

Crown Pastoral Land Tenure Review

Lease name : Stonehurst

Lease number : PO 276

**Due diligence report (including
status report)**

This report and attachments results from a pre tenure review assessment of the pastoral lease for the purpose of confirming land available for tenure review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a status report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

Copied October 2002

**DUE DILIGENCE REPORT
 TO THE
 COMMISSIONER OF CROWN LANDS**

RELEASED UNDER THE
 OFFICIAL INFORMATION ACT

KF REF: Po 276/1 **LINZ REF:** **CASE NO:**

LEASE NAME: Stonehurst **LESSEE:** John Charles Frederick James

LOCATION:

The property is situated on the southern end of the Rock and Pillar Range on the easterly faces running down toward the Strath Taieri. Middlemarch is some 7 km from the homestead and Dunedin, some 80 km distant, is the nearest major commercial centre. The property extends westward from Gladbrook Road, to the crest of the Rock and Pillar Range, then across the range tops towards the Loganburn Reservoir, west of the Old Dunstan Road.

DATE OF THIS REPORT:

30 January 2000

LEASE DETAIL:

Land Tenure: Pastoral lease under Section 66 of the Land Act 1948 and the Crown Pastoral Land Act 1998. Lease No P276.

Legal Description: Part Run 599, Sutton and Loganburn Survey Districts, being all the land contained in Folio A2/1198 (*Otago Registry*).

Area: 2844.6233 hectares

Term: 33 years from 1 July 1995 to 30 June 2028

Rental Value: \$190,000

Annual Rent: \$2,850 (*plus GST*)

Date of Next Review: 1 July 2006

Lease Stock Limit: (*Lease document Memorandum 275863 refers*)

3355 Sheep (*including no more than 1155 breeding ewes*)
 80 Cattle (*including no more than 25 breeding cows*)

Personal Stock Limit:

- 4000 Sheep (including no more than 3300 breeding ewes)
 100 Cattle (including no more than 60 breeding cows)

Block limitations (On Middle and Back Blocks combined includes a maximum of)

- 3000 Ewes for three months from mid January and a maximum of
 700 Hoggets from mid November to mid April.

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LAND STATUS REPORT SUMMARY:

Land Status Report prepared by approved person attached.

SUMMARY OF FEATURES FROM TOPOGRAPHICAL AND CADASTRAL DATA:

No communication sites, huts or National Grid power transmission lines are shown on or crossing the property.

No marginal strips are shown on any of the watercourses on the lease on the Cadastral map.

The fenced boundaries have only very minor variations from their legal line. It is unknown if the boundary against the Loganburn is fenced on its legal line or the Loganburn itself is used as a natural boundary. The area removed from the lease (GN 617170) to give access to the Loganburn Dam off the Old Dunstan Road is presumed to be unfenced.

Two legal roads affect the lease:

The formed gravel "Old Dunstan Road" cuts through the lease near the back boundary close to the Logan Burn Dam. The road is fenced on one side and is not open during the winter months. The road appears to vary significantly from its correct legal line

A legal road adjoins the eastern boundary being Gladbrook Road and gives access to the homestead.

An airstrip is shown on the north western boundary, west of the old Dunstan Road, and appears to straddle the legal boundary of the lease. Its condition or status is unknown.

No water races or other significant features could be identified on the topographical or Cadastral maps.

The Proposed District Plan of Dunedin City and the Silverpeaks County Transitional Plan have no sites marked or issues that would affect the tenure review process.

SUMMARY OF LEASE DOCUMENT (*Instrument of Title A2/1198*):

The area and commencement date of the pastoral lease on Crown files are in agreement with the instrument of title (*CL A2/1198 Otago Register*).

The lease has one non-standard covenant condition:

"f - That if at any time the lessor requires to resume areas of the said land for water storage or irrigation purposes then the lessor may do so without payment of compensation except for loss of improvements owned by the lessee."

Apart from mortgage registrations, and routine transfers, the only significant entries are:

275863 Memorandum altering the covenants conditions and restrictions of the within lease. 28 August 1964. (*see attachment 4*).

Part of the within run is now known as Section 1 Block VI Loganburn Survey District (*480 ha*) 14 January 1982 See re appellations 56884/3.

588648/1 Surrender as to Section 1 Block VI Loganburn Survey District (*area 480 ha*) annual rental reduced to \$436 from 9 February 1982 - 14 January 1983.

598915 Compensation Certificate pursuant to Section 19 Public Works act 1981-26 July 1983 (*undischarged*) (*see attachment 5*).

606230 Compensation Certificate pursuant to Section 19 Public Works act 1981 -29 November 1983 (*discharged*).

613547/2 Transfer being a grant of a right to convey water over part of the within land shown marked "A" on the diagram annexed thereto appurtenant to Sections 31S, and 1 of 36S Gladbrook Settlement (*3C/380*) 19 April 1984 (*see attachment 6*).

617170 Gazette Notice declaring part of Run 599 herein (*area 122.3499 ha*) shown hatched off on diagram hereon is hereby acquired for irrigation purposes and shall vest in the Crown on 14 June 1984 - 26 June 1984 (*see attachment 7*).

888020 Memorandum renewing the term of the within lease for a further period of 33 years commencing on 1 July 1995 and fixing (*for the first 11 years*) the annual rent at \$2,850 plus GST calculated on a rental value to \$190,000 - 2 August 1990.

Points of note are:

- No farm plan or Rabbit and Land Management Plan agreements exist.
- An undischarged Compensation Agreement exists.

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DETAILS OF ANY NEIGHBOURING CROWN OR CONSERVATION

A marginal strip was created for a short section on McHardies Creek under Section 24(9) (*Section A - B on SO Plan 912*) at lease renewal 1995 (*see attachment 8*).

The land removed from the lease for irrigation purposes (*Loganburn Dam*) is currently held by Minister of Agriculture with some lake margin areas under discussion for transfer to the Minister of Conservation for conservation purposes.

The property is situated in the Rock and Pillar Ecological District and conservation values were assessed under the Rock and Pillar Range Assessment in 1982/83 but the identified conservation values of the range tops have no legal status.

No other Crown Land has been identified.

FILE SEARCH:

The records have been searched for the property Crown files held by Knight Frank 1938 - 1996, four volumes and files held by LINZ Dunedin and Christchurch. Confidence is held that all important data has been searched.

The property was taken up by James Howell in 1919 (*under PR1598*), renewed in 1941 (*as PR 1967*) with the addition on an additional 454 acres (*Section 46S Gladbrook Survey District*) and then the current pastoral lease A2/1198 issued in 1962. James Howell (*the younger*) his son was taken into partnership in 1958. Just prior to renewal as pastoral lease James Howell (*senior*) transferred his half share to a nephew (*James Elliot Howell*). The early file history is full of appeals against valuations, rentals, and applications for rent reductions and little else. The Crown improvements (*being fencing*) were purchased by the lessee in 1959.

At lease renewal in 1962 a Section 58 strip was removed along the Loganburn Stream (*51 acres*). This was subsequently taken out as part of the land resumed for the Loganburn Dam.

An additional condition on the lease was a clause that allowed the resumption of land for water storage purposes without compensation except for loss of improvements.

In setting the base stock limitation for the lease an error was made related to the 10% allowance resulting in an excessive limitation being set. This was rectified in 1964 by a Memorandum (*275863*) (*refer Attachment 4*) being registered on the lease document which reduced the limit to the correct level (*3355 sheep including not more than 1155 breeding ewes and 80 cattle including not more than 25 breeding cows*). From files it is obvious that this reduction of base limit is occasionally missed in some reporting.

In 1970 the lease was purchased by J E James who, in 1975, transferred a one-third share to his son John Charles Frederick James. During this period one conservation fence and part of a communal firebreak track were completed under Catchment Board single subsidy assistance.

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An unauthorised fire (at which J C F James was assisting) escaped in 1975 on the adjacent Burgan (then called Gladbrook Station) and a small area of Stonehurst (12 - 16 ha) was affected. Attempts to prosecute under the Otago Catchment Board bylaws were stopped by the technicalities of summons issuing. Prosecuting under Section 106 of the Land Act 1948 was investigated but not pursued.

An application to reclassify the lease was made in 1980 but declined.

J C F James purchased his father out in 1981.

In 1981, with the pending resumption of land for the Loganburn Dam, 480 ha of land at the back of the property (which would be cut off by the flooding) was sold to K A and J M Heckler. The preferential transfer was approved on the land that was reclassified to Deferred Payment Licence with conditions related to land resumption for water storage purposes and amalgamation conditions upon freeholding with Hecklers existing Deferred Payment Licence.

A major problem arose when the MOW failed to obtain landowner permission to enter and construct the Loganburn Dam and a public dispute arose as K Heckler and J. James held up access to the site. The provisions of the DPL transferred to Heckler and the pastoral lease of James that allowed for resumption of land without compensation, were judged to be legally not strong and the decision was eventually made to resume the land under the Public Works Act 1981 by Gazette Notice. This was subsequently completed. No liability or uncompleted actions were found related to this dispute.

A pipeline easement for domestic water supply from Doughboy Creek was applied for by N W Marret and approved in 1983 (see attachment 6).

Enquiries related to establishment of a fisherman's hut on the lease were directed to the MOW when the site was found to be on land resumed for the Loganburn Dam in 1985.

Marginal strip requirements were processed by the Chief Surveyor in 1995 for lease renewal and notified on SO Plan 912 (see attachment 8) as being required. A short section of McHardies Creek was identified.

No approval for an airstrip shown on the topographical map in the north western boundary was found.

No recreational permits are issued for the lease. No mining privileges are registered.

GOVERNMENT APPROVED PROGRAMMES APPROVED FOR LEASE:

No Catchment Board farm plan was undertaken on the lease. The property was not involved in the Rabbit and Land Management Programme.

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UNCOMPLETED ACTIONS AND POTENTIAL LIABILITIES TO THE COMMISSIONER:

The following has been identified:

- (1) An undischarged Compensation Certificate under the Public Works Act 1981 exists on the Instrument Of Title that will require letters to the lessee and Land Information New Zealand as per interim instructions received on 28 July 1999 (drafts attached).
- (2) No file data or approval was found for an airstrip shown on the topographical map on the north-western boundary.

We are satisfied that we have fulfilled our duty of reasonable care, using the information we have available, to inform the Commissioner of all incomplete action and potential liabilities concerning the above named lease. No inspection of the lease has been undertaken.

Signed for Knight Frank (NZ) Limited

P. R. Diver
Consultant 14/12/2000

Gerritt R Taylor
Manager 14/12/00

Approved/Declined

Commissioner of Crown Lands / /

ATTACHMENTS:

- (1) Recent title search for each file considered.
- (2) Full list of information sources considered.
- (3) Land Status Check report from qualified person.
- (4) Memorandum altering base stock limitation (275863).
- (5) Compensation Certificate (598915).
- (6) Copy of water right easement (613547/3)..
- (7) Gazette Notice (617170).
- (8) Marginal strips - SO plans.
- (9) Draft letters LINZ and lessee re Compensation Certificate.

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CC 15/11/00, Folio 119

ATTACHMENT 2:**List of Information Sources Considered:**

- (1) Instrument of Title CL A2/1198 (*Otago Registry*) and previous CL 337/164 (*Registry*).
- (2) Files

Files held by Knight Frank, Alexandra:

Crown files for Pastoral Lease Po276

Volume 1 (*opened 20 April 1938 Folios 1 - 199*), last entry 9 March 1962.

Volume 2 (*opened 27 May 1963 Folios 200 - 331*), last entry 18 February 1980.

Volume 3 (*opened 11 March 1980 Folios 332 - 403*), last entry 15 July 1982.

Volume 4 (*opened 25 March 1983 Folios 418 - 505*), last entry 18 May 1996.

Files held by LINZ Dunedin and Christchurch:

7900/04/P276/1/DDN

(*opened 5 June 1992 Folios 1 - 15*), last entry 3 December 1992.

CPL 04/11/12546/ZCH

(*opened 1 March 1997 Folios 1 - 6*), last entry 1 September 1998.

5200/D14/S14 /1 /DNO

(*opened 2 June 1994 Folios 1 - 8*), last entry 7 May 1995.

- (3) Cadastral map
NZMS 261 H43
- (4) Topographical maps
NZMS 260 H43
- (5) Otago Conservation Management Strategy Land Inventory document
- (6) Dunedin City Proposed District Plan
- (7) Silverpeaks County Transitional Plan.

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Registered in Vol. 137 fol. 164

REGISTERED IN THE LAND REGISTRY AND DISTRICT OFFICE BUT NOT UNDER THE LAND TRANSFER ACT

Form with fields for Title No. 931, Date 115, and Abstract No. 15



Pastoral Lease of Pastoral Land under the Land Act No. 276

This Deed, made the first day of March between HIS MAJESTY THE KING, Younger, of MIDDLEMARCH, FARMER and SWEARER, as tenants in common in equal shares...

the said land... (which with the... and... the said premises intended to be hereby demised... 8,517... 25... 599 Loganburn and Suttap Survey Districts...)

See diagram - on separate sheet.

Vertical stamp: DEEDS REGISTER

(Receiver referred to as "the said land")... the said premises intended to be hereby demised... the sum of... (the receipt of which...)

- AND the Lessee shall... 1. THAT the Lessee will fully and punctually pay... 2. THAT the Lessee will within one year... 3. THAT the Lessee will keep the said land... 4. THAT the Lessee will... 5. THAT the Lessee will... 6. THAT the Lessee will... 7. THAT the Lessee will... 8. THAT the Lessee will... 9. THAT the Lessee will... 10. THAT the Lessee will... 11. THAT the Lessee will... 12. THAT the Lessee will... 13. THAT the Lessee will... 14. THAT the Lessee will... 15. THAT the Lessee will... 16. THAT the Lessee will... 17. THAT the Lessee will... 18. THAT the Lessee will... 19. THAT the Lessee will... 20. THAT the Lessee will... 21. THAT the Lessee will... 22. THAT the Lessee will... 23. THAT the Lessee will... 24. THAT the Lessee will... 25. THAT the Lessee will... 26. THAT the Lessee will... 27. THAT the Lessee will... 28. THAT the Lessee will... 29. THAT the Lessee will... 30. THAT the Lessee will... 31. THAT the Lessee will... 32. THAT the Lessee will... 33. THAT the Lessee will... 34. THAT the Lessee will... 35. THAT the Lessee will... 36. THAT the Lessee will... 37. THAT the Lessee will... 38. THAT the Lessee will... 39. THAT the Lessee will... 40. THAT the Lessee will... 41. THAT the Lessee will... 42. THAT the Lessee will... 43. THAT the Lessee will... 44. THAT the Lessee will... 45. THAT the Lessee will... 46. THAT the Lessee will... 47. THAT the Lessee will... 48. THAT the Lessee will... 49. THAT the Lessee will... 50. THAT the Lessee will... 51. THAT the Lessee will... 52. THAT the Lessee will... 53. THAT the Lessee will... 54. THAT the Lessee will... 55. THAT the Lessee will... 56. THAT the Lessee will... 57. THAT the Lessee will... 58. THAT the Lessee will... 59. THAT the Lessee will... 60. THAT the Lessee will... 61. THAT the Lessee will... 62. THAT the Lessee will... 63. THAT the Lessee will... 64. THAT the Lessee will... 65. THAT the Lessee will... 66. THAT the Lessee will... 67. THAT the Lessee will... 68. THAT the Lessee will... 69. THAT the Lessee will... 70. THAT the Lessee will... 71. THAT the Lessee will... 72. THAT the Lessee will... 73. THAT the Lessee will... 74. THAT the Lessee will... 75. THAT the Lessee will... 76. THAT the Lessee will... 77. THAT the Lessee will... 78. THAT the Lessee will... 79. THAT the Lessee will... 80. THAT the Lessee will... 81. THAT the Lessee will... 82. THAT the Lessee will... 83. THAT the Lessee will... 84. THAT the Lessee will... 85. THAT the Lessee will... 86. THAT the Lessee will... 87. THAT the Lessee will... 88. THAT the Lessee will... 89. THAT the Lessee will... 90. THAT the Lessee will... 91. THAT the Lessee will... 92. THAT the Lessee will... 93. THAT the Lessee will... 94. THAT the Lessee will... 95. THAT the Lessee will... 96. THAT the Lessee will... 97. THAT the Lessee will... 98. THAT the Lessee will... 99. THAT the Lessee will... 100. THAT the Lessee will...

Vol. 137 fol. 164

1198

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RELEASED UNDER THE
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SCHEDULE
IMPROVEMENTS BELONGING TO THE LAND AND BEING POSSESSED BY THE LESSEE

In witness whereof the Commissioner of Crown Lands for the Land District of [blank] and these presents have also been executed by the said Lessee.

[Signature] on behalf of the Lessee, hath hereunto set his

Signed by the said Commissioner, on behalf of the Lessee, in the presence of—

Witness: [Signature]
 Occupation: Clerk
 Address: [Address]

Signed by the above named as Lessee, in the presence of—

Witness: [Signature]
 Occupation: [Occupation]
 Address: [Address]

Signed by the above named as Lessee, in the presence of—

Witness: [Signature]
 Occupation: Clerk
 Address: [Address]

[Signature]
 Commissioner of Crown Lands

[Signature]
 Lessee

[Signature]
 Lessee

The clauses hereinbefore referred to:

13. THAT without derogating from or restricting the covenants contained in clause four hereof and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the said land more than 3691 sheep which number shall not include more than 1371 breeding ewes nor more than 80 cattle which number shall include more than 25 breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Board to revoke or vary such consent at any time.

Memo 275963 sets stock limit of 3355 sheep 1155 ewes

(c) THAT if at any time the Lessee requires to resume areas of the said land for water storage or irrigation purposes the Lessee may do so without payment of compensation, except for loss of improvements made by the Lessee.

[Signature]
 Commissioner of Crown Lands

[Signature]
 Lessee

[Signature]
 Lessee

CERTIFIED a true copy of C.T. 456783 except as to colour and scale (sheet) of two sheets - for plan and [unclear]

3
M
L
11

C.T. A2/1770

31.1.88

466126/3 Mortgage to Sievwald
Jas & Co Trustees Limited
24.9.1976 at 10.43 am

07 DEC 1980
A.L.R.

598915 Compensation Certificate pursuant to
Section 19 Public Works Act 1981 - 26.7.1983
at 10.43 am

606250 Compensation Certificate pursuant to
Section 19 Public Works Act 1981 - 29.11.1983
at 1.57 pm

466126/4 Memorandum of Priority
ranking Mortgage 466126/3 as a
first mortgage, Mortgage 386830
as a second mortgage and Mortgage
442291/2 as a third mortgage
24.9.1976 at 10.56 am

A.L.R.

613547/2 Transfer being a grant
of a right to convey water over
part of the within land shown
marked "A" on the diagram annexed
thereto appurtenant to Sections
31s and 1 of 36s Gladbrook Settlement
(3C/380) - 19.4.1984 at 10.36 am

563438/1 Transfer of his 2/3 share John
Edward James (thayounger) to John Charles
Frederick James abovenamed - 12.10.1981 at
11.18 am

A.L.R.

617170 Gazette Notice declaring part
Run 599 herein (area 122.3499 ha.)
shown hatched off on diagram hereon is
hereby acquired for irrigation purpose
and shall vest in the Crown on
14.6.1984 - 26.6.1984 at 10.59 am

563438/2 Certificate vesting Mortgage 386830
in the Rural Banking and Finance Corporation
of New Zealand - 12.10.1981 at 11.18 am

A.L.R.

563438/3 Variation of Mortgage 386830 -
12.10.1981 at 11.18 am

A.L.R.

563438/4 Mortgage to the Rural Banking and
Finance Corporation of New Zealand - 12.10.1981
at 11.19 am

DISCHARGED
1982

618835/3 Mortgage to the Rural Banking
and Finance Corporation of New Zealand
- 25.7.1984 at 10.56 am

DISCHARGED
1984

563438/5 Mortgage to John Edward James -
12.10.1981 at 11.18 am

DISCHARGED
1981

618835/4 Memorandum of Priority ranking
Mortgage 466126/3 as first mortgage
Mortgage 618835/3 as second mortgage
Mortgage 563438/4 as third mortgage
Mortgage 563438/5 as fourth mortgage
and Mortgage 563438/6 as fifth mortgage
- 25.7.1984 at 10.56 am

563438/6 Mortgage to the Rural Banking and
Finance Corporation of New Zealand - 12.10.1981
at 11.19 am

DISCHARGED
1981

Part of the within run is now known as section
1 Block VI Loganburn S.D. (480 ha) - 14.4.1982
at 12.01 pm
See Re Appellation 568884/3

A.L.R.

708424 Mortgage to the Rural Banking and
Finance Corporation of New Zealand - 2.8.1988
at 10.36 am

DISCHARGED
1988

579600 Variation of Mortgage 563438/6 -
20.7.1982 at 1.54 pm

A.L.R.

727476/1 Memorandum of Priority ranking
Mortgage 708424 as a second mortgage, Mortgage
618835/3 as a third mortgage, Mortgage
563438/4 as a fourth mortgage, Mortgage
563438/6 as a fifth mortgage and Mortgage
563438/5 as a sixth mortgage - 28.4.1989
at 10.36 am.

588648/1 Surrender as to Section 1 Block VI
Loganburn S.D. (area 480 ha) annual rent reduced
to \$436 from 9.2.1982 - 14.1.1983 at 2.49 pm

A.L.R.

765531/2 Variation of Mortgage 708424 -
16.10.1990 at 10.31 am

REJECTED
A.L.R.

A.L.R.

STRATH - TAIRI S. D.

STURTON

REGISTER V

CERTIFIED a true copy of *1/250/83*
except as to colour and scale
(of two sheets) *1/250/83*

9
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OFFICIAL INFORMATION ACT

RUN 60

RUN 598

LOGANBURN S. D.

RUN 599

8517ac 2r 25p

RUN 60

EQUIVALENT METRIC

AREA 137	480	ha
588648/1	2966.9732	ha
617170	122.3499	ha
	2844.6233	ha

COPIED

IV

4

DUNSTAN ROAD

617170

617170

588648/1

RUN 248c

RUN 254b

Scale: 40 Chains to an inch.

S.O. 911, 912, 913.

Register copy for L. & D. 65, 71, 72

Vol. A2 Folio 1198

Folio 1198

242612 Mortgage of 1/2 share James Elliott Howell the younger - 2.2.1962 at 11.27 am

R.L.RAY
A.L.R.

242612 Mortgage of 1/2 share James Elliott Howell the younger - 2.2.1962 at 11.27 am

261518 Transfer of 1/2 share James Howell the younger to James Elliott Howell above-named - 14.8.1963 at 11.20 am.

341986 Mortgage to Donald Reid & Co. Limited - 1969 at 2.30pm

261519 Mortgage (of 1/2 share) acquired from James Elliott Howell the younger James Elliott Howell the younger - 14.8.1963 at 11.22 am

J.A.KENNEDY
A.L.R.

358383 Transfer to John Edward James (the younger) of Middlemarch Farmer - 31.7.1970 at 11.23am

Variation of Mortgage 242612 - 14.8.1963 at 11.23 am.

J.A.KENNEDY
A.L.R.

358384 Mortgage to Ronald Owens and James Loudon Johnston in shares - 31.7.1970 at 11.23am

271166 Mortgage to Francis Randall Lock - 4.5.1964 at 11.29 am.

J.A.KENNEDY
A.L.R.

358385 Mortgage to James Elliott Howell - 31.7.1970 at 10.12 am

275139 Transmission of Mortgage 242612 to William Munro Megget and Norman Lindsay Millar as executors entered. 7.8.1964 at 11.30 am.

J.A.KENNEDY
A.L.R.

358386 Mortgage to Enid Eleonora Spence and Ellen Beatrice Espliff - 1970 at 11.28am

275863 Memorandum altering the covenants conditions and restrictions of the within Lease entered 28.8.1964 at 2.32 pm

J.A.KENNEDY
A.L.R.

374475 Transmission of Mortgage 358385 to Ina Morina Margaret Howell entered 16.8.1971 at 1.55 pm

A.L.R.

C.C.KENNEDY
D.L.R.

386830 Mortgage to The State Advances Corporation of New Zealand - 2.6.1972 at 2.15 pm

Certified a true copy of C.T. 450/83 except as to colour and Scale (Sheet 2 of two sheets)

A.L.R.

Variation of Mortgage 358384 - 19.12.1973 at 11.46 am

A.L.R.

301757 Transfer of Mortgage 242612 to Laura Edith Barnes - 27.6.1966 at 10.54 am.

A.L.R.

442291 Mortgage to Rural Banking and Finance Corporation of New Zealand - 24.6.1975 at 11.23am

for A.L.R.

313869 Transfer of Mortgage 242612 to William Munro Meggett of Middlemarch, Farmer and Norman Lindsay Millar of Dunedin, Solicitor - 11.5.1967 at 11.16 am

A.L.R.

442291/3 Transfer of a 1/3rd share to John Charles Frederick James of Middlemarch Farmer - 24.6.1975 at 11.55 am.

for A.L.R.

11.1.00

761 3/2 Variation of Mortgage 708424
- 7.12.1990 at 10.28am



A.L.R.

814113/4 Transmission of Mortgage 561438/5 to
James Thomas James and Anthony Handel
Borick as Executors - 15.9.1992 at 9.43am



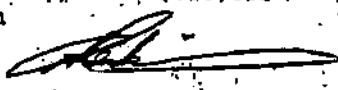
A.L.R.

814113/6 Mortgage to Trust Bank Otago
Limited - 15.9.1992 at 9.43am



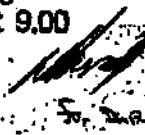
A.L.R.

888020 Memorandum renewing the term of
the within lease for a further period of
33 years commencing on 1.7.1995 and
fixing (for the first 11 years) the
annual rent at \$2,850 plus GST
calculated on a rental value of \$190,000
- 1.8.1995 at 10.30am

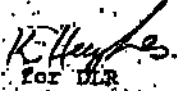


A.L.R.

920023 Court Order vesting Mortgage
814113/6 in Westpac Banking
Corporation - 18.11.1996 at 9.00



938608.1 Variation of Mortgage 814113.6
28.10.1997 at 11.15


for DLR

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

COPY

CERTIFICATE OF VARIATION UNDER SECTION 113, LAND ACT 1948

In The Matter of the Land Act 1948

and

In the matter of Pastoral Lease No. 27 registered in Volume 450, folio 83 Otago Land Registry, from HER MAJESTY THE QUEEN to JAMES ELLIOT HOWELL

RELEASED UNDER THE OFFICIAL INFORMATION ACT

The covenants conditions and restrictions contained or implied in the above mentioned Pastoral Lease registered in Volume 450 folio 83 Otago Land Registry, are hereby varied as follows:

Clause 13 is deleted and the following clause 14 is substituted therefor: 14. That without derogating from or restricting the covenants contained in clause four hereof and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the remainder of the said term depasture on the said land more than 3355 sheep which number shall not include more than 1155 breeding ewes nor more than 80 cattle which number shall not include more than 25 breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Board carry such additional stock on such terms and conditions as may be therein specified subject nevertheless to the right of the Board to revoke or vary such consent at any time

IN WITNESS WHEREOF the parties have herunto subscribed their name this 13th day of August 1964.

SIGNED by the Assistant Commissioner of Crown Lands for the Land District of Otago acting for and on behalf of Her Majesty the Queen in the presence of:

[Signature] Assistant Commissioner of Crown Lands

Witness: [Signature] Occupation: Clerk, Lands Survey Dept Address: Dunedin

SIGNED by the said JAMES ELLIOT HOWELL as lessee in the presence of:

[Signature] Lessee

Witness: [Signature] Occupation: Company Director Address: 55 Princes St Dunedin

I James Howell the Mortgagee under and by virtue of Mortgage No. 261519 hereby consent to the within written variation.

[Signature] Mortgagee

Witness: [Signature] Occupation: Solicitor Address: Alexandra

47

275863

82

I James Howell the Mortgagee under and by virtue of Mortgage No. 242672 hereby consent to the within written variation.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Mortgagee

Witness: _____
Occupation: _____
Address: _____

We William Munro Megget and Norman Lindsay Millar the Mortgagees under and by virtue of Mortgage No. 242612 hereby consent to the within written variation.

Witness to signature of William Munro Megget

W. M. Megget

Witness Al Campbell
Occupation Postmaster
Address Windsor

Norman L. Millar
Mortgagee

Witness to signature of Norman Lindsay Millar

Witness J. M. Campbell
Occupation Postmaster
Address Windsor

PARTICULARS ENTERED IN THE REGISTER-BOOK
VOL 450 FOLIO 83

THE 25 AUG 1964
AT 2.32 O'CLOCK

Al Campbell
Deputy Land Registrar

REGISTERED IN THE LAND REGISTRY
OFFICE BUT NOT UNDER THE
TRANSFER ACT.



LAND & DEEDS
Name: V/LEAS.
Plan: CCL.
25 AUG 1964
2.32
10
382

ATTACHMENT (5)

Compensation Certificate No.

Correct for the purposes of the Land Transfer Act.

Particulars entered in the Register Book,

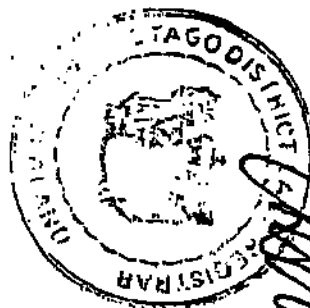
Vol. , folio , the
day of 19 , at
o'clock.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

[Signature]
Authorized Officer.

.....
District Land Registrar.

of the District of



[Handwritten signature]

JUL 26 10 43 AM '83

[Handwritten date] 26/7/83

590915

Ministry of Works and Development,

Ministry of Works and Development

Compensation Certificate

The District Land Registrar Otago Land Registry

Pursuant to section 19 of the Public Works Act 1981, this Compensation Certificate is forwarded to you to be deposited in your Registry and a memorial of it registered against the title to all land affected by it.

(a) Description of the land affected by the Certificate:

Part Run 599, Loganburn and Sutton Survey Districts comprising 102 hectares contained in part certificate of title A2/1198. Marked blue on the attached plan.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

(b) Brief particulars of the Agreement:

Date: 22.7.83

Entry agreement for the purpose of inundation of land for the Loganburn Reservoir.

(c) Names and addresses of parties to Agreement (other than Minister):
Mr J C F James
Stonehurst
MIDDLEMARCH

(d) (i) Place where Copy of Agreement may be inspected: Office of District Commissioner of Works, Ministry of Works and Development, cnr Princes and Rattray Streets, PO Box 451, DUNEDIN

(ii) Hours during which a copy of the Agreement may be inspected: 9 a.m. to 4 p.m. on any day when Government Offices are open to the public.

(iii) Reference by which Agreement may be identified: 15/7/0/7

This Compensation Certificate is signed by me on behalf of the Minister of Works and Development pursuant to an authority given to me by him dated the 12th day of October 1982.

Dated at this day of July 1983
Signed by ALISON ELIZABETH SWAN

Alison Swan
Person Authorised by the Minister of Works and Development.

in the presence of - *P. Stevenson*
Witness:
Address: P.O. Box 451 Dunedin
Occupation: Clerk N.W.D.

REFUSED UNDER THE
OFFICIAL INFORMATION ACT
REFUSED UNDER THE
OFFICIAL INFORMATION ACT

Part Run 599
Loganburn SD
Area - 102 ha

FENCELINES SHOWN
ARE SUBJECT TO
PART 53

SPECIAL DRAIN
DUNGRY

RUN 53
RUN 53
RUN 53

RAIL

Q

rights and conditions implied in such words by the 7th Schedule to the Land Transfer Act-1952 to the intent that such easement shall be forever appurtenant to the land.

And it is further agreed and declared by and between the Transferor and the Transferee as follows:

- (1) The Transferee shall indemnify Her Majesty the Queen and the Land Settlement Board against all or any action claim injury damage or loss which may arise in any manner whatsoever from the creation of this easement.
- (2) That the Transferee hereby covenants that on a transfer of the dominant tenement they will obtain from the Transferee a covenant that the Transferee will carry out the provisions of (1) above and that such Transferee will in his turn obtain a similar covenant from any Transferee from him.

OFFICIAL INFORMATION ACT
REFUSED TO DISCLOSE

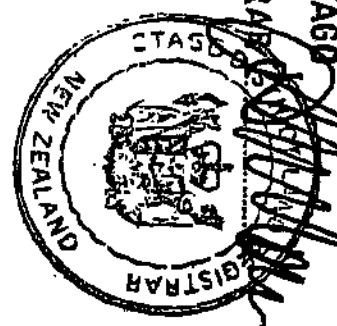
ATTACHMENT (6)

TRANSFER

Particulars entered in the Register as shown in the Schedule of Land herein on the date and at the time stamped below.

District Land Registrar
Assistant of the District of Otago

10.36 19 APR 84
 30 APR 1984
 PARTICULARS ENTERED IN REGISTER
 LAND REGISTRY OTAGO
 ASST. LAND REGISTRAR



SINCLAIR, HORDER, O'MALLEY & CO.
 SOLICITORS
 BALCLUTHA, N.Z.

Approved by the Registrar-General of Land, Wellington. No. A032398

MEMORANDUM OF TRANSFER

OTAGO Land Registrar Office

JOHN CHARLES FREDERICK JAMES of Middlemarch Farmer

NEW ZEALAND
NEW ZEALAND STAMP OFFICE
RELEASED UNDER OFFICIAL INFORMATION ACT

(hereinafter called the Transferor) being registered as proprietor of an estate set out in the schedule below subject to such interest as are therein notified.

SCHEDULE

Estate:	Leaschold	(Delete those which do not apply)	
XXXXXX	XXXXXX	XXXXXX	XXXXXX
C.T. or Document No.	Area	Lot and D.P. No. or other Legal Description	Encumbrances, Liens and Interests
A2/1198	2966.9732 hectares	Part Run 599 LOGANBURN and SUTTON SURVEY DISTRICTS	Mortgage No's 386830; 442291/2; 466126/3; 563438/4; 563438/5; 563438/6

It is hereby agreed that no prior written agreement within the meaning of the Stamp and Cheque Duties Act 1971 preceded these presents.

In consideration of the sum of \$1-00 (ONE DOLLAR)

paid to the Transferor by NEIL WILLIAM MARETT of Middlemarch Farmer and ELAINE OLIVE MARETT of Middlemarch Married Woman

(hereinafter called the Transferee) the receipt of which sum the Transferor hereby acknowledges the Transferor hereby transfers to the Transferee ~~all the estate and interest in the estate set out in the schedule above~~ as registered proprietor of an estate in fee simple **BEING Sections 31S and 1 of 36S GLADBROOK SETTLEMENT** situate in Blocks IV and V SUTTON DISTRICT AND BEING all the land contained and described in Certificate of Title 3C7380 Subject however to the reservations and conditions imposed by Section 59 of the Land Act 1948 and Memorandum of Mortgage No. 522480/3 (called the dominant tenement) as an easement appurtenant to the dominant tenement the full right to convey water for domestic purposes from a tributary of the Doughboy Creek from the point of intake to the dominant tenement by the pipeline delineated on the plan attached hereto and marked with the letter "A". And it is hereby declared that the words "right to convey water" shall have the meaning * In witness whereof these presents have been executed this 15th day of November 1983

Signed by the above-named
JOHN CHARLES FREDERICK JAMES
in the presence of *

J.C.F. James

* Witness should be a Solicitor, Postmaster, J.F. or other person approved by the Registrar.

Witness

Occupation

Address

I hereby certify that Part IIA of The Land Settlement Promotion and Land Acquisition Act 1952 does not apply to the within transaction.

[Signature]
Solicitor for the Transferee

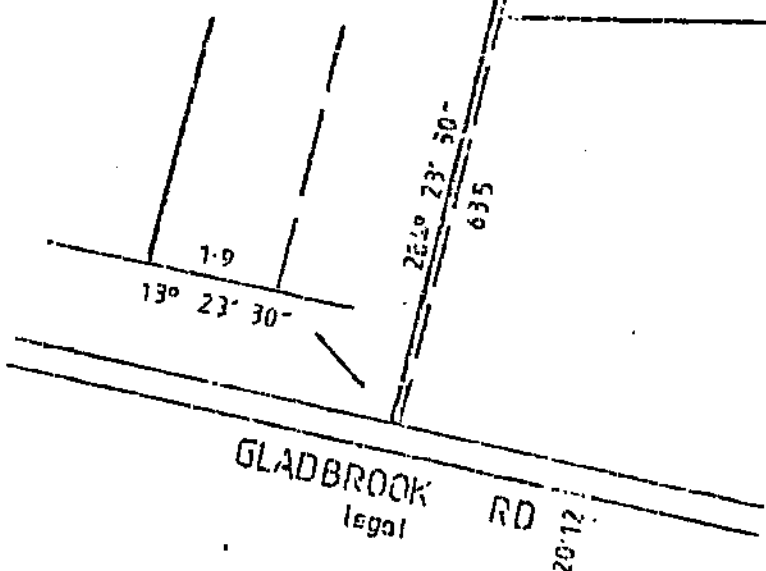
Transfer correct for the purposes of the Land Transfer Act.

* Refer over



SEC 9
BLK V

Of Water Right Easement



CERTIFIED CORRECT
[Signature]
Chief Surveyor
T. 613 547
21/5/94

IC. MARRETT
REGISTERED SURVEYOR
PLANNING CONSULTANT
1984-1994
1994-1998
AGRICULTURAL LEASE
A21 1198

PLAN OF WATER RIGHT EASEMENT OVER PT. R. IN 599 BLK. V SUTTON S.D.

SCALE 1:6000
DATE 25 11 92
PLANNED BY MANZIS
PLAN NO 493

JOHN EDWARD JAMES as Mortgagee under Mortgage No. 563438/5 hereby consents to the grant of this easement.

SIGNED by the said
JOHN EDWARD JAMES
in the presence of:-

..... *J. E. James*

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Witness *P. M. Dent*

Occupation *Acting Postmaster, Middlemarch*

Address *11A Beechworth St. Dunedin*



THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND as Mortgagee under Mortgage No's 386830; 442291/2; 563438/4 and 563438/6 hereby consents to the granting of this easement.

SIGNED for the RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND (as Mortgagee under Memorandum of Mortgage No's 386830; 442291/2; 563438/4 and 563438/6) by:-

.....
ROLIN GEORGE WARWICK TAYLOR

.....
in the presence of:-

Witness *[Signature]*

Occupation *[Signature]*

Address *[Signature]*

THE RURAL BANKING AND FINANCE CORPORATION OF NEW ZEALAND by:-

..... *[Signature]*

acting on behalf of and under the authority of the Corporation pursuant to Section 16.

SIGNED by the abovenamed
NEIL WILLIAM MARETT and
ELAINE OLIVE MARETT as
Transferee in the
presence of:-

N.W. Marett
.....
E.O. Marett
.....

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Witness
Occupation
Address

The granting of this easement has been consented to by the Land Settlement Board pursuant to Section 89 of the Land Act 1948

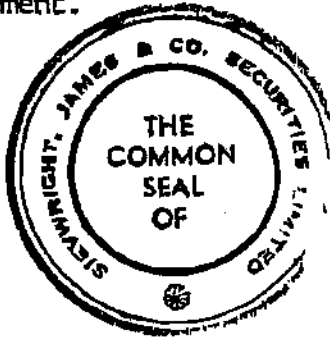
SIGNED for and on behalf of the
LAND SETTLEMENT BOARD by the
Assistant Commissioner of Crown
Lands for the land district of
Otago in the presence of:-

J.R. Gleane
.....

Witness
Occupation
Address

SIEWRIGHT JAMES & CO SECURITIES LIMITED as Mortgagee under Mortgage No. 466126/3 hereby consents to the granting of this easement.

THE COMMON SEAL of SIEWRIGHT
JAMES & CO SECURITIES LIMITED
was hereunto affixed in the
presence of:-



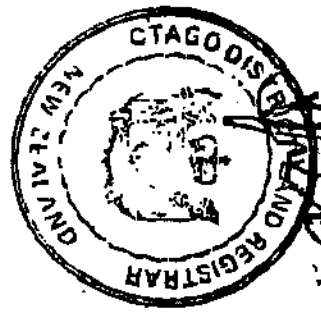
.....
[Signature]
.....
[Signature]
.....

ATTACHMENT (7)

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

index

10.54 23. JUL 84 618680
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY OTAGO
ASST. LAND REGISTRAR



OFFICIAL INFORMATION ACT
RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Extract from *N.Z. Gazette*, 12 July 1984, No. 119, page 2677

*Crown Land Set Apart for Irrigation Purposes in the Silverpeaks
County*

PURSUANT to section 52 of the Public Works Act 1981, the Minister of Works and Development hereby declares the land described in the Schedule hereto to be set apart for irrigation purposes on the 12th day of July 1984.

SCHEDULE

OTAGO LAND DISTRICT

All those pieces of land described as follows:

Area ha	Being
115.46	Part Run 599, Blocks VI and VIII, Loganburn Survey District; marked 'A' on S.O. Plan 20952.
1.9511	Part Run 599, Block VIII, Loganburn Survey District; marked 'B' on S.O. Plan 20952.
4.9388	Part Run 599, Block VI, Loganburn Survey District; marked 'A' on S.O. Plan 20951.
773.88	Part Run 734, Block VIII, Loganburn Survey District and Block VIII, Serpentine Survey District; marked 'A' on S.O. Plan 20955.

As shown marked on the plans as above mentioned and lodged in the office of the Chief Surveyor at Dunedin.

Dated at Wellington this 4th day of July 1984,

L. OZICH,
for Minister of Works and Development.

(P.W. 64/7/1/20/0; Dn. D.O. 15/7/0/7)

**Ministry of Works
and Development**

District Office

Govt. Life Insurance Bldg., Rattray St.

Box 461, DUNEDIN

Telephone 771 480. Telex NZ 6728

Inquiries to

Date 19 July 1984

Our ref 15/7/0/7

Your ref

The District Land Registrar
DUNEDIN

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

... I enclose, for deposit in your office, copy of a gazette extract
together with a duplicate copy of the plan referred to therein.

Will you kindly register the document against all lands affected thereby,
inform me when this has been done, and advise the number allotted to the
document.

If you find the document doubtful or incorrect in any respect will you
please refrain from registering it and inform me at once.

R Isaacs
R K Isaacs (Miss)
for District Commissioner of Works

Encl : Copy of NZ Gazette 12 July 1984 No. 119 page 2677
Copy of ~~plan~~ SO plans 20951, 20952, 20955

The Purpose of Compensation Certificate No
fulfilled.

has been

Please discharge.

245.000

245.50

246.000

SO 20957

SO 20951

RELEASED UNDER THE
OFFICIAL INFORMATION ACT
VI

00mN

200mN

500mN

1000mN

Pt Sec 1.
G.N. 601238
Irrigation Works
S.O. 19922

(A)

115.46 ha.
Pt Run 599
C.L. A2/1198
J.C.F. James

Pt Run 599
C.L. A2/1198
J.C.F. James
Block VIII
S. O. 912

SO 20733
Sec 1
CL 7C/67
Burgan Run Ltd.
SO. 20953

Pt Run 601
C.L. 7C/67
Burgan Run Ltd.

LAND DISTRICT OTAGO

H43A, H43B, H43C, H43D

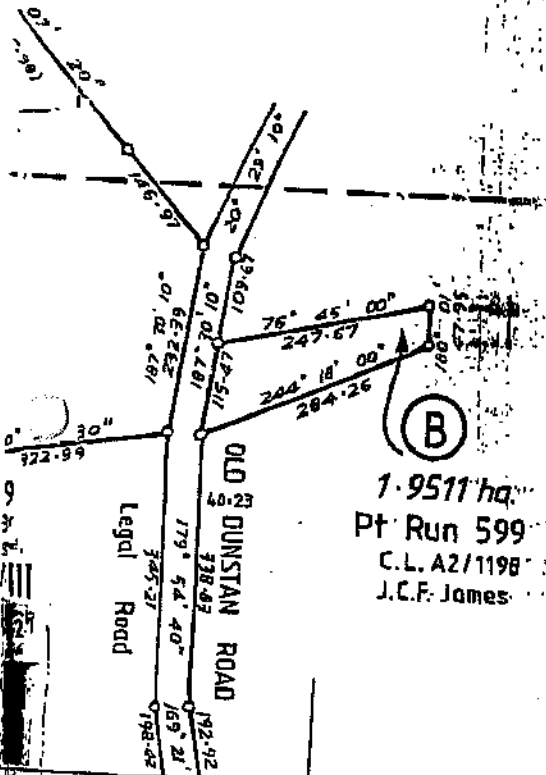
SURVEY BLK. & DIST. VI VIII Loganburn

NZMS 177 SHEET No. S. 153 & S 154
261 H 43

LAND TO BE ACQUIRED
FOR IRRIGATION PURPOSES



Pt Run 599
 C.L. A2/1198
 J.C.F. James
 S.O. 912



1.9511 ha
 Pt Run 599
 C.L. A2/1198
 J.C.F. James

Shown	Description	Area
(A)	Pt Run 599	115.46 ha.
(B)	Pt Run 599	1.9511 ha.

Approved as to layout

See Plan File
 District Commissioner of Works

PROCESSED UNDER THE
 OFFICIAL INFORMATION ACT

All distances reduced to sea-level

DATUM: Geodetic 1949

CIRCUIT: Observation Point

FALSE ORIGIN: 700 000 m N, 300 000 m E

Total Area: 117.4111 ha.

Comprised in Pt C.L. A2/1198

I, Ronald James Keen of Dunedin, Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from Surveys executed by me or under my direction; that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1966

Dated at Dunedin this 21st day of March 1984 Signature: [Signature]

Field Book 2219 A. 1-43 Traverse Book 222 A. 89-102

Reference Plans S.O. 912, 10922, 20799 910 1407.2696; 1352B, 18051, 20750.

Examined [Signature] District [Signature]

Approved as to Survey

21/3/84

Chief Surveyor

Deposited this

day of

19

District Land Registrar

File 11/51 & P 276
 Received 21-3-84
 Instructions Job No. 83/102

S.O. 20952

District Council
 LOCAL AUTHORITY Silverpeaks County
 Surveyed by R. J. Keen
 Scale 1:6 000

Date Nov. 1983

Pt Sec 5
C.T. 80/18
E.C. Carr & G.B. Hall
S.O. 18051

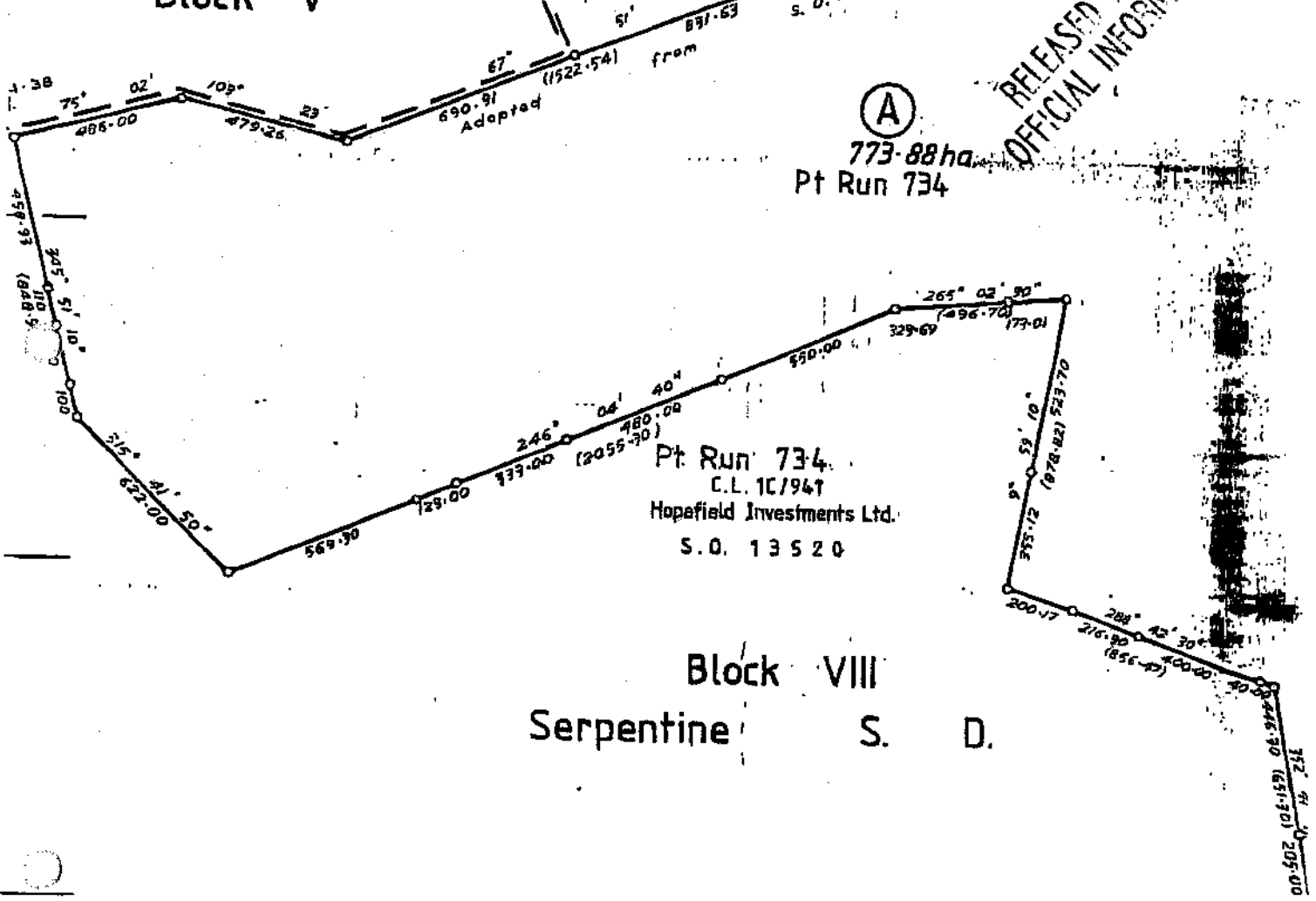
Pt Run 254 B
C.L. 395/199

R.A.W. & A.W. Elliot, N.W. Allan & L.J. Stewart
S.O. 1487

Block V

S.O. 20956

RELEASED UNDER THE
OFFICIAL INFORMATION ACT



773-88 ha
Pt Run 734

Pt Run 734
C.L. 10/947
Hopefield Investments Ltd.
S.O. 13520

Block VIII

Serpentine S. D.

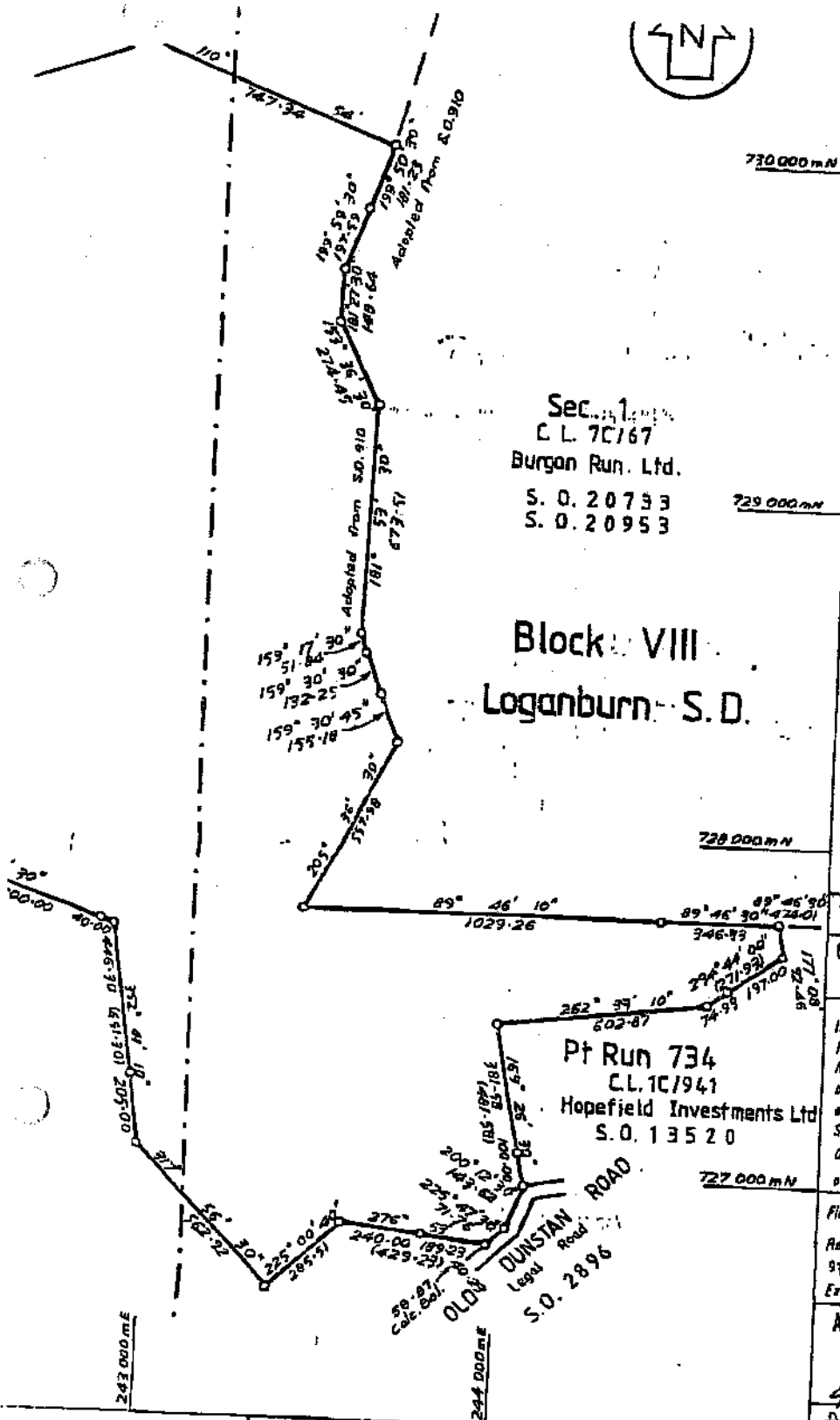
240 000 mE

241 000 mE

242 000 mE

ND DISTRICT OTAGO H43C
VIII LOGANBURN &
RVEY BLK. & DIST. VII SERPENTINE
MS 177 SHEET No. S. 153
267 H 43

LAND TO BE ACQUIRED
FOR IRRIGATION PURPOSES



(A) Pt Run 734 - - 173.88 ha.

Approved as to layout
See Plan File
District Commissioner of Works

RELEASED BY THE
 OFFICIAL INFORMATION OFFICE

Sec. 1
C.L. 7C/67
Burgan Run Ltd.
S.O. 20733
S.O. 20953

Block VIII
Loganburn S.D.

Bearings adopted from S.O. 1487 have been adjusted by $-1^{\circ} 01'$ to bring them in terms of Geodetic Datum 1949
Bearings adopted from S.O. 910 have been adjusted by $-16^{\circ} 30'$ to bring them in terms of Geodetic Datum 1949, Observation Point Circuit

DATUM: Geodetic 1949
CIRCUIT: Observation Point
FALSE ORIGIN: 700 000 mN 300 000 mE

Total Area 773.88 ha.
Comprised in Pt C.L. 1C/941

I, Ronald James Keen of Dunedin Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from Surveys executed by me or under my direction; that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1986.

Dated at Dunedin this 21st day of March 1984 Signature *R. Keen*

Field Book 2219 p. 1-43 Traverse Book 222 p. 89-102
Reference Plans S.Os 1487, 2896, 19520, 18051, 20733, 910, 912, 19922, 28750
Examined *Bill Dwyer* Correct *R. Keen*

Approved as to Survey
4:4:180
Chief Surveyor *R. Keen*

Deposited this day of 19
District Land Registrar

File 11/51 & P 297
Received 21-3-84
Instructions Job No. B3/02

S.O. 20955

ED
OSSES
LOCAL AUTHORITY Silverpeaks County
Surveyed by R. J. Keen
Scale 1:12,500
Date Nov. 1983

Land to be Acquired for Irrigation Purposes
 Description
 PT Run 599
 Area
 4.9388 ha

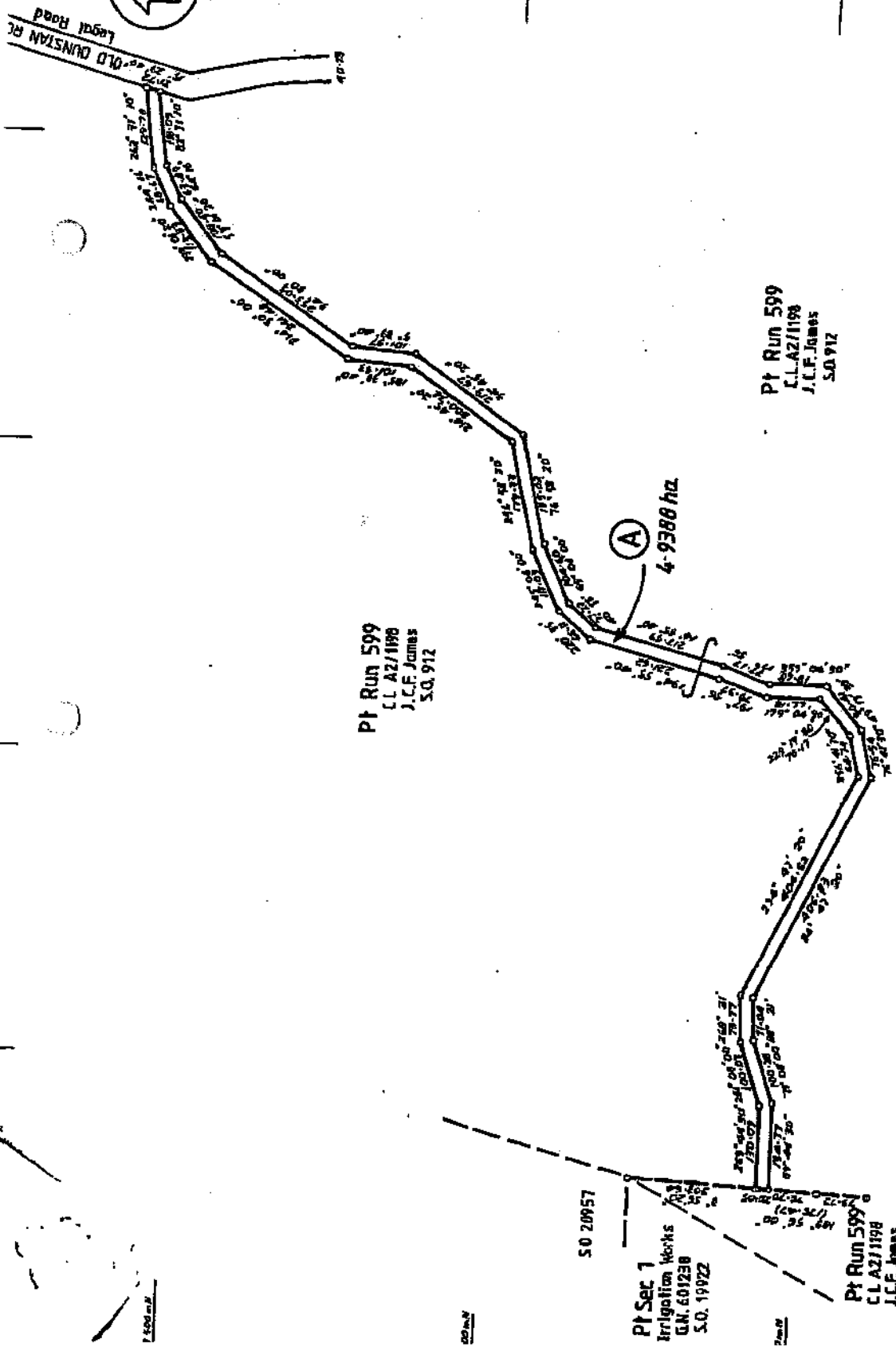
Approved as to layout
 See Plan File
 District Commissioner of Works
 22/3/84

All distances reduced to sea-level

DATUM: Geodetic 1949
 CIRCUIT: Observation Point
 FALSE ORIGIN: 700,000mN 300,000mE
 Total Area 4.9388 ha
 Comprised in C.L. A2/1198

J. Russell James Esq.
 Registered Surveyor and holder of an annual practicing certificate
 hereby certify that this plan has been made from surveys executed
 by me or under my direction, that the plan and survey are correct
 and have been made in accordance with the regulations under the
 Surveyors Act 1989
 Done at Dunedin on 21st day of March 1984
 J. Russell James
 Field Book 2217 A 1-13
 Reference Plans SO 912, SO 922, 20755

RECEIVED
 OFFICIAL INFORMATION
 District Land Registrar
 Date 21-3-84
 Reference Tab No. 30/103
 SO. 20951



LOCAL AUTHORITY Silverpeaks County
 Surveyed by R. J. Keen
 Scale 1:5000
 Date Nov 1983

LAND TO BE ACQUIRED FOR IRRIGATION PURPOSES

DISTRICT OTAGO H43A H43B
 BLK. B DIST. V. LOGANBURN
 261 H43
 177 SHEET No. 5 154

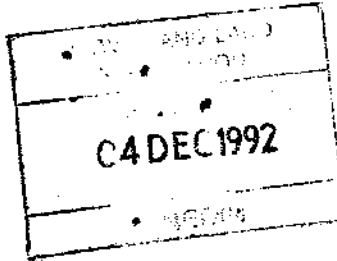
By Appointment, Surveyors General, Districts of Land and Survey, Wellington.

ATTACHMENT (S) 2276/11

our Ref: P276

3 December 1992

The District Manager/Chief Surveyor
Department of Survey & Land Information
Box 896
DUNEDIN



Dear Sir

MARGINAL STRIPS ON PASTORAL LEASE RENEWAL

I wish to advise that the following pastoral lease expires on 30 June 1995.

LEASE NUMBER:	P276
LEASE NAME:	Stonehurst
LESSEE:	J C F James
TITLE REF:	A2/1198
LEGAL DESCRIPTION:	Run 559 Loganburn and Sutton ^{Survey} Districts. 599

As we intend effecting the renewal by memorandum could you please advise this office at your early convenience of any requirements regards marginal strips. Could you please also advise of any other title requirements which you believe should be attended to at this time.

Yours faithfully

for Manager, Alexandra

REPLY TO:

Manager
Landcorp
Box 27
ALEXANDRA

Dear Sir

MARGINAL STRIPS - STONEHURST

Marginal Strips are required, details attached.
~~Marginal Strips are not required~~

~~Other title work is required, details attached~~
~~No other title work is required~~

McHardies Creek

Note: The correct legal description is part Run 599 Loganburn and Sutton Survey Districts.

B W Soper
for District Manager/Chief Surveyor

ALEXANDRA OFFICE
4 LIMERICK STREET
PO BOX 27
ALEXANDRA NZ
PHONE 0-3-448 8835
FAX 0-3-448 9096

ACS W

P. 276 - Stonehurst.

(2) Consequent upon this renewal Marginal Strips have been reserved pursuant to Part IVA of the Conservation Act 1987 as more particularly delineated

on SO 912

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Save as hereby expressly varied all the covenants conditions and restrictions contained or implied in the said Memorandum of Lease shall remain in full force.

IN WITNESS WHEREOF the parties hereunto subscribed their names this
day of 19

SIGNED for and on behalf of
HER MAJESTY THE QUEEN pursuant
to a Deed lodged with the
District Land Registrar as
No. by
LANDCORPORATION LIMITED,
by its Attorney
in the presence of:

Witness:

Occupation:

Address:

SIGNED by the abovenamed Lessee

in the presence of:

Witness:

Occupation:

Address:

LANDCORP PROPERTY
ALEXANDRA
25 OCT 1993
RECEIVED

RELEASED
OFFICIAL INFO

Run 264b

Run 248c

Run 249a

248d

Pt. Run 598

DISTRICT

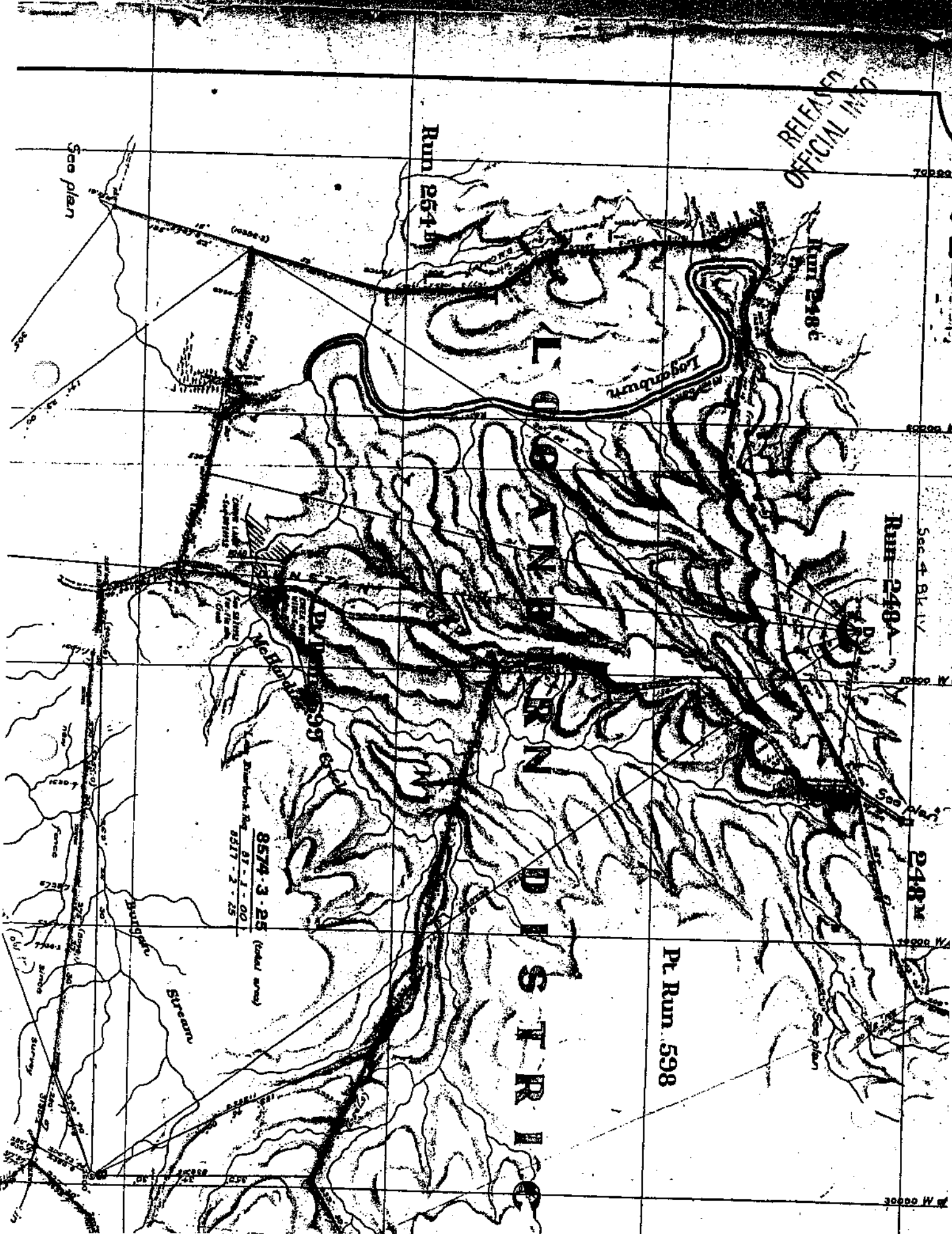
8574-3-25 (total area)
87-1-00
8517-3-25

See plan

See plan

See plan

See plan



DRAFT LETTER

RELEASED
OFFICIAL INFORMATION

Our Ref: Po276/1

14 February 2000

J C F James
"Stonehurst"
RD 2
MIDDLEMARCH

Dear Mr James

RE: UNCOMPLETED PUBLIC WORKS ACT ACTIONS

The Commissioner of Crown Lands requires his agent, Knight Frank, to prepare a Due Diligence Report as part of the tenure review of Stonehurst Station, and the following actions have been identified as not having been completed:

- Compensation Certificate 598915

The Commissioner of Crown Lands has asked his department to address and complete the actions associated with the Compensation Certificate so they do not delay the tenure review process.

Yours faithfully

P R Diver
for Manager, Alexandra
KNIGHT FRANK (NZ) LIMITED

cc Murray Mackenzie
Crown Property Contracts
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH

DRAFT LETTER

Our Ref: Po276/1

14 February 2000

Crown Property Contracts
Land Information New Zealand
Private Bag 4721
CHRISTCHURCH

ATTENTION: MURRAY MACKENZIE

Dear Sir

RE: UNCOMPLETED PUBLIC WORKS ACT ACTIONS - STONEHURST STATION

The Commissioner of Crown Lands requires his agent, Knight Frank, to prepare a Due Diligence Report as part of the tenure review of Stonehurst Station, and the following actions have been identified as not having been completed:

- Compensation Certificate 598915

The Commissioner of Crown Lands has asked that we write to you to request that you address and complete the actions associated with the Compensation Certificate so they do not delay the tenure review process.

Yours faithfully

P R Diver
for Manager, Alexandra
KNIGHT FRANK (NZ) LIMITED

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project Number

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50177 dated September 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.



LAND STATUS REPORT for Stonehurst				LIPS Ref 12546
Property	1	of	2	

Land District	Otago
Legal Description	Part Run 599 Loganburn & Sutton SD's
Area	2844.6233 ha.
Status	Crown Land under the Land Act 1948 subject to Pastoral Lease P 276.
Instrument of title / lease	CL A2/1198
Encumbrances	1) Compensation Certificate 598915 2) Memorandum of Transfer [right to convey water] registered as 613547/2.
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	13 October 1999
[Certification Attached]	

Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certification – as to status

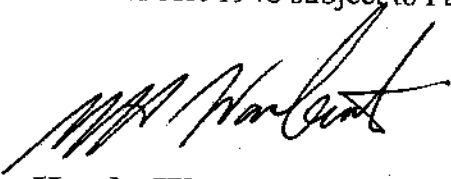
Pursuant to Section 11(1)(1) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land

LAND STATUS REPORT for Stonehurst

LIPS Ref 12546

Property 1 of 2

under the Land Act 1948 subject to Pastoral Lease registered as A2/1198.

**Max Haydn Warburton****Chief Surveyor****Land Information New Zealand, Dunedin.**

18 / 10 / 1999

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Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.

Special condition "F" of the lease allows the lessor to resume areas of the lease for water storage or irrigation without compensation for other than lessee's improvements.

LAND STATUS REPORT for Stonehurst LIPS Ref 12546

Property 1 of 2

Research Data: Some Items may be not applicable

REFUSED INFORMATION OFFICIAL INFORMATION

SDI Print Obtained	Yes / No
NZMS 261 Ref	H43
Local Authority	Dunedin City Council
Crown Acquisition Map	Kemp
SO Plan	<p>SO 909 approved November 1918 being a plan of Part Run 599.</p> <p>SO 911 approved 1918 being a plan of Runs 596 – 599 Noted "See revised plan for runs 596 to 598</p> <p>SO 912 approved October 1919 being a plan of Part Runs 598 and 599.</p> <p>SO 913 approved October 1919 being a plan of Runs 596, 597 and Pts 598 – 600.</p> <p>Also attached other plans pertaining to land abutting taken for irrigation purposes.</p>
Relevant Gazette Notices	<ol style="list-style-type: none"> 1. GN 617170 leasehold estate acquired for irrigation purposes. [SO's 20951 & 20952]. 2. GN 618680 land set apart for irrigation - not searched.
CT Ref / Lease Ref	<ol style="list-style-type: none"> 1) A2/1198 [live] 2) Sighted but not copied prior reference CL 337/164. Has been held on pastoral tenure since 1941. This licence was a renewal of Licences 1598 & 1599. 3) Compensation Certificate 598915 4) Memorandum of Transfer [right to convey water] registered as 613547/2. 5) Memo of Renewal registered as 888020.
Plan Index	Attached.
Legalisation Cards	<p>SO 912 – attached.</p> <p>Also attached other cards pertaining to land abutting taken for irrigation purposes.</p>
CLR	Confirms pastoral status.
Allocation Maps (if applicable)	H43 – DOC, SOE & Proposed SOE Land Claims – nothing found.
VNZ Ref - if known	Not known.
Crown Grant Maps	Not searched.

LAND STATUS REPORT for Stonehurst

LIPS Ref 12546

Property 1 of 2

RELEASED UNDER THE
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<p>If Subj. land Marginal Strip : a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference</p>	<p>a) Sec 24(9) b) 1/7/95 c) SO 912 a - b</p>
<p>If Crown land - Check Irrigation Maps.</p>	<p>No maps for H43.</p>
<p>Mining Maps</p>	<p>H43 nothing found</p>
<p>If Road a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989 b) By Proc c) Ref</p>	<p>a) Not applicable. b) c)</p>
<p>Other Relevant Information a) Concessions - Advice from DOC or Knight Frank. b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 c) Mineral Ownership d) Other Info</p>	<p>a) Knight Frank Ltd advised 24/9/99 that property not subject to any recreation permits. b) c) Either <input checked="" type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase. <input type="checkbox"/> Contained in [provide evidence]. d)</p>

**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project number

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LAND STATUS REPORT for Stonehurst			
Property	2	of	2

Land District	Otago
Legal Description	Part Run 599 Block VI Loganburn SD.
Area	4.9388 ha.
Status	Land held for irrigation purposes.
Instrument of title / lease	GN 618680
Encumbrances	None known.
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.
Statute	Public Works Act 1981 and the Irrigation Schemes Act 1990.

Data Correct as at	13 October 1999
[Certification Attached]	

Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certification – as to status
Pursuant to Section 11(1)(l) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is land held for irrigation purposes.

Max Haydn Warburton
Chief Surveyor
Land Information New Zealand, Dunedin.

18 / 10 / 1999

LAND STATUS REPORT for Stonehurst				LIPS Ref
Property	2	of	2	

<p>Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.</p>	<p>Not applicable.</p>
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LAND STATUS REPORT for Stonehurst				LIPS Ref
Property	2	of	2	

Research Data: *Some Items may be not applicable*

RELEASED UNDER THE
OFFICIAL INFORMATION ACT

SDI Print Obtained	Yes / No
NZMS 261 Ref	H43
Local Authority	Dunedin City Council
Crown Acquisition Map	Kemp
SO Plan	SO 20951 approved March 1984 being a plan of land to be acquired for irrigation purposes.
Relevant Gazette Notices	<ol style="list-style-type: none"> GN 617170 leasehold estate acquired for irrigation purposes. [SO's 20951 & 20952]. New Zealand Gazette 1984 page 2187. GN 618680 Crown Land set apart for irrigation. New Zealand Gazette 1984 page 2677.
CT Ref / Lease Ref	A2/1198 [live]
Plan Index	Attached.
Legalisation Cards	SO 20951 - attached.
CLR	Not searched.
Allocation Maps (if applicable)	H43 - DOC, SOE & Proposed SOE Land Claims - nothing found.
VNZ Ref - if known	Not known.
Crown Grant Maps	Not searched.
If Subject land Marginal Strip :	
a) Type [Sec 24(9) or Sec 58]	a) Not applicable.
b) Date Created	b)
c) Plan Reference	c)
If Crown land - Check Irrigation Maps.	No maps for H43.
Mining Maps	H43 nothing found
If Road	
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989	a) Not applicable.
b) By Proc	b)
c) Ref	c)

LAND STATUS REPORT for Stonehurst

Property 2 of 2

LIPS Ref

Other Relevant Information

a) Concessions – Advice from DOC or Knight Frank.

b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998

c) Mineral Ownership

a)

b)

c) Either

Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase.

Contained in {provide evidence}.

d) Other Info

d)

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