

Crown Pastoral Land Tenure Review

Lease name : CECIL PEAK STATION

Lease number : PS 015

Due Diligence Report (including Status Report) - Part 3

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.

April 09

CDE S15 - Request Manual Copy	
Document Type	Unapproved
Reference Number	000900.2
Land District	Southland
Method of Delivery	Fax
Requested By	Mike Kerr
<input type="checkbox"/> Certified Copy	
Comments Reappellation	
Delivery Details	
Firm	Opus International Consultants Ltd (Dunedin)
Primary Contact	Mr Robin Whelan
Street	Private Bag 1913
Town	Dunedin
Country	New Zealand
Postcode	
Fax Number	03 474 8995
Fees	
<input type="button" value="OK"/> <input type="button" value="Cancel"/>	

ALTERATION OF APPELLATION

FILE: P 15

Applicant/Licensee: F. J. LUCAS

Description of Land: Runs 632 & 633 situated in Blocks VI, VII Conelburn; III South Wakatipu; IX, XI Mid Wakatipu and I, II, III, IV V and IX Eyre North Survey Districts. Area: 32,340 acres (13087.5336 ha)

Racing Authorities: Lake County; Mid Wakatipu P.D.P.

Valuation Department Assessment Reference:

Full Details of Alteration

Run 632 - formerly Runs 1, 4 and 616 Part Runs 2A and 3 situated in Blocks VI, VII Conelburn; II South Wakatipu; I, II, III, IV, V and IX Eyre North and IX and XI Mid Wakatipu Survey Districts. Also formerly Sections 15 and 16, Block VI, Conelburn Survey District and 49 50, 51, 52 Block II, South Wakatipu Survey District

AREA: 26 580 acres

(10756.5443 ha)

Run 633 - formerly Run 7, situated in Blocks VI, Conelburn and Blocks I & II, South Wakatipu Survey District

AREA: 5760 acres

(2330.9893 ha)

S.O. 8416

DLR 5 copy

Reason and Authority for Alteration

A redefinition in terms of T.C. 265.

Prepared by:

[Signature]

8/5/75

15 No.

Checked by:

[Signature]

ACTION REQUIRED:

LEASES SEC.:

G. 13 / /

C.L. Regr. / /

Expiry Book / /

Interest Review / /

Register / /

ACCOUNTS DIV.:

Ledgers / /

C./Registers / /

Land A/c. / /

Index / /

A/c's Check / /

TITLES SEC.:

Documents / /

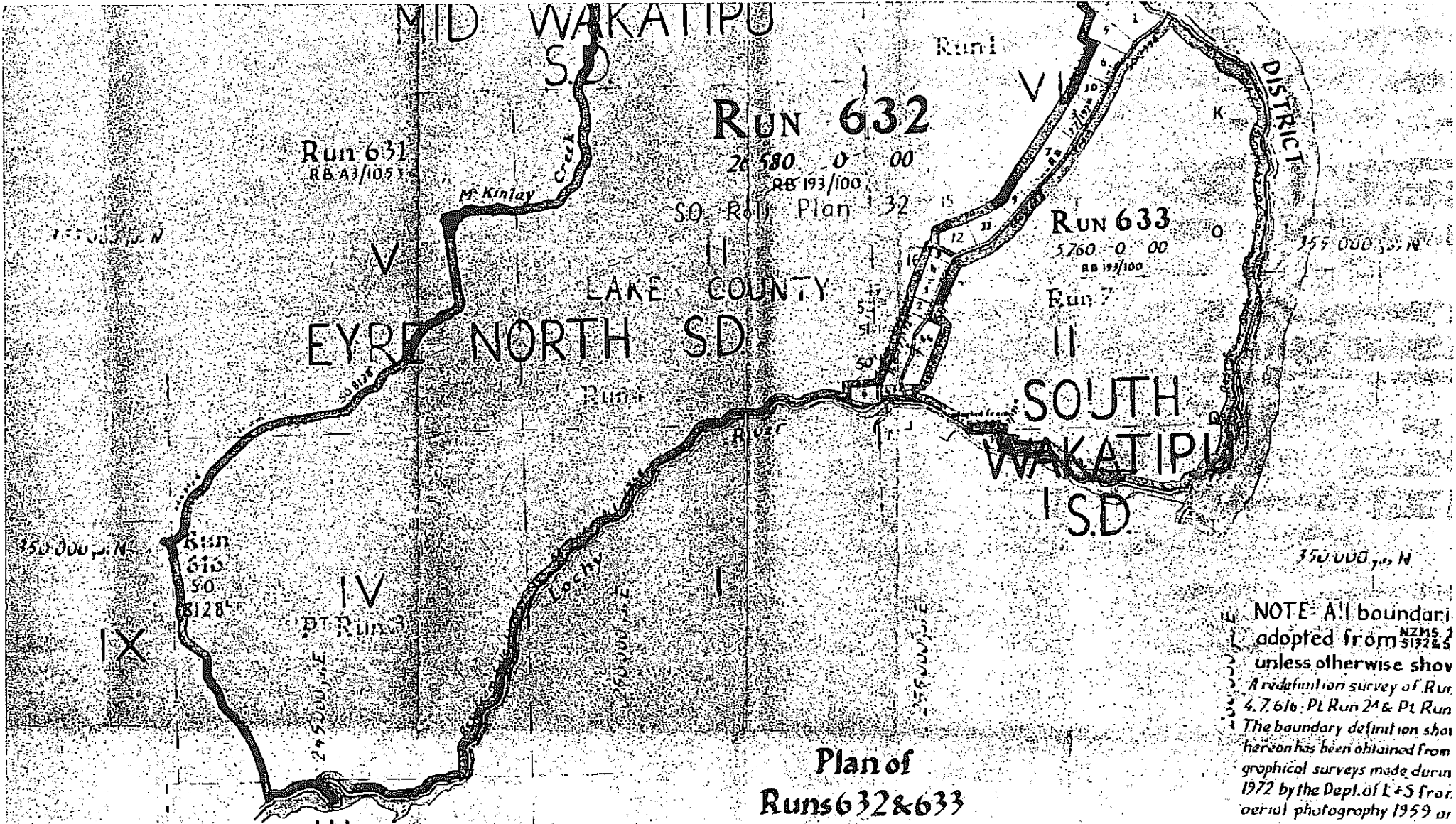
Insurance / /

RECORDS SEC.:

File / /

Index / /

ACTION CHECKED: / /

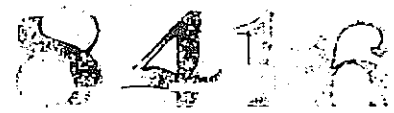


**Plan of
Runs 632 & 633
Cecil Peak Station**

NOTE: All boundaries adopted from NZMS 25172 & 5 unless otherwise shown. A redefinition survey of Run 4, 7, 616, Pt Run 24 & Pt Run 31. The boundary definition shown hereon has been obtained from graphical surveys made during 1972 by the Dept. of L & S from aerial photography 1959 or in accordance with Tech Circ 2.

Approved for Leasing Purposes

M. W. Armstrong
Chief Surveyor 2/4/75



Survey Block & District Mid Wakatipu, Coneburn, Eyre North & South Wakatipu
Land District Southland Local Authority Lake County
Scale 60 chains to an inch Surveyed by Compiled in Survey Office Date January 1973

Received B-2-13 J.M.N.
File P15
Instructions
Reference Plans
Field book
Traverse book
Examined by
Recorded
Plan in order for approval
in memorandum

I hereby certify that the boundaries and areas shown on this plan have been obtained from surveys created by me, that the same are correct and have been determined in accordance with the requirements of the Survey Act, 1953.

MMP_0017448

000990.2

143/00

DISTRICT COURT
DUNEDIN

NOV 9 10 25 AM '02

[Handwritten signature]

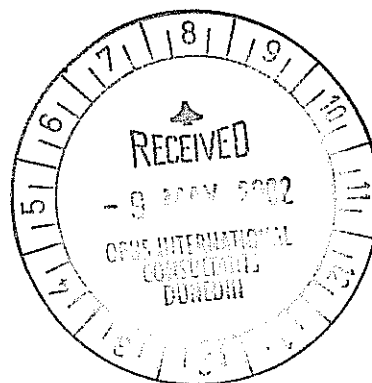


Department of Conservation
Te Papa Atawhai

Our ref: PS 15

8 May 2002

Property Manager
Opus International
Private Bag 1913
DUNEDIN



Attention John Kirk

Dear Sir

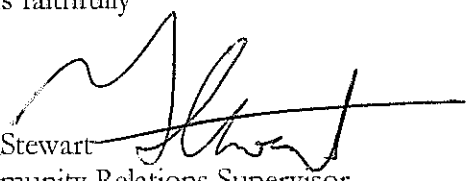
TENURE REVIEW: CECIL PEAK

I refer to your letter of 6 May 2002.

The attached plan shows marginal strips adjoining the boundaries of the lease. These are recorded as cons unit numbers F42003, F42004 and E42057.

As the department has not always received advice from LINZ when marginal strips are created the department is not able with certainty to say whether there are any other marginal strips affecting this property.

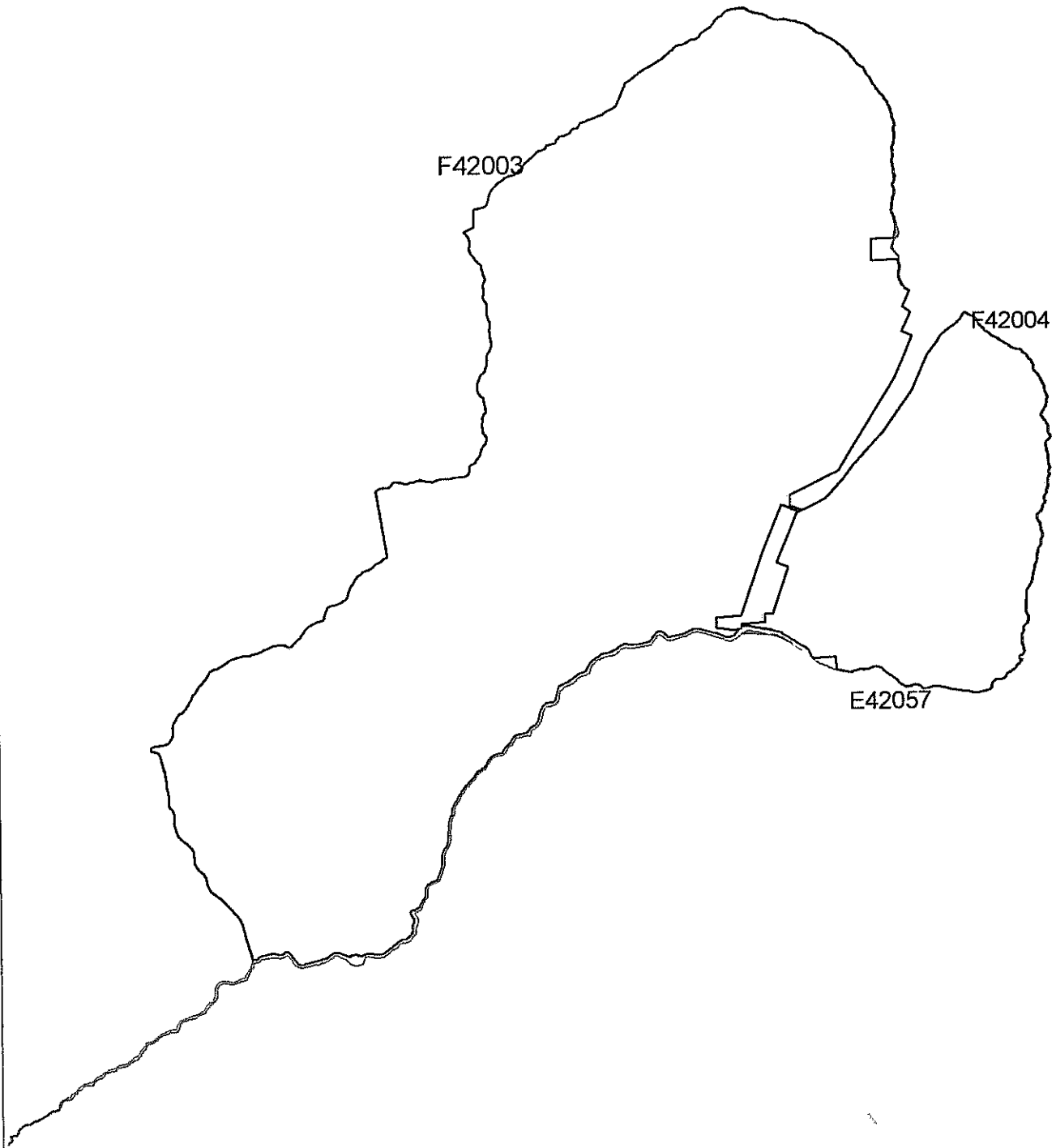
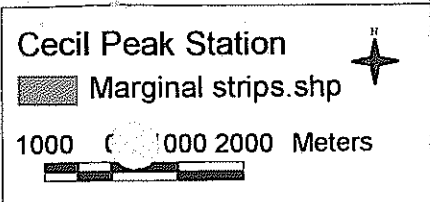
Yours faithfully


Ken Stewart
Community Relations Supervisor
For Conservator

Cecil Peak Station

Marginal strips.shp

1000 000 2000 Meters



169700 VL

MEMORANDUM OF VARIATION OF LEASE

IN THE MATTER of the Land Transfer Act 1952
and the Land Act 1948,

AND

IN THE MATTER of Lease No. P.15 registered in
Volume 193 folio 100, Southland
Land Registry, from Her Majesty
the Queen to Alexander Munro
Burnett

The covenants conditions and restrictions contained or implied in Memorandum
of Lease No. P.15 are hereby varied as follows:

1. That should the lessee, with the consent of the Land Settlement Board, transfer, sublet or otherwise dispose of his interest in the land affected by the said lease or any part thereof to a company incorporated under the Companies Act 1955, then the following provisions shall apply:
 - (a) The provisions of Section 89 of the Land Act 1948, shall apply to all transfers and other dispositions of shares in such company as if such shares were interests in the said land and no share or shares in such company shall be transferred or otherwise disposed of by any shareholder without the consent of the Land Settlement Board.
 - (b) The provisions of the Land Act 1948, with regard to residence shall continue to be applicable to the said lease notwithstanding the transfer or other disposition to such company provided however that such provisions shall be deemed to be complied with by such company only if and when there resides on the said land a person who manages the land on behalf of such company and who has been approved in writing for that purpose by the Land Settlement Board.
 - (c) A breach by the Company or by any shareholder of all or any of the provisions of subclauses (a) and (b) hereof shall be deemed to be a breach of the covenants conditions and restrictions contained in the said lease entitling the lessor to exercise all or any of the powers conferred upon her by the said lessee in such circumstances.
HEA,
2. 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.

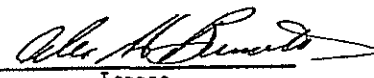
IN WITNESS WHEREOF the parties have hereunto subscribed their names
this 30 day of October 1957.

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


Commissioner of Crown Lands.

Witness: Phillips
Occupation: Lands Office Clerk
Address: Invercargill

SIGNED by the said Alexander Munro Bur-
nett as lessee, in the presence of:-


Lessee.

Witness: Platts
Occupation: Police
Address: Leasby

169700

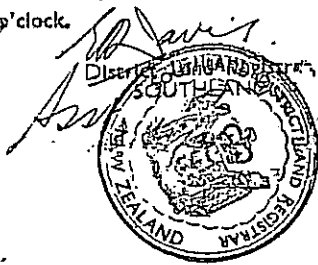
Not entered under the Land Transfer Act

Registered under Section 83 of the Land Act, 1948

Particulars entered in the Register-books,

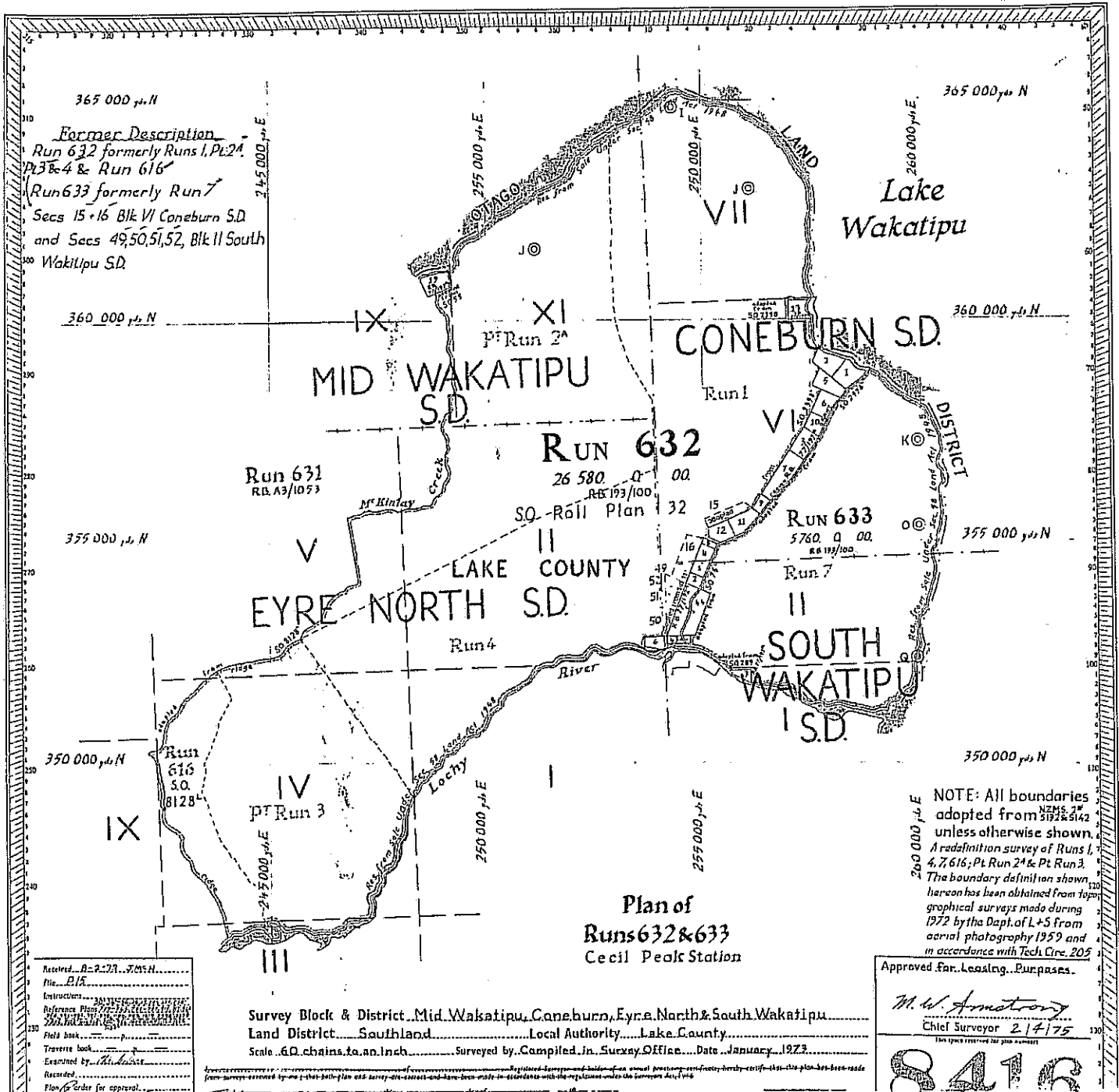
Vol. 193, folio 100

the 23 JUN 1961, 19
at 9:50'clock.



LAND	FIELD
Nature:	<i>Hears</i>
mt:	<i>Hollands</i>
29 JUN 1961	
me:	<i>9.50</i>
Fee: £	<i>7.77</i>
Abstract No.	<i>101-D</i>





Run 632 26 580
 633 57 60

 32,340

Acres/roods

5760.00 2330.9892864

Perches

0 .0000000 2330.9893 ha

Ha to Acres

0 0.00 acres

10756.5443 Run 632 -
2330.9893 Run 633 -

13087.5336

MEMORANDUM OF VARIATION OF LEASE

014807.1 VL

IN THE MATTER of the Land Act 1948,
and

IN THE MATTER of Lease No. P 15 registered
in Volume 193, folio 100, Southland Land
Registry, from Her Majesty the Queen to
Frederick John Lucas of Queenstown Company
Manager

The covenants conditions and restrictions contained or implied in the above-mentioned Lease registered in Volume 193, folio 100, Southland Land Registry, are hereby varied as follows:

1 That should the lessee with the consent of the Land Settlement Board, transfer, sublet or otherwise dispose of his interest in the land affected by the said lease or any part thereof to an Overseas Corporation within the meaning of that term in the Land Settlement Promotion and Land Acquisition Act 1952, then the following provisions shall apply:

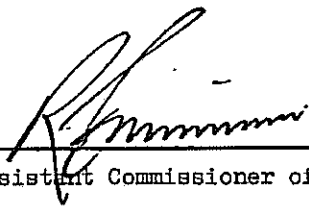
- (a) The provisions of section 89 of the Land Act 1948, shall apply to all transfers and other dispositions of voting stock in such Overseas Corporation as if such voting stock were interests in the said land and no voting stock in such Overseas Corporation shall be transferred or otherwise disposed of by any voting stockholder without the consent of the Land Settlement Board.
- (b) The provisions of the Land Act 1948, with regard to residence shall continue to be applicable to the said lease notwithstanding the transfer or other disposition to such Overseas Corporation provided however that such provisions shall be deemed to be complied with by such Overseas Corporation only if and when there resides on the said land a person who manages the land on behalf of such Overseas Corporation and who has been approved in writing for that purpose by the Land Settlement Board.
- (c) A breach by the Overseas Corporation or by any voting stockholder of all or any of the provisions of subclauses (a) and (b) hereof shall be deemed to be a breach of the covenants conditions and restrictions contained in the said lease entitling the lessor to exercise all or any of the powers conferred upon her by the said lease in such circumstances.

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

IN WITNESS WHEREOF the parties have hereunto subscribed their names this ninth
day of July 1976

[Handwritten signature]

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

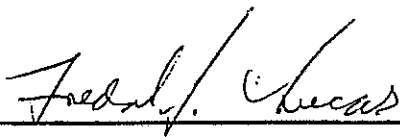

Assistant Commissioner of Crown Lands

Witness: *John Wilson*

Occupation: *Block Lands & Survey*

Address: *Tauira coast*

SIGNED by the said Frederick John)
Lucas as lessee in the presence of:)


Lessee

Witness: *[Signature]*

Occupation: *Volunteer*

Address: *Dunedin*

CERTIFICATE OF ALTERATION

HER MAJESTY THE QUEEN Lessor
FREDERICK JOHN LUCAS Lessee

PARTICULARS entered in the Register-book,

Volume , folio ,

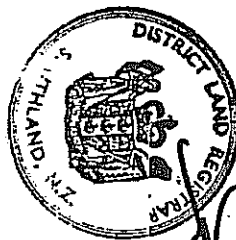
.....

the day of 197

at o'clock.

.....
District Land Registrar of the
Assistant

District of



JHL
Swick

JUL 23 10 59 AM '76

DISTRICT LAND REGISTRAR
INVERCARGILL NO. 1

193/100

0148079

Commissioner of Crown Lands
INVERCARGILL





**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier SL8A/155
Land Registration District Southland
Date Issued 22 September 1986

Prior References
SL77/192A

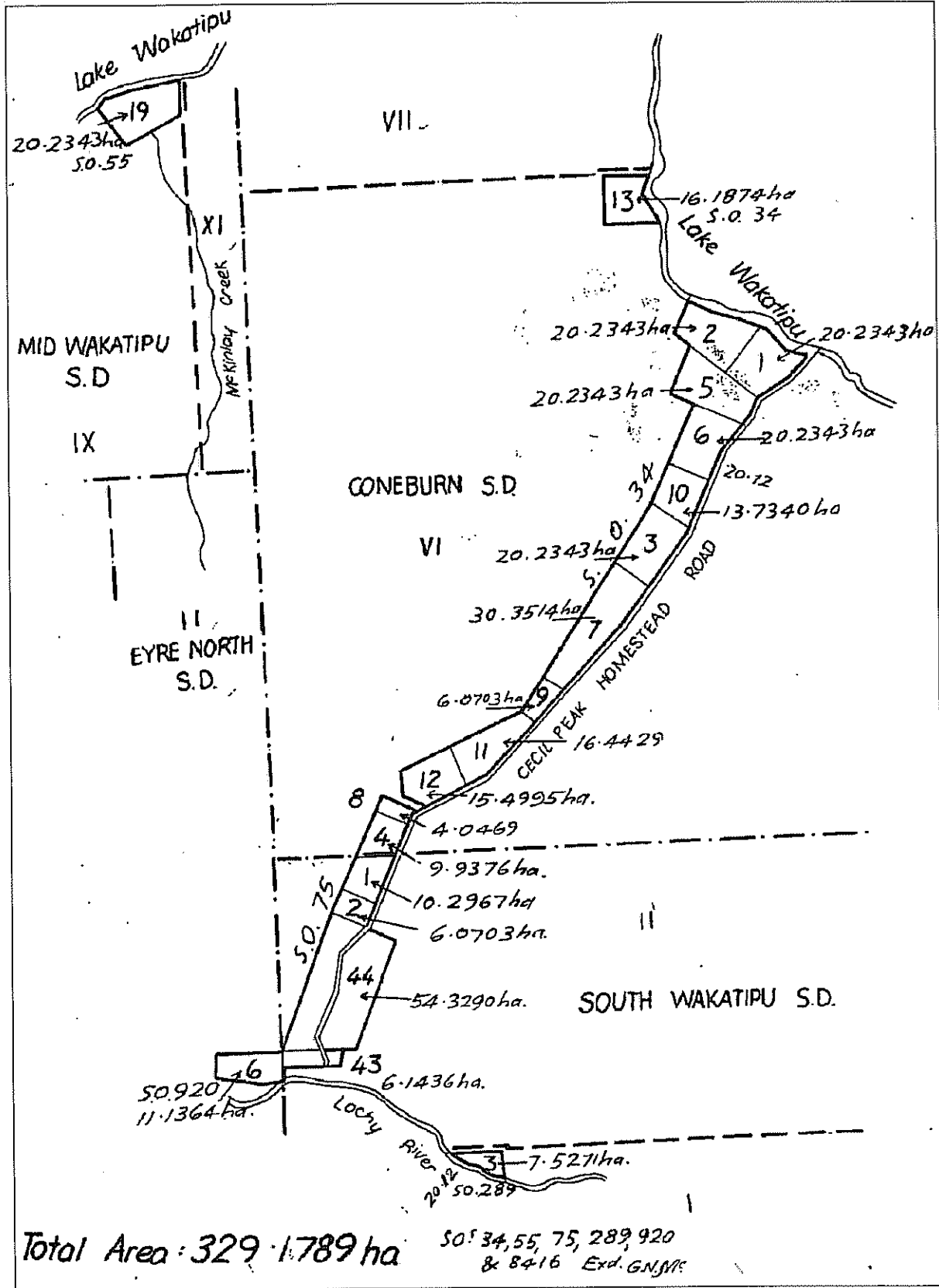
Estate	Fee Simple
Area	329.1789 hectares more or less
Legal Description	Section 1-13 Block VI Coneburn Survey District, Section 6 Block II Eyre North Survey District, Section 19 Block IX Mid Wakatipu Survey District, Section 3 Block I South Wakatipu Survey District and Section 1-2 and Section 43-44 Block II South Wakatipu Survey District

Proprietors
Cecil Peak Station Limited

Interests

Identifier

SL8A/155



Land Information Property System (LIPS)

File Edit Property Contract Performance Budget Maint E-Mail's Admin Window Help

Home A D [Icons] ?

Interest - 12649 - CECIL PEAK STATION

Interests (Leases, Easements etc)		Crown Forest Licenses	
Identifier	12649/01	Rental	\$15,187.50
Other Party	Cecil Peak Station Limited	Address	Private Bag Queenstown
Type / Purpose	Pastoral Lease	Phone	
Term	33 YEARS	Fax	
Commencement Date	01/07/1987	Is the Interest current	
Expiry Date	30/06/2020	Yes	
Contingent Events		Add a new Event e.g. Fee Review, Interest Renewal	
Conditions		New Event	
Notes	KF File Ref:Ps 015		

Save Close

The unique identification number. If no number is allocated use the property ID number eg. 13786/1

Start GroupWise - Mailbox L:\Pastoral Tenure... Land Information... Microsoft Word - Do... 09:28

Land Information Property System (LIPS)

File Edit Property Contract Performance Budget Maint E-Mails Admin Window Help

Property Details - Property 12649:CECIL PEAK STATION

General More Contracts Valuation Accounting Liability Risk Disposal Interest Photo Events

Identifier	Type	Other Party	Commencement Date	Expiry Date	Rental/Fees	
12649/01	Pastoral	Cecil Peak Station	01/07/1997	30/06/2020	\$153,875.00	Add
12649/02	Recreation	Visual Motion	06/12/2000	14/12/2000		Change
12649/03	Recreation	Cecil Peak	01/07/2001	30/06/2006	\$800.00	Delete
REC/02/1	Recreation	Queenstown Hea		31/12/2011	\$250.00	

Save Print Budget New Project Disposal Details Acquisition Details Close

Leased properties

Start GroupWise - Mailbox L:\Pastoral\Tenue... Land Information... Microsoft Word - Do... 09:25

Land Information Property System (LIPS)

File Edit Property Contract Performance Budget Maint E-Mails Admin Window Help

Desktop

Interest - 12649 - CECIL PEAK STATION

Interests (Leases, Easements etc)		Crown Forest Licenses	
Identifier	12649/02	Rental	
Other Party	Visual Motion Productions Ltd	Address	25 Windy Knoll, Greenwich, Connecticut, USA.
Type / Purpose	Recreation	Phone	
Term	0.02 yrs	Fax	
Commencement Date	06/12/2000		
Expiry Date	14/12/2000	No <input type="checkbox"/> Is the Interest current	
Contingent Events		Add a new Event e.g. Fees Review, Interest Renewal <input type="button" value="New Event"/>	
Conditions			
Notes	KF File Ref: RPo085. Permit for filming on Cecil Peak LINZ ID 12649 and Dingleburn LINZ ID 12479 for one day on each lease between 6 and 14 Dec 2000.		

Save Close

The unique identification number. If no number is allocated use the property ID number eg. 13786/1

Start GroupWise - Mailbox L:\Pastoral\Tenue... Land Information... Microsoft Word - Do... 09:25

Land Information Property System (LIPS)

File Edit Property Contract Performance Budget Maint E-Mails Smart Window Help

Desktop

Interest - 12649 - CECIL PEAK STATION

Interests (Leases, Easements etc)		Green Forest Licenses	
Identifier	12649/06	Rental	\$800.00
Other Party	Cecil Peak Challenge	Address	G B Ban
Type / Purpose	Recreation		Box 1112, Queenstown
Term	5	Phone	
Commencement Date	01/07/2001	Fax	
Expiry Date	30/06/2006	<input checked="" type="checkbox"/> Is the Interest current	
Contingent Events		Add a new Event e.g. Fee Review, Interest Renewal <input type="button" value="New Event"/>	
Conditions			
Notes	KF File ref RPc089		

The unique identification number. If no number is allocated use the property ID number eg. 13786/1

Start GroupWise - Mailbox L:\Pastoral\Tenure... Land Information... Microsoft Word - Do... 09:26

Land Information Property System (LIPS)

File Edit Property Contract Performance Budget Maint E-Mail's Admin Window Help

Desktop

Interest - 12649 - CECIL PEAK STATION

Interests (Leases, Easements etc)		Open Forest Licences	
Identifier	REC/02/12/?	Rental	\$250.00
Other Party	Queenstown Heli Hike	Address	
Type / Purpose	Recreation	Phone	
Term	5.0 years	Fax	
Commencement Date	/ /		
Expiry Date	31/12/2011	Is the Interest current: <input type="checkbox"/> No	
Contingent Events		Add a new Event e.g. Fee Review, Interest Renewal <input type="button" value="New Event"/>	
Conditions			
Notes	Lease began 1/1/97 KF RPo 043 No current file in the REC/02/12/? series is open as at 2/12/99. Previous file is 5225/D15/Q01-1-DND.		
		<input type="button" value="Save"/>	<input type="button" value="Close"/>

The unique identification number. If no number is allocated use the property ID number eg. 13786/1

Start GroupWise - Mailbox L:\Pastoral\Tenu... Land Information... Microsoft Word - Do... 09:26

UDE S15 - Request Manual Copy		X	
Document Type	Instrument	Request No	45254
Reference Number	164532.1	User ID	JKirk
Land District	Southland	Request Date	08/03/2002 11:40:31
Method of Delivery	Fax	Client Reference	SNLTA.02/4967D
Requested By	JOHN KIRK	Status	Pending
	<input type="checkbox"/> Certified Copy		
Comments	CECIL PEAK-VARIATION AND RENEWAL OF LEASE		
Delivery Details			
Firm	Dps International Consultants Ltd (Dunedin)		
Primary Contact	Mr Robin Whelan		
Street	Private Bag 1913		
Town	Dunedin		
Country	New Zealand		
Postcode			
Fax Number	03 474 8996		
Fees			
	OK		Cancel

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, GARRY RAYMOND PATRICK of DUNEDIN, Property Officer

HEREBY CERTIFY -

1. THAT by Deed dated the 12th day of June 1987 copies of which are deposited in the Land Registry Offices at -

- AUCKLAND (North Auckland Registry) and there numbered B678573
- BLLENHEIM (Marlborough Registry) and there numbered 136439
- CHRISTCHURCH (Canterbury Registry) and there numbered 686366/2
- DUNEDIN (Otago Registry) and there numbered 681189/1
- GISBORNE (Poverty Bay Registry) and there numbered 167089.2
- HAMILTON (South Auckland Registry) and there numbered H734777
- HOKITIKA (Westland Registry) and there numbered 076748
- INVERCARGILL (Southland Registry) and there numbered 141782
- NAPLIER (Hawkes Bay Registry) and there numbered 478751.2
- NELSON (Nelson Registry) and there numbered 269962.1
- NEW PLYMOUTH (Taranaki Registry) and there numbered 341775
- WELLINGTON (Wellington Registry) and there numbered 860782.2

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.

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

3. 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 13th day of October
1988

)
)
)



MEMORANDUM OF RENEWAL AND VARIATION OF LEASE

IN THE MATTER of the **REGISTER**
AND

IN THE MATTER of lease no. P 15
registered in Register Vol 193 Folio 100
Southland Land Registry from HER MAJESTY
THE QUEEN to GECIL PEAK RESORT LIMITED
a Company incorporated under the Companies
Act 1955 and having its registered
office at Christchurch

Pursuant to Section 170 of the Land Act 1948 the term of the abovementioned lease registered in Volume 193 Folio 100 Southland Land Registry is renewed for a term of 33 years commencing on the 1st day of July 1987. The covenant to pay rent and the rental value contained in the lease is hereby varied by deleting the said covenant and substituting the following:

Yielding and paying therefor for the first 11 years of the said term unto the Land Corporation Limited at Dunedin the annual rent of \$5475.00 calculated on a rental value of \$365,000.00 payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every 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 132A of the Land Act 1948.

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 have hereunto subscribed their names this

13th day of October 1988 .

SIGNED for and on behalf of HER MAJESTY)
THE QUEEN pursuant to a Deed lodged with)
the District Land Registrar as No.)
141782 by LAND CORPORATION LIMITED by)
its Attorney GARRY RAYMOND PATRICK in the)
presence of:)

Witness: [Signature])

Occupation: Property Officer, Landcorp)

Address: Dunedin)

LAND CORPORATION by its Attorney
REGISTER

[Signature]

The common seal of CECIL PEAK)
RESORT LIMITED was hereunto)
affixed in the presence of:)

Director: David G Livingston)

Director/Secretary: [Signature])



REGISTERED IN DUPLICATE

MEMORANDUM OF RENEWAL OF LEASE

Particulars entered in the Register as shown herein on the date and at the time stamped REGISTER

HER MAJESTY THE QUEEN Lessor

CECIL PEAK RESORT LIMITED Lessee

District/Assistant Land Registrar of the District of Southland

Property Manager
Land Corporation Limited
DUNEDIN

9.01 21 JUL 89 164532-1
PARTICULARS ENTERED IN REGISTER
LAND REGISTRY SOUTHLAND
R.S. 1100
ASST. LAND REGISTRAR



[Handwritten signature]