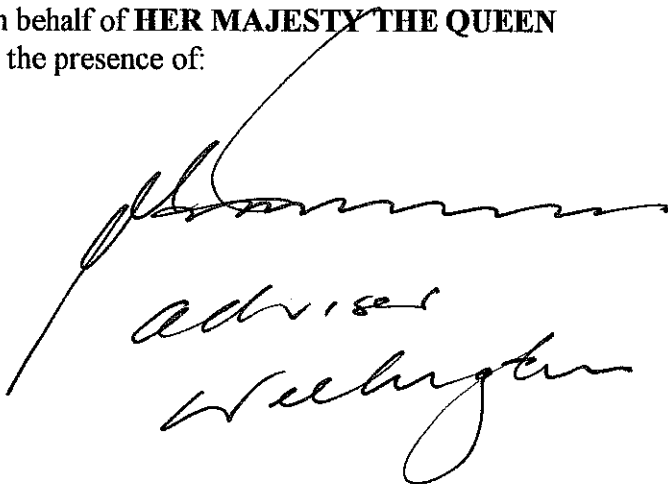
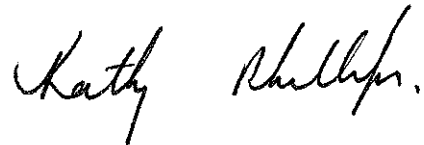
IN WITNESS WHEREOF these presents have been executed the day and year first hereinbefore written.

**SIGNED BY BISHOP PATRICK DUNN
THE ROMAN CATHOLIC BISHOP OF
THE DIOCESE OF AUCKLAND**
and sealed with his seal of
Office in the presence of:



J. J. Phunkett
24 Rawenga Ave
Epsom Auckland

Signed by **KATHY PHILLIPS**
pursuant to authority delegated by
the Minister of Education acting
on behalf of **HER MAJESTY THE QUEEN**
in the presence of:



advised
Wellington

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** Block E, shown as the hatched area on the annexed plan **RESERVING NEVERTHELESS** full rights of access between the non-integrating areas and of ingress and egress to and from those non-integrating areas over the access thereto shaded grey on the annexed plan from and to Main Highway, Ellerslie, Auckland.

