

WITHDRAWAL OF LIEN

IN THE MATTER of The Wages
Protection and
Contractors' Liens Act
1939

A N D

IN THE MATTER of a Statement of
Claim under the said
Act Registered No.
744205/1 (Canterbury
Registry)

CHRISTCHURCH STEEL LIMITED the Plaintiff on whose behalf the Statement of Claim under the Wages Protection and Contractors' Liens Act 1939 was registered under No.744205/1 against the estate and interest FIRSTLY of ANDREW PROPERTY HOLDINGS LIMITED at Christchurch in all that parcel of land containing 537 square metres or therabouts being part of Town Sections 805 and 806 Town of Christchurch and being all the land comprised and described in former Certificate of Title Volume 25K Folio 952 (Canterbury Registry) AND SECONDLY of MADRAS STREET PROPERTIES LIMITED at Christchurch in all that parcel of land containing 460 square metres or thereabouts being part of Town Sections 805 and 806 Town of Christchurch and being all the land comprised and described in former Certificate of Title Folume 25K Folio 953 (Canterbury Registry), both parcels of land now amalgamated into the estate and interest of MADRAS STREET PROPERTIES LIMITED at Christchurch being all that parcel of land containing 997 square metres or thereabouts being part of Sections 805 and 806 Town of Christchurch and being all the land comprised in Certificate of Title Folume 31F Folio 154 (Canterbury Registry) for valuable consideration received DOETH HEREBY discharge and release absolutely the said land from the lien



and from payment of moneys secured or claimed pursuant to the said Statement of Claim.

DATED at Christchurch this 21st day of February 1989

THE COMMON SEAL of)
CHRISTCHURCH STEEL)
LIMITED was hereunto)
affixed in the presence)
of:)



J. Jones
DIRECTOR.

Director M. M. M. M.

Correct for the Purposes of
the Land Transfer Act 1952

[Signature]

Solicitor for the Lien
Holder

WITHDRAWAL OF

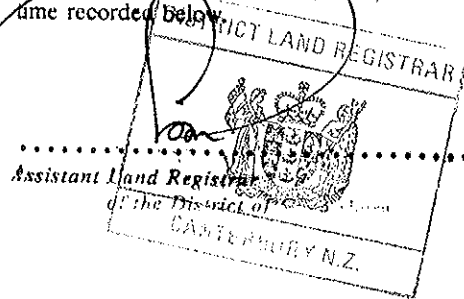
IN THE MATTER of The Wa
and Contra
Act 1939

A N D

IN THE MATTER of a Statemen
under the sa
registered unde
No.744205/1 (Ca
Registry)

WITHDRAWAL OF LIEN

Particulars entered in the Register at the date and at the
time recorded below



9.52 22.FEB89 C 790004
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY CANTERBURY
ASST LAND REGISTRAR

WHITE, FOX & JONES
(MISS D MCNABB)
SOLICITORS
P O BOX 1353
PHONE (03) 796 826
CHRISTCHURCH N.Z.

O.H.M.S.

Return to →

Christchurch 22155

Andrew Property Holdings Limited
137 Hereford Street
CHRISTCHURCH

~~RECEIVED
NOV 13 2015~~

~~Lien Notice 744205/1
CHRISTCHURCH~~

~~No. L.P. 1650~~

ITEM 740A

IN THE DISTRICT COURT
HELD AT CHRISTCHURCH

BETWEEN

CHRISTCHURCH STEEL
LIMITED a duly
incorporated company
having its registered
office at Christchurch
and carrying on business
as Steel Contractors

PLAINTIFF

A N D

MADRAS STREET PROPERTIES
LIMITED a duly
incorporated company
having its registered
office at 303 Durham
Street, Christchurch and
carrying on business as
Property Developers

FIRST DEFENDANT

A N D

ANDREW PROPERTY HOLDINGS
LIMITED a duly
incorporated company
having its registered
office at 137 Hereford
Street, Christchurch and
carrying on business as
Property Developers

SECOND DEFENDANT

A N D

UNION CONSTRUCTION
LIMITED a duly
incorporated company
having its registered
office at Wellington and
carrying on business as a
Construction Company

THIRD DEFENDANT

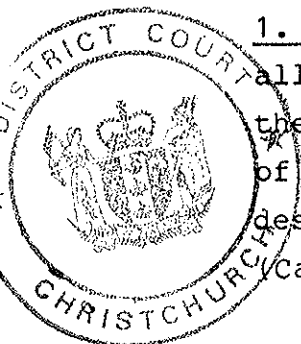
STATEMENT OF CLAIM

Wednes the 1st day of June 1988

THE Plaintiff by its Solicitor says:

1. THAT the First Defendant is registered as proprietor of all that parcel of land containing 460 square metres or thereabouts being of Part of Town Sections 805 and 806, Town of Christchurch and being all the land comprised and described in Certificate of Title Register 25K Folio 953 (Canterbury Land Registry) subject to Mortgage 648169/1.

Certified
Deputy Registrar



2. THAT the Second Defendant is registered as proprietor of all that parcel of land containing 537 square metres or thereabouts being of Part of Town Sections 805 and 806, Town of Christchurch and being all the land comprised and described in Certificate of Title Register 25K Folio 952 (Canterbury Land Registry) subject to Mortgage 648171/1.

3. THAT pursuant to a written contract dated the 3rd of November, 1986 the Plaintiff contracted with WILLIAMS CONSTRUCTION CANTERBURY LIMITED that subject to certain conditions of contract and allowable extras and variations the Plaintiff would supply for the intended development by the First and Second Defendants of a property at 249 Madras Street, Christchurch all the structural steel and metal work for a total price of \$56,499.00 exclusive of GST.

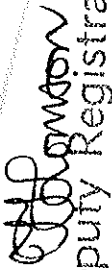
4. THAT on a date unknown to the Plaintiff the obligations on the part of WILLIAMS CONSTRUCTION CANTERBURY LIMITED were assigned to the Third Defendant who became at law and in equity the Head Contractor in respect of the development.

5. THAT on divers dates between the 5th of December, 1986 and the 18th of May, 1988 the Plaintiff carried out its terms of contract and supplied labour and materials in performance of the structural steel and metal work part of the development.

6. THE total amount payable to the Plaintiff inclusive of extras, variation and GST was \$77,474.69.

7. THAT the Third Defendant has paid the Plaintiff \$69,248.00 such there remains due and owing to the Plaintiff the sum of \$8,262.21 which sum is now due and owing by Third Defendant to the Plaintiff.

8. THAT as a result of the non payment to the Plaintiff of the moneys properly due and payable by the Third Defendant the Plaintiff has been deprived of the use and enjoyment of

Certified

 Deputy Registrar



such moneys and has incurred interest charges to its bank for provision for overdraft finance.


9. THE rate which the Plaintiff's Banker charges interest on its overdraft varies from time to time.

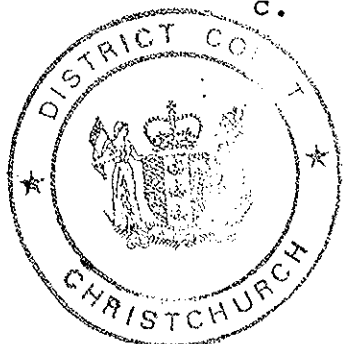
10. THAT Notice in writing of the Plaintiff's claim under the Wages Protection and Contractors' Liens Act, 1939 of a lien on the said lands and a charge on the moneys payable or to become payable by the First and Second Defendants to the Third Defendant under the terms and conditions of the head contract between the First and Second Defendants and the Third Defendant was duly given by the Plaintiff to the First and Second Defendants on the 1st day of June, 1988.

11. THAT written notice of having claimed such liens and charges was duly given by the Plaintiff to the Third Defendant on the 1st day of June, 1988.

WHEREFOR the Plaintiff claims:

- a. A declaration that it is entitled to a lien under the Wages Protection and Contractors' Liens Act, 1939 on the estates and interests of the First and Second Defendants' land described in paragraphs 1 and 2 hereof for the sum of \$8,262.21, interest as claimed herein and the costs of and incidental to this action and the registration of the said liens.
- b. An Order directing the sale of the First and Second Defendants' lands.
- c. A declaration that it is entitled to a charge under the said Act on the moneys payable by the First and Second Defendants to the Third Defendant under the Agreement between the First and Second Defendants and the Third Defendant for the sum of \$8,262.21, interest as claimed herein and costs.

Certified True

 Deputy Registrar



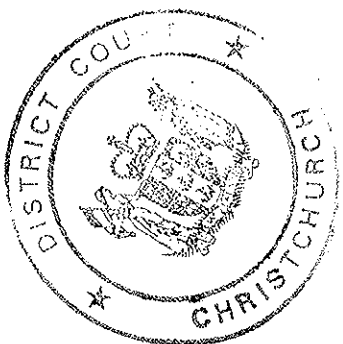
An order directing the First and Second Defendants pay to the Plaintiff the amount of such charge.

Judgment against the First and Second Defendants for the sum of \$8,262.21, interest at the rate from time to time payable by the Plaintiff to its bankers for overdraft accommodation from such date as may to this Honourable Court seem just and costs pursuant to Section 31(2) of the said Act.

- f. Judgment against the Third Defendant for the sum of \$8,262.21, interest at the rate from time to time payable by the Plaintiff to its bankers for overdraft accommodation from such date as may to this Honourable Court seem just and costs pursuant to Section 31(2) of the said Act.
- g. Such further or other relief as may to this Honourable Court seem just.

THIS Statement of Claim is filed by HANS DERK PETER van SCHREVEN, whose address for service is at the offices of Messrs Clark Boyce, Solicitors, 267 Madras Street, (P O Box 13-259), Christchurch.

Certified
Deputy Registrar





DEPARTMENT OF JUSTICE

Land Registry Office
Private Bag
Christchurch
Telephone 798-140

State Insurance Building
Worcester Street
Christchurch

In reply, please quote

9th June 1988

Andrew Property Holdings Limited
137 Hereford Street
CHRISTCHURCH

THE WAGES PROTECTION AND CONTRACTORS' LIENS
ACT 1939

This notice is sent to you as:

Registered Proprietor

Take notice that a Notice of Claim of Lien under
the above act has been lodged in this office
affecting the abovementioned land.

A handwritten signature in cursive script, appearing to read 'J. Chapman'.

for District Land Registrar

CLARK BOYCE

TOTAL PLAN BOX NUMBER
29

THIS SPACE FOR OFFICIAL USE ONLY

DOCUMENTS AND CERTIFICATES OF TITLE ATTACHED/OR REQUIRED TO ENABLE REGISTRATION

HEREWITH: PRODUCTION No./PRIOR DEALING ABSTRACT No.

CANTIE

CANTIE

11.52 DT.JUN88 C 744205

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY CANTERBURY
ASST. LAND REGISTRAR

ALL OT No. 3
TYPE OF INSTRUMENT
REGISTERED PROPERTIES
TRANSFEROR MORTGAGOR ETC
APPLICANT TRANSFEREE
MORTGAGOR ETC
FULL NAME
LOT AND OR No. OR OTHER LEGAL
DESCRIPTION PLUS REGISTERED NO.
OR INSTRUMENTS REFERRED

MORTGAGES, WARRANTIES, LEASES
AND TRANSFERS ETC
MORTGAGE
DETAILS
MORTGAGE
RATE
MORTGAGE
TYPE
(INCLUSIVE GST.)

25K/952
25K/953

LN

CHRISTCHURCH
STEEL LTD

MADRAS STREET
PROPERTIES LTD
ANDREW PROPERTY
HOLDINGS LTD
UNION CONSTRUCTION
LIMITED

PART OF TOWN
SECTIONS 805
AND 806
PART OF TOWN
SECTIONS 805
AND 806

F 460 m²
F 537 m²

\$77,474.69

\$0.00

2

DISCHARGED

11.52 01.JUN88 C 744205
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY - CANTERBURY,
ASST. LAND REGISTRAR



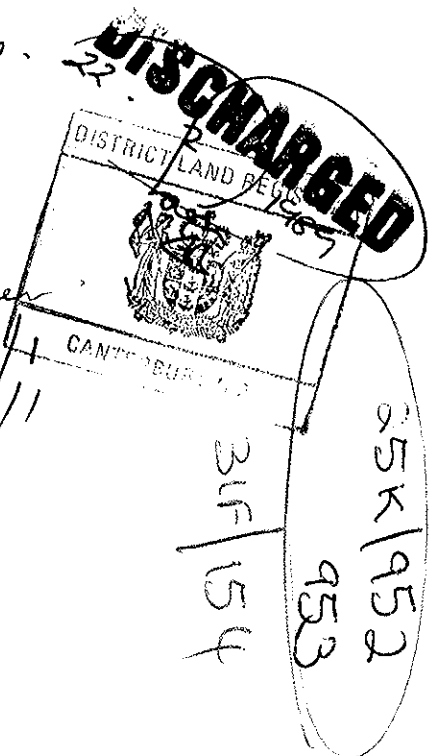
Notices to

Andrew Property Holdings Ltd. } Regd Prop.
137 Hereford St
Christchurch

Madras Street Properties Ltd } Regd Prop.
303 Durham St
Christchurch

Bank of New Zealand }
P.O Box 1461
Chek }
litgee under
Ms 648169/1
648171/1

all 10-6-88



744205/1