

Crown Pastoral Land Tenure Review

Lease name : Alphaburn

Lease number : PO 380

**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**

K F REF:	Po 380/1	LINZ REF	CASE NO:
LEASE NAME:	Alphabum	LESSEE: Donald Withell McRae (2/3 Share) Victoria Claire McRae (1/3 share) As tenants in common in the said shares.	

LOCATION:

The property is situated 12 km from Wanaka township in Glendhu Bay. It covers the land on either side of the Mount Aspiring Road from Damper Bay to Glendhu Bay and the hill slopes of Roys Peak and the north westerly faces of the Mount Alpha Range as well as the flats and terraces alongside the Motatapu Road.

DATE OF THIS REPORT:

4 July 1999

LEASE DETAIL:

<i>Land Tenure:</i>	Pastoral Lease under Section 66 of the Land Act 1948. (Lease No Po380).
<i>Legal Description:</i>	Sections 2 and 3 and part Section 1 SO 22998 being all the land contained in CT 14C/991 Otago Registry.
<i>Area:</i>	4556.0000 hectares (Includes 2.1986 ha Surrendered for police and public safety communications purposes)
<i>Term:</i>	33 years from 1 July 1984 to 30 June 2017
<i>Rental Value:</i>	\$600,000
<i>Annual Rent:</i>	\$13,500 plus GST
<i>Date of Next Review:</i>	1 July 2006
<i>Lease Stock Limit:</i>	2800 sheep (from Crown files)
<i>Personal Stock Limit:</i>	

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9000	Sheep (including not more than 5100 ewes)
550	Cattle (including not more than 250 breeding cows)
100	Deer within approved area.

Block limitations:

Not more than 800 wethers for 8 months November to July on Stacks Basin, Jack Halls, and Normans Spur Blocks.

Not more than 200 two tooth ewes, April to late May, plus 250 wethers, November to December, (total of 66 su's) on Slips Block.

LAND STATUS REPORT SUMMARY:

Land Status Report prepared by approved person attached.

SUMMARY OF FEATURES FROM TOPOGRAPHICAL AND CADASTRAL DATA:

No communication sites are marked on the above maps but two transmitters are known to operate on Roys Peak. These are operated by the Police and the Upper Clutha Radio Users Association. The lessee has surrendered his rights to the site in favour of the Police, see Summary of Lease section for details of the situation.

No major National Grid power transmission lines cross the property. A local supply line to the Matukituki Valley and a supply to the above transmitters cross the lease.

A 20 metre lake shore reserve (*Damper Bay Lakeside Recreation Reserve -18.4 ha Gaz. 1983 Page 2401*) runs the full length lake boundary of the property from Damper to Glendhu Bay.

The only other river of significance is Jack Halls Creek which has no riparian strip and it was assessed by Chief Surveyor in 1998 (for tenure review purposes) as being over 3 metres in width. It extends quite a distance into the upper catchment area of Jack Halls Creek. The Alphaburn Creek is thought to be below the 3 metre requirement.

A major boundary adjustment occurred at subdivision and lease issuing along the boundary of Motatapu station. The fenced boundary had been by written agreement between owners and recognised as not being the legal line. The adjustment involved a total of 258 ha (shown as Sec 3 on SO 22998) in Jack Halls Creek going to the Alphaburn property, and 88 ha (Section 4 SO 22998) alongside the Motatapu River going to the adjoining Motatapu Station.

This alteration appears to be correctly carried out.

All fenced boundaries are on their legal line as far as can be determined without a full survey. The main ridge boundary (*bounding on Spotts Creek and Hillend Stations in the Cardrona Valley*) is unfenced. Some stock trespass has been historically accepted.

The lease has only one legal road affecting it being the Mount Aspiring Wanaka Road. This is a high usage main route to the Matukituki valley and Mount Aspiring National Park. The road is tar sealed, double fenced and appears to be on its correct legal line. Legalisation of a road alteration in the vicinity of Glendhu Bay was completed in 1989 (SO 19596).

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No paper roads are in existence.

Within the lease no historic sites are known of but the topographical map shows a grave site marked alongside the Mount Roy Walking track. From local knowledge this is known to be a local pakeha runholder (*Scaife*) who was buried in the 1950's.

No implications are seen by its presence on tenure review.

SUMMARY OF LEASE DOCUMENT (*Certificate of Title*):

The legal description, area, and commencement date of the Pastoral Lease on Crown Files are in agreement with the Certificate of Title (*14C/991 Otago Registry*). The actual lease was signed and registered in on 13 November 1989 but backdated to cover the period starting on 1 July 1984.

No base stock limitation of the lease is recorded on the title.

No non standard covenants exist on the lease.

Apart from mortgage registrations the only significant entries are:

418688 Agreement under the Soil Conservation and Rivers Control Act 1941 22 February 1974. (*Discharged 21 June 1995*)

617730 Land Improvement Agreement under the Soil Conservation and Rivers Control Act 1941- 5 July 1984 (*Discharged 28 March 1996*)

924138 Compensation Certificate under section 19 Public Works Act 1981- 5 February 1997 (*Discharged 24.7.97*)

931955 Gazette Notice declaring that part of the within leasehold estate shown marked A on SO 24118 (*2.1986 ha*) is acquired for police and public safety communication purposes and shall vest in the Crown on 19 June 1997 – 24 June 1997

The police held 2.1986 ha site appears legally processed (*lessee's interest in the site was taken under the public Works act 1941*) but the status of the Upper Clutha Radio Users Association interest on the site is not. From files it is assumed that they have negotiated a private agreement for use of the site. The SO 24118 contains an "Optional Easement" in favour of the Upper Clutha Radio Users Association to convey power and telephone wires to the site (SO 22998). This is being processed but has not been registered to date.

No additional agreements or soil conservation encumbrances exist. No right of ways are registered. All documentation is in order with no further searching required at this stage.

One action is required prior to completion of tenure review, being the legalisation of the Upper Clutha Radio Users Association's optional easement.

DETAILS OF ANY NEIGHBOURING CROWN OR CONSERVATION LAND:

No unused or leased Crown or Conservation land, is involved with this property.

The Land Status check and DoC inventory book identifies no such land.

The Otago Conservation Management Strategy Land Inventory Document in the "Special Places" section shows the adjacent land on Hillend and Spotts Creek Stations as being Conservation Land. This is incorrect and appears to be in anticipation of a transfer that is being processed under tenure review of the adjacent "Hillend" and "Spotts Creek" Stations.

A 20 metre lake shore reserve (*Damper Bay Lakeside Recreation Reserve -18.4 ha Gaz 1983 Page 2401*) runs the full length lake boundary of the property from Damper to Glendhu Bay and is administered by the Queens town Lakes District Council.

FILE SEARCH:

The records have been searched including the files related to the original undivided Glendhu Station (1930-1988- 5 volumes - see Attachment 2 for details).

With the exception of some incorrectly numbered folios and a very few missing folios the records are complete. Confidence is held that all important data has been searched.

The history of the combined property contains a series of small reserve withdrawals mainly associated with the Glendhu Domain and a major road realignment nearby. A large effort has been put in to unsuccessfully negotiate withdrawal of several significant reserve areas (*Scaife's Lagoon, and Damper Bay*). The non legal boundary with Motatapu Station was formalised by an agreement between neighbours to live with the practical boundaries.

At subdivision of Alphaburn a major adjustment was made to legalise the boundaries. This appears to have been completed satisfactorily.

An additional dwelling on the lease (*on low terrace overlooking the eastern end of Glendhu Bay*) was erected for a brother. Approval was sort (P13 Vol 5 folio 731) and granted (P13 Vol 5 folio 752) by the Commissioner for its establishment. The wording of the letter appears to give not only earth disturbance approval, as required under the Land Act, but approval to erect the dwelling.

As it was understood that the dwelling was to be erected by his brother does this mean by giving approval that some form of tenancy has been implied ? Copies of both folios above are attached to this report.

Since its creation as a separate lease in 1984 a large amount of correspondence has occurred over legalising the existence and use of the transmitter site and an easement to convey power to the site on Mount Roy by both the Upper Clutha Radio Telephone Users Association and the Police.

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Both used the same facility (*the Users Associations*) but it was decided that the police would establish their own. To simplify the process it was decided that the police would take an area by proclamation (*completed*) and that they would share the site by private agreement with the Users Association. The Upper Clutha Radio Telephone Users Association is currently applying for consent to convey and telephone and power to the site over the PL to legalise its existing lines. (*Police use solar power for its operation.*) This will require the Commissioners approval.

GOVERNMENT APPROVED PROGRAMMES APPROVED FOR LEASE:

Two Catchment Board Run Plans have been carried out on the lease.

These involved extensive erosion control fencing, temporary retirement, off-site grazing, access tracking, minor tree planting and grazing limitations. All obligations related to this work have expired and the agreements discharged from the title.

The grazing limitations on the property have been incorporated into the lease block limitations on the "Slips", "Stacks Basin", "Jack Halls", and "Norman's Spur" Blocks.

The property was not involved in the Rabbit and Land Management Programme.

There are no Government Approved Programmes or issues from them that would affect tenure review.

UNCOMPLETED ACTIONS AND POTENTIAL LIABILITIES TO THE COMMISSIONER:

The following outstanding actions have been identified..

- (1) The "Optional Easement" held by the Upper Clutha Radio Users Association to convey power and telephone across the lease to the Police owned transmitter site needs to be agreed to by the CCL and formalised before any issue of freehold title.
- (2) Notes made on the Land Status Check by OPUS draws attention to the fact that the actual site taken by proclamation by the Police may still technically be Crown Land (*pastoral*).
- (3) A legal opinion may be required regarding any implied tenancy on the dwelling erected on the lease by the owners brother in the letter of approval.

None of the above or any other aspects constitute any great liability to the Commissioner but their completion would avoid any potential delays or identify courses of action.

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.

We have relied on Land Status check and survey information provided to us by qualified persons as being true and correct.

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Signed for Knight Frank (NZ) Limited

P.R. Linn.
Consultant 25 18 1999

Samuel R. Taylor
Manager 25 18 1999

Approved/Declined

Commissioner of Crown Lands / /

ATTACHMENTS:

- (1) Recent title search for each tile considered
- (2) Full list of information sources considered.
- (3) Land Status Check report from qualified person.
- (4) Copy of application for dwelling.
- (5) Copy of Letter of approval for dwelling.

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Part
Former Ref. Vol. 338

REGISTERED IN THE LAND REGISTRY
OFFICE BUT NOT UNDER THE LAND
TRANSFER ACT NEW ZEALAND

Entered in the Register-book, the

9th day of July

L. & S. Ref. No. P 380

1992, at 11.04 o'clock.

REGISTER

SENIOR ASSISTANT Land Registrar.

Pastoral Lease under the Land Act 1948

issued pursuant to Section 93 of the Land Act 1948 on the subdivision of the land contained in Pastoral Lease P 13.

This Deed, made the 13th day of November 1989 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and DONALD WITHELL McRAE of Manaka Farmer and VICTORIA CLAIRE McRAE of Manaka Married Woman, ROBERT IAN McRAE of Manaka Farmer and PAMELA JUNE McRAE of Manaka Married Woman as tenants in common in equal-shares the said shares

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the Lessee, all that parcel of land containing by estimation 4556.0 ha more or less, situated in the Land District of OTAGO, and being Sections 1, 2 and 3, SO 22998

as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

Interests at Date of Issue:

418688 Agreement under Section 10 of the Soil Conservation and Rivers Control Act 1941 - 22.2.1974 at 1.57pm

617730 Land Improvement Agreement under the Soil Conservation and Rivers Control Act 1941 - 5.7.1984 at 1.44pm

93065 Gazette Notice declaring that part of the within leasehold estate shown marked A on SO 24118 (2.1986ha) is acquired for police and public safety communication purposes and shall vest in the Crown on the 19th day of June 1997 - 24.6.1997 at 9.16am

A.L.R.

809374/15 Transfer to Donald Withell McRae (2/3 share) and Victoria Claire McRae (1/3 share) both abovenamed as tenants in common in the said shares - 9.7.1992 at 11.04am

A.L.R.

873577 Mortgage to Wrightson Farmers Finance Limited - 16.1.1995 at 9.27am

A.L.R.

924138 Conservation Certificate under Section 19 Public Works Act 1981 - 5.2.1997 at 11.15am

A.L.R.

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6661-L-2

sements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised into the Lessee for the term of 33 years, commencing on the 1st day of July 19 84, together with the period between the date of this lease and the aforesaid 1st day of July 19 84, YIELDING and paying therefor for the first 11 years of the said term unto the Department of Lands and Survey at LAND CORPORATION at Dunedin the annual rent of \$ 8,100.00 payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July REGISTER year during the said period of 11 years, and for the next two successive periods of 11 years of the said term a rent determined in respect of each of those periods in the manner provided in Section 66 (4A) of the Land Act 1948. AND also paying in respect of the improvements specified in the Schedule hereto the sum of \$ by a deposit of \$ (which has already been paid) and thereafter by half yearly instalments of \$ on the 1st day of January and the 1st day of July in each and every year.

AND the Lessee doth hereby covenant with the Lessor as follows:

1. That without derogating from or restricting the covenants contained and implied in this lease 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 land hereby demised more than sheep which number shall not include more than breeding ewes nor more than cattle which number shall not include more than breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

2. That the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

AND it is hereby agreed and declared by and between the Lessor and Lessee:

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress, and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums, or other animals which the said Service is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals: Provided that such officers, employees, and other authorised persons in the performance of the said duties shall at all times avoid undue disturbance of the Lessee's stock.

AND it is hereby declared and agreed that these presents are intended to take effect as a Pastoral Lease of pastoral land under Section 66 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such leases shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

In witness whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Lessor, has hereunto set his hand, and these presents have also been signed by the said Lessee.

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

Witness:

Occupation:

Address:

Commissioner of Crown Lands.

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

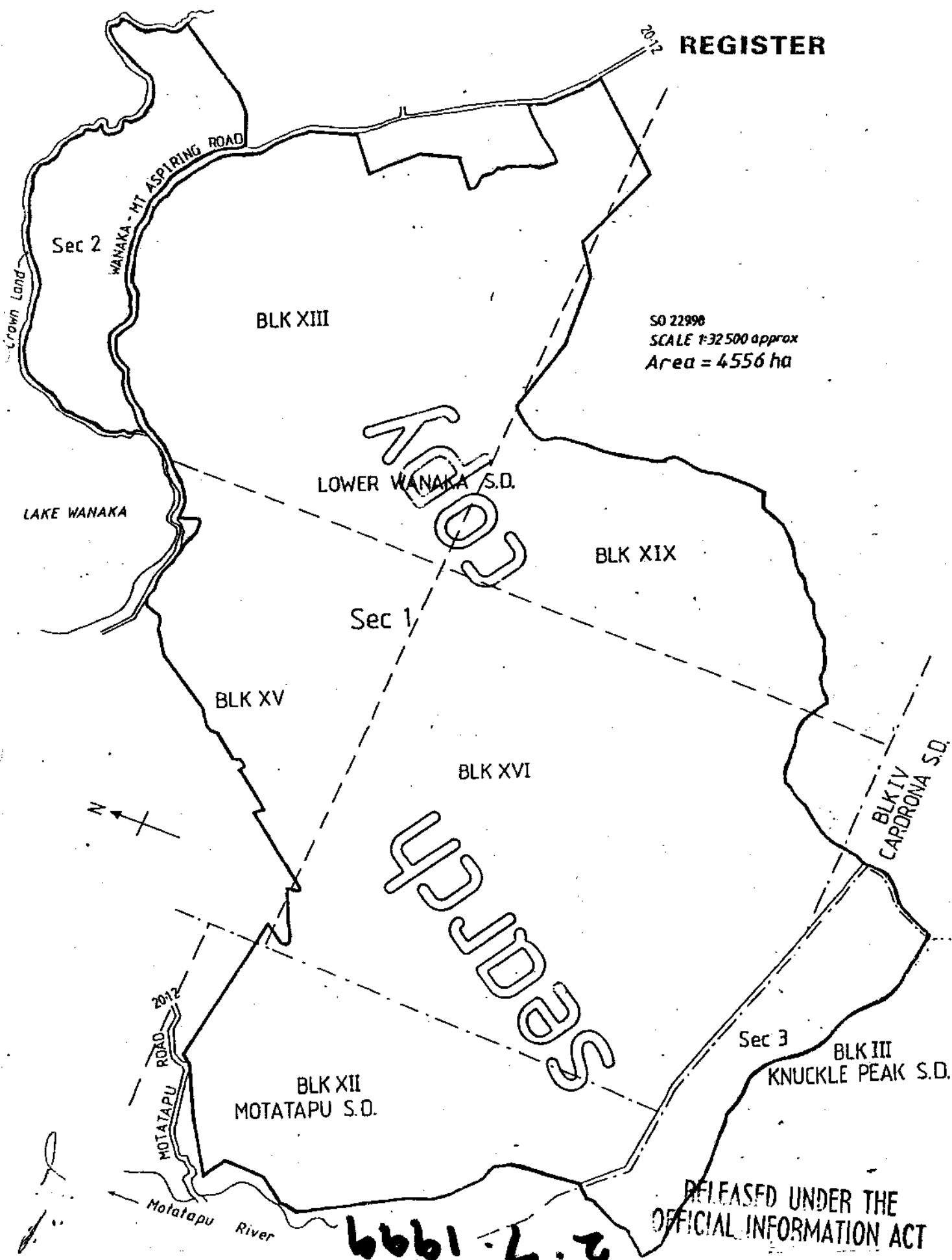
Witness:

Occupation:

Address:

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6661-2.2



SIGNED for and on behalf of
HER MAJESTY THE QUEEN pursuant
to a Deed lodged with the District
Land Registrar as No. 750040 by
LAND CORPORATION LIMITED
by its Attorney
SUSAN JANE BUNTING
in the presence of:

Witness: [Signature]
Occupation: Consultant, Landcorp.
Address: Dunedin

REGISTER
SIGNED by LAND CORPORATION LIMITED
by its Attorney

[Signature]

SIGNED by the Lessee
DONALD WITHELL MCRAE
in the presence of:

Witness: [Signature]
Occupation: Solicitor
Address: Christchurch

Donald W. McRae
Lessee

SIGNED by the Lessee
VICTORIA GLARE MCRAE
in the presence of:

Witness: [Signature]
Occupation: Solicitor
Address: Christchurch

V. McRae
Lessee

SIGNED by the Lessee
ROBERT IAN MCRAE
in the presence of:

Witness: [Signature]
Occupation: Solicitor
Address: Christchurch

R. I. McRae
Lessee

SIGNED by the Lessee
PAMELA JUNE MCRAE
in the presence of:

Witness: [Signature]
Occupation: Solicitor
Address: Christchurch

P. J. McRae
Lessee

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6661-2.2

Copy

Search

11.04 09.JUL.92 809374
PARTICULARS ENTERED IN REGISTRY
LAND REGISTRY 197460
ASST. LAND REGISTRAR
338/18



UNDER THE
OFFICIAL INFORMATION ACT

2.7.1999

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, SUSAN JANE BUNTING Property Officer, of Dunedin.

HEREBY CERTIFY

1. THAT by an agreement dated the 24th day of January 1990 a copy of which is deposited in the Land Registry Offices at -

DUNEDIN (Otago Registry) and there number 750040
INVERCARGILL (Southland Registry) and there number 171747/1

HER MAJESTY THE QUEEN appointed LAND CORPORATION LIMITED at Wellington its Attorney on the terms and subject to the conditions set out in the said Agreement.

2. THAT by Deed dated the 12th day of June 1987 a copy of which is deposited in the Land Registry Offices at -

DUNEDIN (Otago Registry) and there numbered 681189
INVERCARGILL (Southland Registry) and there numbered 141782

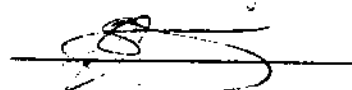
LAND CORPORATION LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Deed.

3. THAT at the date hereof I was Property Officer of the said Corporation.

4. THAT at the date hereof, I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LAND CORPORATION LIMITED or otherwise.

SIGNED at Dunedin

this 1st day of April 1991)



6661-2.2

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ATTACHMENT 2:

List of Information Sources Considered:

- (1) ***Certificate of Title:*** 14C/991(Otago Registry).
- (2) ***Crown files for Pastoral lease Po 380 and Po13:***

Held by Knight Frank Alexandra

Po013:

<i>Volume 1</i>	(Opened 9 July 1930 Folios 1- 266)	Last entry 27 February 1959
<i>Volume 2</i>	(Opened 15 July 1959 Folios 267-389)	Last entry 2 February 1967
<i>Volume 3</i>	(Opened 9 March 1967 Folios 390 -513)	Last entry 19 March 1974
<i>Volume 4</i>	(Opened 25 March 1974 Folios 514- 638)	Last entry 14 December 1981
<i>Volume 5</i>	(Opened 29 January 1982 Folios 639 -784)	Last entry 11 October 1988
<i>Volume 6</i>	(Opened 9 July 1989 Folios 785-797)	Last entry 28 July 1989

Po380:

Volume 1 (Opened 9 October 1989 Folios 1-380) Last entry 25 June 1999

LINZ Dunedin

5200-014-AO4

(Opened 1 March 1997 Folios 1- 4) Last entry 29 January 1997

LINZ Christchurch

CPL 04/11/12619

(Opened 9 January 1995 Folios 1 -37) Last entry 6 November 1999

- (3) ***Cadastral Maps:***

NZMS 261 F40-Wanaka

- (4) ***Topographical Maps:***

NZMS 260 F 40- Wanaka

- (5) ***Otago Conservation Management Strategy Land Inventory Document:***

- (6) ***The Queenstown Lakes District Scheme Plans plus maps:***

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OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE

Project Number NLI 0201 045YD

This report has been prepared on the instruction of Knight Frank (New Zealand) Ltd, Alexandra by letter dated 5 March 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.



LAND STATUS REPORT for Alphaburn Station

Property 2 of 2

Land District	Otago
Legal Description	Part Section 1 SO 24118
Area	2.1986 ha
Status	Crown Land held for police and public safety communication purposes.
Instrument of title / lease	New Zealand Gazettes 1997 page 1460 [registered as Document 931955] & 1997 page 1577 [an amending Notice].
Encumbrances	N/A
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 Kemp Purchase of 1848.
Statute	Public Works Act 1981 and Land Act 1948. – See notes.
Notes (if any)	<p>1) The above gazette notice acquires only the lessees interest. The notice does not set apart the lessors interest, which appears to be, technically, Crown Land [Pastoral] under the Land Act 1948.</p> <p>2) SO 24118 shows an optional easement in favour of the Upper Clutha Radio Users Association to convey and maintain electricity and telephone wires. It appears that the association is operating with "A of SO 24118. In 1993 the association indicated it was interested in creating the easement. In a letter dated 23 December 1993 Works Consultancy Services it is stated the proposed police site is immediately adjacent to the associations. The association's interest in the land is not protected.</p>

Data Correct as at	08 April 1999



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

Certified correct as to status



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

4 1 5 /1999

Research Data: Some Items may be not applicable

Property	2	of	2
SDI Pri	Obtained		
NZMS 261 Ref	Yes / No		
Local	thority		
Crown Acquisition Map	F40		
SO Plan	Queenstown Lakes District Council		
	Kemp		
	SO 24118 being a plan of "taking of Leasehold Land for Communication Purposes" Approved 5 October 1994.		
Relevant Gazette Notices	GN 931955 NZ Gazette 1997 p1460		
T Ref / Lease Ref	14C/991		
Legalisation Cards	SO 24118. Confirms status.		
Plan Index	N/A		
CLR	N/A		
Allocation Maps (if applicable)	N/A		
VNZ Ref - if known	N/A		
Crown Grant Maps	N		
If Subject land Marginal Strip :	a) N/A		
a) Type [Sec 24(9) or Sec 58]	b)		
b) Date Created	c)		
c) Plan Reference			

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Research – continued

Property	2	of	2	
If Crown land – Check Irrigation Maps.				N/A
Mining Maps				No mining interests [F40]
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989 b) By Proc				a) SO Plan b) Proc Plan c) Gazette 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 d) Other Info				a) 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)

OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE

Project Number NLI 0201 045YD

This report has been prepared on the instruction of Knight Frank (New Zealand) Ltd, Alexandra by letter dated 5 March 1999 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.



LAND STATUS REPORT for Alphaburn Station

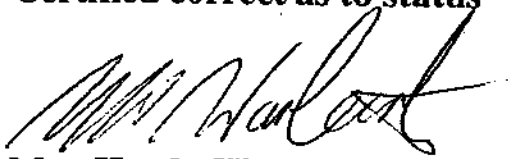
Property 1 of 2

Land District	Otago
Legal Description	Sections 2 and 3 and Part Section 1 SO 22998
Area	4553.8014 ha
Status	Crown Land under the Land Act 1948 subject to Pastoral Lease P 380.
Instrument of title / lease	14C/991
Encumbrances	None on lease.
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 Kemp Purchase of 1848.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.
Notes (if any)	<ol style="list-style-type: none"> 1) The Chief Surveyors survey brief dated 30 April 1998 [for tenure review purposes] notes the property was inspected in 1992 and that the Fern Burn is over 3 metres. 2) A survey request of March 1986 on P13 [lease prior to subdivision] indicates some road legalisation required. SO 19596. This was completed in 1989.

Data Correct as at	08 April 1999
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Prepared by	G Patrick
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certified correct as to status



Max Haydn Warburton

Chief Surveyor

Land Information New Zealand, Dunedin.

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Research Data: *Some Items may be not applicable*

Property 1 of 2	
SDI Pr Obtained	Yes / No
NZMS 261 Ref	F40
Local authority	Queenstown Lakes District Council
Crown Acquisition Map	Kemp
SO Plan	SO 22998 being a plan of Sections 1 – 5. Approved 18 April 1989. Section 5 is Marginal Strip (CL Reserved from Sale pursuant to Section 58 Land Act 1948).
Relevant Gazette Notices	N/A
CT Ref / Lease Ref	14C/991 issued on subdivision of 338/18. Section 4 SO 22998 was surrendered from 338/18 and Section 3 [previously CL 386/61] was incorporated into 338/18. Prior ref : 337/56 Licence to Occupy for Pastoral Purposes dated 01/03/29. No 1858 [in renewal of Pastoral Licence 1374].
Legalisation Cards	SO 22998 No actions recorded.
Plan Index	Attached.
CLR	Confirms land is Crown Land subject to pastoral lease. Previously Run 334C & Pt 334D, Sec 14 Block XIII Lower Wanaka SD.
Allocation Maps (if applicable)	N/A
VNZ Ref - if known	N/A
Crown Grant Maps	N/A
If Subject land Marginal Strip : a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) The Chief Surveyors survey brief dated 30 April 1998 [for tenure review purposes] notes the property was inspected in 1992 and that the Fern Burn is over 3 metres. b) c)

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Research – continued

Property	of	
If Crown Land – Check Irrigation Maps.		N/A
Mining Maps		Nothing affecting lease [F40]
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989 b) By Proc		a) SO Plan b) Proc Plan c) Gazette 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 d) Other Info		a) b) c) Either <input 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)