

Crown Pastoral Land Special Lease

Lease name : EREWHON PARK

Lease number : SC 156

Due Diligence Report (including Status Report)

This report and attachments results from a pre-Tenure Review assessment of the special 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.

September

05

RELEASED UNDER THE OFFICIAL INFORMATION ACT

**DUE DILIGENCE REPORT
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:**

File Ref: CON/50272/09/12741/A-ZNO-01 **Report No:** QVV 429 **Report Date:** 20/06/2002

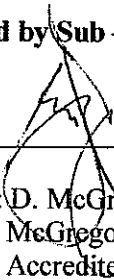
Office of Agent: CHRISTCHURCH **LINZ Case No:** 02/ **Date sent to LINZ:** 24/06/2002

TR02/668

RECOMMENDATIONS

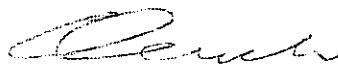
1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
2. That the Commissioner of Crown Lands or his delegate **note** that there are no incomplete actions;
3. That the Commissioner of Crown Lands or his delegate **note** that there are no potential liabilities that have been identified as a result of the file search.
4. The Commissioner or his delegate **note** that the boundary adjustments and proposed easements promoted on SO 15985 by previous lessees are unlikely to be required unless the future ownership and status of the Special lease and the adjoining Pastoral lease differs.

Signed by Sub – Contractor:



Name: D. McGregor
McGregor Property Services Limited
Accredited Agent

Signed by Contractor



Name: B. Dench
Team Leader for Tenure Review
Quotable Value (Valuations)

Approved/Declined (pursuant to a delegation from the Commissioner of Crown Lands) by:



Name: GRANT KASPER WEBLEY
Date of Decision: 26/6/02

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Details of Lease:

Lease Name: Mt Potts (Special Lease).

Location: Located in the Rangitata Valley on the Hakatere -Mt Potts Road approximately 47 kilometres west of Mt Somers and 87 kilometres from Ashburton.

Lessees: MT POTTS STATION LIMITED.

Tenure: Special Lease under Section 67(2) and (3) and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A 259818.1.

Term: 33 years from 1 July 1997 (expires 30 June 2030).

Annual Rent: \$1000.00.

Rental Value: \$20,000.

Date of Next Review: 1 July 2008.

Land Registry Folio Ref: Computer Interest Register (Pastoral Lease) CB4C/1273 (Canterbury Registry).

Legal Description: Rural Sections 41595 and 41596, situated in Block XV, Clyde Survey District and Rural Section 41597, situated in Blocks XV, Clyde and II, Potts Survey Districts.

Area: 32.6620 hectares.

2. File Search

Files held by agent Knight Frank (NZ) Ltd on behalf of LINZ:

File Reference	Volume	First Folio Number	Date	Last Folio Number	Date
<i>Sc 156-SCH-01</i>	<i>1</i>	<i>221</i>	<i>04/10/1960</i>	<i>457</i>	<i>18.09.1970</i>
<i>Sc 156-SCH-02</i>	<i>2</i>	<i>458</i>	<i>22/10/1990</i>	<i>-</i>	<i>20/05/1998</i>
<i>Sc 156-SCH-03</i>	<i>3</i>	<i>-</i>	<i>21/05/1998</i>	<i>-</i>	<i>30/06/2000</i>
<i>CON 50213/09/12741/A-ZNO-01</i>	<i>-</i>	<i>-</i>	<i>01/07/2000</i>	<i>-</i>	<i>Current</i>

Files held by agent Q.V. Valuations on behalf of LINZ:

File Reference: CON/50272/09/12741/A-ZNO-01
Volume: 1
First folio: 1
Date: August 2001.
Last folio note: File current.
Date: -

3 **Summary of Lease Document:** *(Copy of Computer Interest Register (Pastoral Lease) CB4C/1273 attached as Appendix 1)*

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33 year term from 1 July 1997 at the Annual rental of \$1000 based on the Rental Value of \$20,000.

Purpose held

Tourist accommodation purposes.

Commencement date

1 July 1997, being the renewal of the original Special lease (issued for a term of 33 years from 1 January 1964) to the lessee Robert Mark Cotton over 33.6257 ha (R.S 39049) for tourist accommodation purposes. The lease area had earlier been redefined (to RS's 41595-41597) for the purposes of an exchange with the adjacent Pastoral lease land but that did not eventuate.

The lease was renewed for 33 years from 1 July 1997 (by Memorandum of Renewal A259818.1 (registered on 8 July 1998) at the Annual Rental of \$1000 based on the Rental Value of \$20,000.

The current lessees acquired the property by Transfer A359525.5 (registered 8 July 1998)

Other Provisions:

Nil.

3.2 Area adjustments

The lease was subdivided by the then lessees in 1983 (SO 15985) for the purpose of an independent sale of the Special lease (tourist business). The intended formal surrender of (R.S. 's 41595 and 41596) and incorporation of these areas into the Pastoral lease (with the relevant ROW Easements) to separate the tourism / farming use has not eventuated as a consequence of sale of both leases to subsequent lessees.

There appears to be no reason to formalise the situation unless in future the tenure and ownership of both leases are different.

3.3 Registered Interests

Mortgages:

No. A359525.6 to ANZ Banking Group (New Zealand) Limited (registered 8 July 1998).

3.4 Unregistered Interests

Easements

ROW Easements were promoted in SO 15985 on the basis of the former lessee's intention to rationalise the tourism and farming use and thus enable the separate sale of the Special lease. In those circumstances the need to provide easements to protect the supply of Power and Water across the Pastoral lease to the Special lease was also identified.

The leases have subsequently been transferred into common ownership whereupon the requirement for such easements has been superseded.

Unsecured Debts:

None known.

4 RELEASED UNDER THE OFFICIAL INFORMATION ACT lease:

There are no Land Improvement Agreements (LIA's) registered against the lease and the property is not part of a Rabbit and Land Management programme.

5 Summary of Land Status Report:

The Land Status Report by D. McGregor, McGregor Property Services Limited, for and on behalf of Q.V.Valuations on 14 March 2002, confirmed the status as Crown land under the Land Act 1948, being leased pursuant to Section 67(2) and(3) and registered under Section 83 of the Land Act 1948 as Computer Interest Register CB4C/1273.

The land is subject to Part IVA of the Conservation Act 1987, upon disposition.

The minerals remain with the Crown because the land has never been alienated since the original acquisition for settlement purposes from the original Maori owners under the 1848 Kemp Deed of Purchase.

The report noted the following issues:

- 1) The lease records the area as 32.6657 ha but this was amended as the result of the new appellations based on S.O. 15985 to 32.6620 ha and will require correction.
- 2) R.S.'s 41595 and 41596 were, under previous ownership, to be surrendered from the Special Lease and incorporated back into the adjoining Pastoral Lease. In conjunction with that, provision was to be made for a ROW easement across R.S. 41595 in favour of the Special Lease and a ROW easement across R.S. 41597 in favour of R.S. 41596 as shown on S.O. 15985. Those proposals were approved by CCL Case No. 82/573 dated 2 November 1982 and the lessees surveyor advised of the details of the approval (*folios 422, 424, and 426*).

Documentation to effect the proposals was referred to the lessees for execution but this was delayed until sale in 1995 whereupon the surrender /incorporation proposals became irrelevant to subsequent lessees (*refer folios 433, 434, 463 and 466-468*).

This correspondence also traversed the issue of access to the Power-house and Water Supply from the Pastoral lease. Notwithstanding that both leases are in common ownership a sublease or easements to protect these essential services is outstanding if the Special lease status is to remain.

A copy of the Land Status Report is attached as Schedule A.

6 Review of Topographical and Cadastral Data:

Both maps attached to the Land Status Report show that there are no historic sites, transmission or local power lines, water races, dams, huts, airstrips, telecommunication or other installations on the lease.

6.1 Marginal Strips:

Not applicable.

6.2 Legal Roads – formed and paper

The Land Status Report indicates that SO 10337 showed abutting road as being legal by Section 110A of the Public Works Act 1928.

6.3 ~~Physical Boundaries - Legal Boundaries (perimeter)~~ RELEASED UNDER THE OFFICIAL INFORMATION ACT

The adjoining Special lease was subdivided in 1983 and R.S.'s 41595 and 41596 on S.O. 15985 were to have been separated from the tourist activities by partial surrender from the Special lease and incorporation into the Pastoral lease.

7 Details of any neighbouring Crown or Conservation land:

This property is totally surrounded by *Section 5, S.O. 18222* (Mt Potts Pastoral lease).

8 Summarise any uncompleted actions or potential liabilities:

There are no incomplete actions.

APPENDICES

Schedule A – Land Status Report.

1. Copy of Lease.
2. Copies of relevant folios – Surrender and Incorporation / Easements.

Schedule A

**Appendix A – Land Status Report
(and supporting plans)**

Project No: QVV: 230

This report has been prepared on the instruction of Land information New Zealand in terms of Contract No. 50272 (as yet undated) and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Mt Potts Tenure Review (Special Lease)	LIPS Ref: 12741
Property 2 of 4	

Land District	Canterbury.
Legal Description	Rural Section s 41595 and 41596, situated in Block XV, Clyde Survey District and Rural Section 41597, situated in Blocks XV, Clyde and II, Potts Survey Districts.
Area	32.6620 hectares.
Status	Crown land subject to the Land Act 1948.
Instrument of title / lease	Special lease CL CB4C/1273 pursuant to Sections 67(2) and (3) and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal No. A259818.1.
Encumbrances	Subject to Part IVA of the Conservation Act 1987, upon disposition.
Mineral Ownership	The 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 Deed of Purchase.
Statute	Land Act 1948 and Crown Pastoral Land Act 1998.

Data Correct as at	14 March 2002
[Certification Attached]	Yes.

Prepared by Crown Accredited Supplier	Don McGregor, McGregor Property Services Limited, Christchurch for and on behalf of Q.V. Valuations.
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NOTES: This information does not affect the status of the land but was identified as possible requiring further investigation at the due diligence stage: See Crown Pastoral Standard 6	<ol style="list-style-type: none"> 1) The lease records the area as 36.6657 ha but this was amended as the result of the new appellations based on S.O. 15985 to 32.6620 ha and will require correction. 2) RS's 41595 and 41596 were, under previous ownership, to be surrendered from the Special lease and incorporated back into the adjoining Pastoral lease. In conjunction with that, provision was to be made for a ROW easement across R.S. 41595 in favour of the Special Lease and a ROW easement across R.S. 41597 in favour of R.S. 41596 as shown on S.O. 15985. Those proposals were approved by CCL Case no 82/573 dated 2 November 1982 and the lessees surveyor advised of the details of the approval (<i>folio 422, 5244426</i>)).
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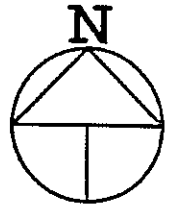
The Court also referred the proposals to the lessees for execution but this was delayed until sale in 1995 whereupon the surrender/incorporation proposals became irrelevant to subsequent lessees (*refer folios 434, 463 and 466-468*).

This correspondence also traversed the issue of access to the Power House and Water Supply from the Pastoral lease. Notwithstanding that both leases are in common ownership a sublease or easements to protect these essential services is outstanding if the Special lease status is to remain.

Research Data: Some Items may not be applicable

SDI Print Obtained	Yes.
NZMS 261 Ref	J 36.
Local Authority	Ashburton District Council.
Crown Acquisition Map	Kemp Deed of Purchase.
SO Plans	SO 10337 - Plan of R.S. 39049 – formerly Part Run 114 - Mt Potts (Approved 17 July 1964). SO 15985 - Plan of R.S's 41595-41597 (Approved 1 November 1983).
Gazette Notices	Not applicable.
Lease Ref	Special lease CL CB4C/1273 pursuant to Sections 67(2) and (3) and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal No. A259818.1.
Legalisation Cards	No legalisation cards.
CLR	Confirms RS 41597 as the Special lease area but shows R.S's 41595 and 41596 as being in the Pastoral lease. The latter two sections were never surrendered from the Special lease or incorporated into the Pastoral lease as intended. The proposals have been superseded by changes in ownership.
Allocation Maps (if applicable)	Searched. No DoC or SOE Allocations are within the periphery of the lease. Allocation D*J36*3 (SO 17113) over RS 41597 (Part adjoining Special Lease S156) was originally allocated to DOC but reallocated to the Office of Crown Lands by authority of correspondence dated 10 December 1990. Extracts of Allocation Maps attached.
VNZ Ref – if known	VR 24880/47200 (RS 41597) and 47203 (RS.'s 41595 and 41596).
Crown Grant Maps	Not applicable.
Subject Land Marginal Strip:	
a) Type [Sec 24(9) or Sec 58]	a) Not applicable.
b) Date Created	b) Not applicable.
c) Plan Reference	c) Not applicable.

<p>If Crown land – Check Irrigation Maps</p>	<p>Searched – Not applicable.</p>
<p>Mining Maps</p>	<p>Searched – Not applicable.</p>
<p>If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ 1989 b) By Proclamation c) Gazette Ref:</p>	<p>a) SO Plan 10337. Plan denoted Road by Section 110A of the Public Works Act 1928. b) Not applicable. c) Not Applicable.</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) No current DOC concessions exist within the lease boundaries. Knight Frank (NZ) Limited administers the Special Lease, the purpose of which is for tourist accommodation. b) Part 9 of the Ngai Tahu Claims Settlement Act 1998, upon disposition. c) 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 Deed of Purchase. d) Not applicable.</p>



RS 41595
SO 15985
9285 m²

RS 41596
SO 15985
2.9235 ha

(See Report 2 of 4)

RS 41597
SO 15985
28.8100 ha

RS 42168
SO 16113
2.4140 ha
(See Report 4 of 4)

HAKATERE

POTTS

ROAD

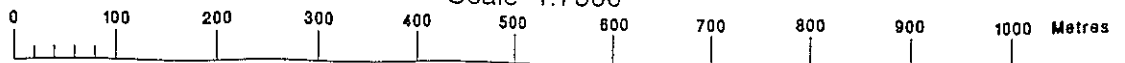
Legal

Road

Sec 10
SO 18222

Marginal Strip Subject to Sec 24(9)
Conservation Act 1987

Version	1	2	3	4	5
Canterbury Land District	Sheet 3 of 3				
Topographic Map 260 - J35, J36	Date 18/01/02				



Mt Potts

Scale 1:7500

**Appendix B Land Status Report
(Certified Correct by Chief Surveyor)**

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Project Number : QVV 230

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No : 50272 (as yet undated) and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Mt Potts Tenure Review (Special Lease)				LIPS Ref: 12741	
Property	1	of	1		

Land District	Canterbury
Legal Description	Rural Sections 41595 and 41596, situated in Block XV, Clyde Survey District and Rural Section 41597, situated in Blocks XV, Clyde and II, Potts Survey Districts.
Area	32.6620 hectares.
Status	Crown land subject to the Land Act 1948.
Instrument of title / lease	Special Lease CL CB4C/1273 pursuant to Section 67(1) and (2) and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal A259818/1.
Encumbrances	Subject to Part IVA of the Conservation Act 1987, upon disposition..
Statute	Land Act 1948.

Data Correct as at	11 January 2002.
[Certification Attached]	Yes

Prepared by	Don McGregor
Crown Accredited Supplier	McGregor Property Services Limited, Christchurch for and on behalf of Q.V. Valuations

Certification:

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 Crown Land subject to the Land Act 1948.

R. Moulton

Date: 4/3/2002

R Moulton, Chief Surveyor
Land Information New Zealand, Christchurch

Notes:
The lease records the area as 36.6657 ha but this was amended as a result of the new appellations based on S.O. 15985 to 32.6620 ha. This will have to be rectified.

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APPENDIX 1



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



Historical Search Copy


R. W. Muir
Registrar-General
of Land

Identifier CB4C/1273
Land Registration District Canterbury
Date Registered 11 August 1965 09:34 am

Type	Lease under s83 Land Act 1948	Term	33 years commencing on the 1st day of January 1964 and extended to 1.1.2030
Area	32.6657 hectares more or less		

Legal Description Rural Section 41595, Rural Section 41596 and Rural Section 41597

Original Proprietors
Mt Potts Station Limited

Interests

A259818.1 Variation and Extension of the term of the within lease to 1.1.2030 - 23.9.1996 at 10.25 am
A359525.4 Variation of the within Lease - 8.7.1998 at 9.50 am
A359525.6 Mortgage to ANZ Banking Group (New Zealand) Limited - 8.7.1998 at 9.50 am
5141308.1 Discharge of Mortgage A359525.6 - 24.1.2002 at 9:00 am
5141308.2 Mortgage to The National Bank of New Zealand Limited - 24.1.2002 at 9:00 am

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Id fier

CB4C/1273

NOT REGISTERED UNDER THE LAND TRANSFER ACT 1952
BUT UNDER THE LAND ACT 1948

L. & S.—B. 7

Former Ref. Vol. — fol. —
L. & S. Ref. No. S.156

NEW ZEALAND



Entered in the Register-book, the
11th day of August
19 65, at 9.34 a.m. o'clock.

Register
No. 4C/1273

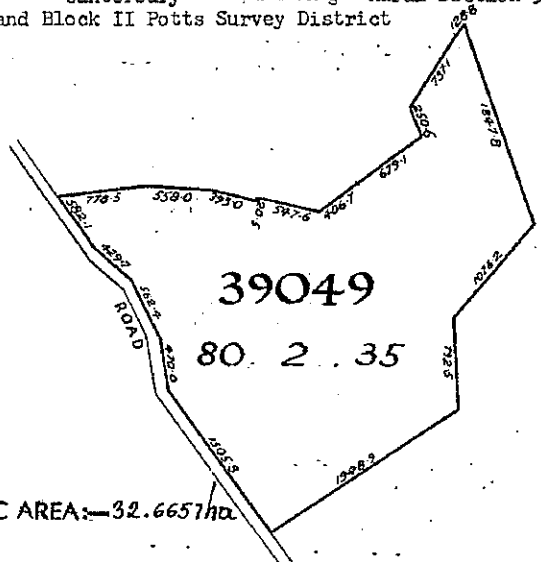
LEASE UNDER SUBSECTIONS (2) AND (3)
OF SECTION 67, LAND ACT 1948

Amman
Land Registrar.

This Deed, made the 1st day of January 1964, between HER MAJESTY THE QUEEN
(hereinafter referred to as "the Lessor"), of the one part, and ARTHUR ALLENBY UROUHART of Mt Somers,
Sheepfarmer;

aau

(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 admeasurement 80 acres 2 roods 35 perches more or less, situated in the Land District of Canterbury, and being Rural Section 39049 situated in Block XV Clyde Survey District and Block II Potts Survey District



METRIC AREA:—32.6657ha

Scale — 1 inch = 12 chain

S.O. 10337

levied, or payable in respect of the said land or any part or parts thereof during the said term.

2. That the Lessee will hold and use the said land bona fide for the Lessee's own use and benefit and will not assign, sublet, charge, or otherwise part with possession of the said land or any part thereof (other than by subletting for not more than three months in the aggregate in any one year) without the previous approval in writing of the Land Settlement Board (hereinafter referred to as "the Board").

3. That the Lessee throughout the term of the lease to the satisfaction of the Commissioner of Crown Lands for the said Land District (hereinafter referred to as "the Commissioner"); will cut and trim all live hedges, clear and keep clear the said land from all noxious weeds, and will comply strictly with the provisions of the Noxious Weeds Act 1950 and the Rabbits Act 1955 or such further period as the Commissioner shall allow

4. That the Lessee will within twelve months from the commencement of the term hereof erect on the said land a structure suitable for ~~tourist accommodation~~ purposes (if there be none already erected thereon) of an area of not less than ~~square feet~~ *aau* ~~square feet~~. The plan and specifications of such structure shall first be submitted to the Commissioner and no such structure shall be commenced unless and until the approval in writing of the Commissioner has been given and shall continue to use the said land throughout the said term for such purposes

5. That if and so often as the Lessee shall desire to make any improvements on the said land, the Lessee shall first obtain the consent in writing of the Commissioner and no such improvements shall be commenced unless and until the approval in writing of the Commissioner has been given. Any improvements made in contravention of this provision shall not only render the lease liable to forfeiture for non-compliance with the conditions of the lease, but also the Lessee shall not be entitled to receive payment from an incoming lessee in the event of the Lessee not renewing this lease or of the lease being forfeited.

No. 4C/1273

gnt

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Id Officer

CB4C/1273

6. That the Lessee will at all times during the said term keep all buildings, fences, gates, and other structures now erected or which may hereafter be erected on the said land or on the boundaries thereof in good repair, order, and condition and so yield up the same at the expiration or sooner determination of the said term.

7. That the Lessee will at the Lessee's own expense make such proper sanitary arrangements as may be required by the Commissioner or any other competent authority and will at reasonable periods remove and destroy all rubbish on the said land.

8. That the Commissioner or his officers, servants, workmen, or agents may at all reasonable times enter upon the said land to view and inspect the land and the improvements thereof; and the Lessee shall within one month of the receipt of notice by the Commissioner in writing effect such improvements, maintenance, and repairs as are specified.

9. That the Lessee shall not carry on or engage in any noxious, noisome, or offensive trade or business upon the said land or part thereof which may be a nuisance to the neighbourhood.

10. That the Lessee will not light any fire save in a properly constructed fireplace.

11. That the Lessee will comply with ^{all} the bylaws of the Ashburton County Council ~~National Park Board for the time being in force as if the said land were part of the National Park and in particular, but without limiting the generality of this provision, shall clear and keep clear the said land of all trees, shrubs, and plants (other than grass) which are not native to New Zealand.~~

~~12. That the Lessee will not cut, harm, remove, or destroy any tree or shrub, subject only to the provisions of clauses 3 and 11 hereof, or use or remove any gravel or sand on or from the said land or otherwise injure the surface without the consent in writing of the Commissioner, and all statutory regulations administered by that Council as are applicable to the use of the said land for the purposes referred to in Clause 4 hereof whether such by laws or regulations are already in force or may hereafter become enforceable.~~

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

- (a) That the Lessee shall have no right, title, or claim whatsoever to any minerals (within the meaning of the Land Act 1948) on or under the surface of the soil of the said land, and all such minerals are reserved to Her Majesty.
- (b) That the Lessee shall have no right of acquiring the fee simple of the said land.
- (c) That upon the expiration by effluxion of time of the term hereby granted and thereafter at the expiration of each succeeding term to be granted to the Lessee the Lessee shall have the right to obtain a new lease of the said land at a rent to be determined by the Board for a term of 33 years computed from the expiration of the term hereby granted and subject to the same covenants and provisions as in this lease, including this present provision for the renewal thereof and all provisions ancillary or in relation thereto.
- (d) That not later than six months prior to the expiration of the lease the Commissioner shall deliver to the Lessee a notice in writing advising the renewal rent fixed by the Board; and the Lessee shall advise the Commissioner within three months of the receipt of that notice whether the Lessee accepts a renewed lease or does not desire such a renewed lease.
- (e) That if the Lessee elects not to accept a renewed lease then a new lease of the said land shall be offered for disposal in accordance with the provisions of subsection (2) of section 67 and sections 136 and 137 of the Land Act 1948, and the provisions of those sections, so far as they are applicable and with the necessary modifications, shall apply to the said land.
- (f) That if the Lessee shall leave New Zealand or abandon the said land or cannot be found or if the Lessee shall neglect or fail or refuse to comply with the covenants and conditions herein expressed or implied to the satisfaction of the Board or the Commissioner, as the case may be, or make default for not less than six calendar months in the payment of rent, or other payments due to the Lessor, then the Board may, subject to the provisions of section 146 of the Land Act 1948, declare this lease to be forfeited and that without discharging or releasing the Lessee from liability for rent due or accruing due or for any prior breach of any covenant or condition of the lease.
- (g) That these presents are intended to take effect as a lease under subsection (2) of section 67 of the Land Act 1948, and the provisions of the said Act and of the regulations made thereunder applicable to such a lease shall be binding in all respects upon the parties hereto in the same manner as if such provisions had been fully set out herein.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Idifier

CB4C/1273

IN WITNESS whereof the Commissioner of Crown Lands for the said Land District, on behalf of the Lessor, hath hereunto set his hand, and these presents have also been executed by the said Lessee.

SIGNED by the Said Commissioner, on behalf of the Lessor, in the presence of—

Witness: J. H. Sloane
Occupation: Clerk, Lands & Survey Dept
Address: Christchurch

L. Hampton
Commissioner of Crown Lands

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

Witness: J. H. Sloane
Occupation: Solicitor
Address: Christchurch

A. A. Urquhart
Lessee

No. A259818/1 Variation and Extension of the term of the within lease to 1.1.2030 - 23.9.1996 at 10.25am

Mortgage 740151 to The Commercial Bank of Australia Limited 27.8/1968 at 11.15 a.m.

J. H. Sloane
for A.L.R.

A359525.4 Variation of the within Lease

Change of appellation whereby the description of the within land is changed to Rural Sections 41595, 41596 & 41597 - Blocks XV Clyde & Block II Potts produced this 5th day of December 1983 at 1.28pm

A359525.5 Transfer to Mt Potts Station Limited

A359525.6 Mortgage to ANZ Banking Group (New Zealand) Limited

all 8.7.1998 at 9.50

Transmission 466318/1 to Freda Lillian Urquhart of Erewhon, Mt Somers, Widow, Graham McKenzie Black of Blenheim, Farmer and Pyne Gould Guinness Limited as Executors - 8.12.1983 at 10.49 a.m.

J. H. Sloane
for DLR

J. H. Sloane for A.L.R.

Transfer A184410/3 to Robert Mark Cotton of Cromwell, Farmer - 20.7.1995 at 11.07am

Mortgage A184410/4 to Southland Building and Investment Society 7 20.7.1995 at 11.07am

Mortgage A184410/5 to Gertrude Mariechen Cotton, Ian McNab Douglas and Robert Mark Cotton - 20.7.1995 at 11.07am

Variation of Mortgage A184410/4 for A.L.R. at 11.00am

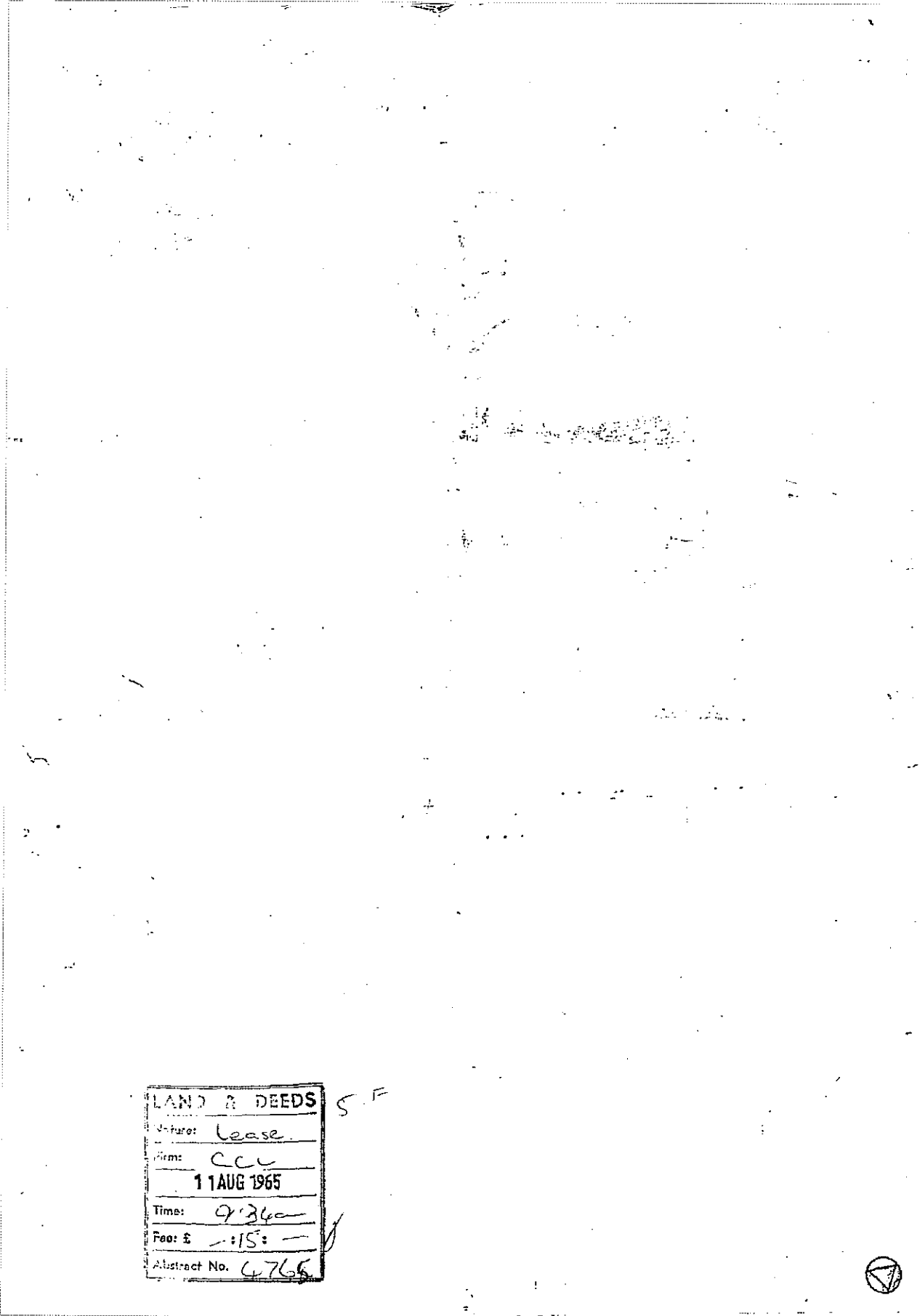
J. H. Sloane for A.L.R.

300/6/63-72068 W

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Id Identifier

CB4C/1273



LAND & DEEDS	
Instrument:	Lease
Firm:	CCU
1 AUG 1965	
Time:	9:34
Fee: \$	15:—
Abstract No.	4765

S.F.

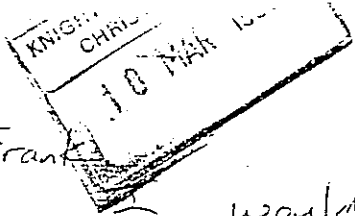


APPENDIX 2

RELEASED UNDER THE OFFICIAL INFORMATION ACT

FILE - P. 143

5156



Rogel

6/3/97

Knight Frank

I would like to apply for a application to Free hold mt Potts station 2 Erewhon Park.

I would like a tenure review on both leases.

Could you please notify me to let me know you have received this letter.

R. M. COTTAW
mt Potts Station.
mt Somers.

R M Cottaw

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LIMITED

PGG TRUST LTD. A PYNE GOULD CORPORATION LTD COMPANY

TANCRED ST. P.O. BOX 194, ASHBURTON.
PH (03) 308-4089 FAX (03) 308-3809

29 September 1992

Mr S J K Bamford
Property Manager
Landcorp Property Limited
P O Box 142
CHRISTCHURCH

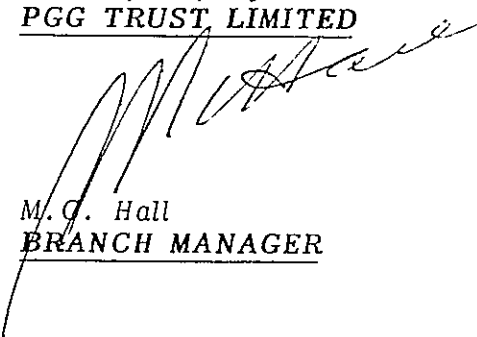
Dear Mr Bamford,

ESTATE A.A. URQUHART

Just a note advising that we haven't overlooked the matter of the partial surrender of lease. This matter has been held aside pending discussions between the beneficiaries as to the future of the Estate A.A. Urquhart and also the future of Erewhon Park.

There are one or two family matters that will require settlement and may reflect upon the leased property.

Yours faithfully,
PGG TRUST LIMITED


M.C. Hall
BRANCH MANAGER

17 October 1991

Estate A A Urquhart
C/- PGG Trust Ltd
P O Box 194
ASHBURTON

ATTENTION: M HALL

Dear Sir

ESTATE A A URQUHART : EREWHON PARK LEASE

As discussed recently with Mr Hall and Mr Alasdair Urquhart please find attached a new partial surrender document to be executed by the Trustees. Please return when completed and Landcorp will execute and we will also have a Certificate of Alteration under Section 113, Land Act 1948 to enable the land to be incorporated into the adjoining Pastoral Lease. Landcorp's cost for preparing these two documents is \$100 plus GST.

There was reciprocal easements to be drawn up by your solicitors. I refer to the Lands and Survey letter of 18 September 1985 to Mr Brockett. Mr Urquhart has questioned the need for these easements which were to:

- (i) Provide access up the road past the Lodge to Mrs Urquharts house on the southeastern boundary of the special lease. (Shown as B on SO 15985.)
- (ii) Provide access to the Special lease over RS41595 that will be incorporated into the pastoral lease on part of the northern boundary. (Shown as A on SO 15985.)

These easements may not be necessary at the present time when the ownership is still effectively under the one party but could be considered if the special lease was sold separately. Mr Urquhart also commented that there is paper road access to Mrs Urquhart (seniors) house. However as shown on the survey plan that was prepared for the subdivision of the pastoral lease it shows quite clearly this paper road does not actually provide any access.

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Should you decide to proceed with the easements it is probably appropriate for you to arrange to register the various documents. However, we can easily arrange the registration for a small cost and recovery of fees. Please advise your preferred option and if you wish Landcorp to register send the titles back with the partial surrender document.

Should you have any queries please do not hesitate to contact the undersigned.

Yours faithfully

A handwritten signature in black ink, appearing to be 'SJK', enclosed within a large, loopy circular scribble.

SJK BAMFORD
Consultant

over 3 metres wide.

RELEASED UNDER THE OFFICIAL INFORMATION ACT

Total Area 16327.0 ha

Comprised in Pt CL 529/17

John Maynard Gilson

Registered Surveyor and holder of an annual practising certificate for 1988 may act as a registered surveyor pursuant to section 25 of the Survey Act 1986) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or other regulations made in substitution thereof.

Dated at Christchurch this 31st day of July 1989 Signature J.M. Gilson

Field Book ~ p. ~ Traverse Book ~ p

Reference Plans S.O.'s 4572, 10337, 11076, 11331, 11789, 15998, 16113, 171 Topo 3G, Topo 12G; NZMS 270 Topo plot J35C; NZMS 1 Photogrammetric plots NZMS 1 572, 580; See Examined *George P. P.* Correct

Approved as to Survey

R. Maudslayi

21/11/89

Deputy Chief Surveyor

Deposited this

day of

19

District Land Registrar

File 5/3/3

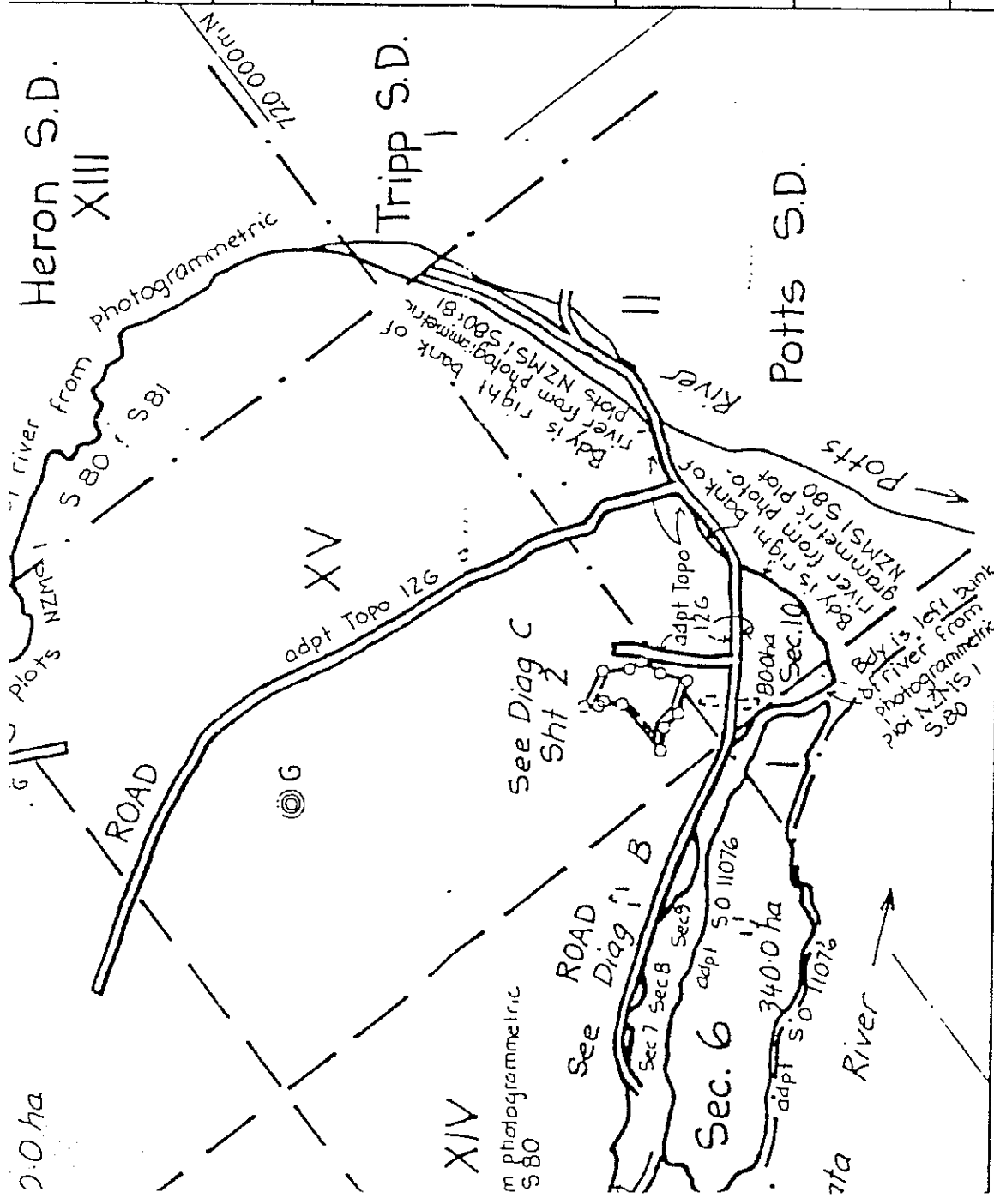
Received 21.9.89

Instructions 20/4235

S018222

DOSLI FORM

Sheet 1 of 2 Sheets



TERRITORIAL AUTHORITY Ashburton County

Compiled by Dept. of Survey and Land Information

Scale 1:60 000 Date July 1989

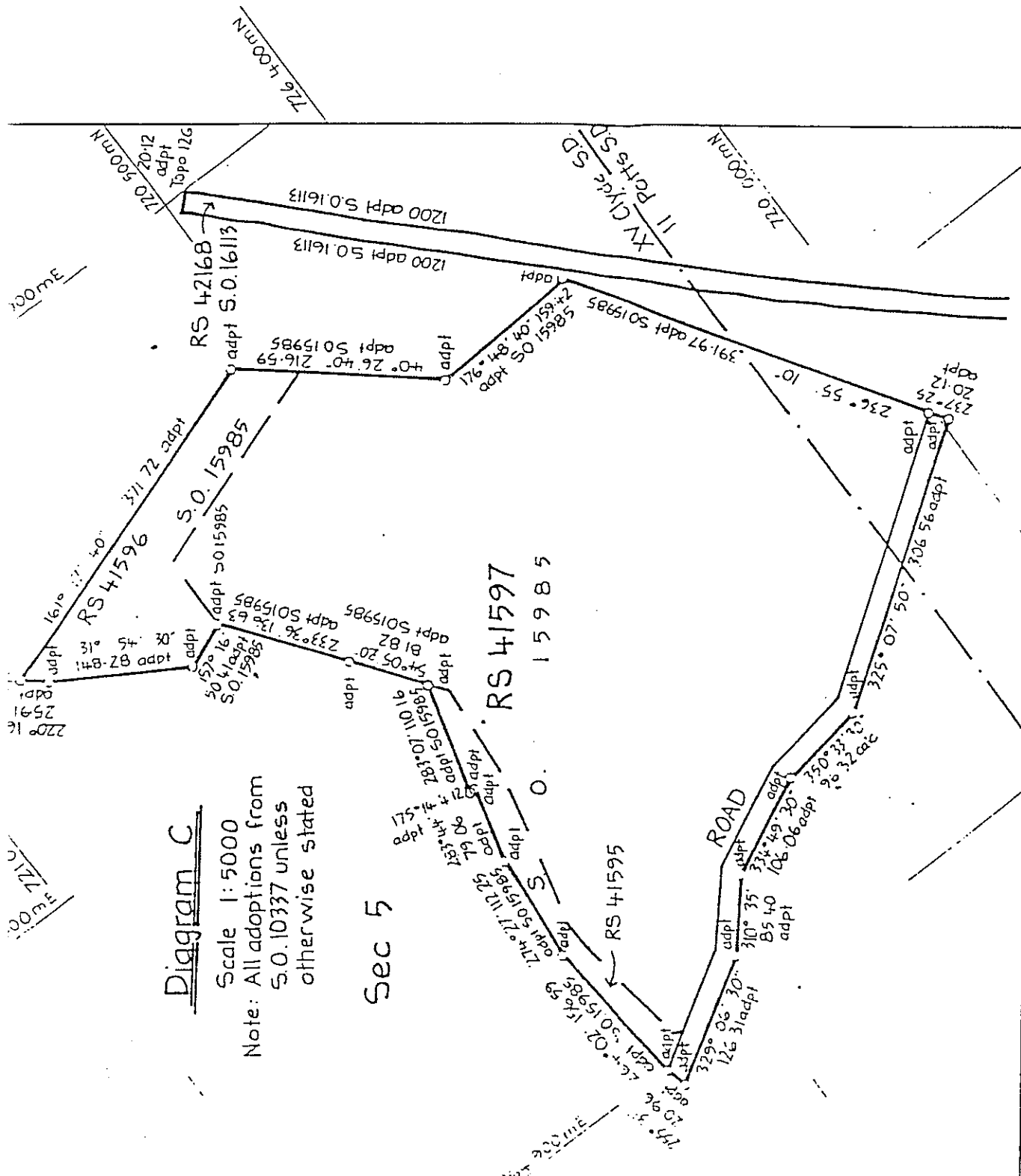
STATEMENT OF SURVEY AND LAND INFORMATION NEW ZEALAND

Diagram C

Scale 1:5000

Note: All adoptions from
S.O. 10337 unless
otherwise stated

Sec 5



Diagrams A & C

LAND DISTRICT Canterbury

Survey Blk. & Dist.

J35

M711C 741 Chart 197, District 11-11-11.

RELEASED UNDER THE OFFICIAL INFORMATION ACT
MEMORANDUM OF SURRENDER

IN THE MATTER of the Land Act 1948 and its
Amendments

AND

IN THE MATTER of Special Lease No S 156 under the
Land Act 1948 of ALL that piece of
land situated in the Canterbury Land
District, containing 32.6620 hectares,
more or less, being Rural Sections
41595, 41596 and 41597 situated in
Block XV Clyde and II Potts Survey
Districts, and being the whole of land
comprised and described in the
aforesaid Special Lease recorded in
Register book, Volume 4C folio 1273
Canterbury Registry

We, FREDA LILLIAN UROUHART of Erewhon, Mt Somers, Widow, GRAHAM
MCKENZIE BLACK of Blenheim, Farmer and PGG TRUST LIMITED, a duly
incorporated company having its registered office at Ashburton, as Executors, the Lessees
under the above-mentioned lease DO HEREBY SURRENDER in terms of Section 145 of
the Land Act 1948, all our estate and interest as such lessees in all that piece of land
containing 3.8520 hectares, being Rural Sections 41595 and 41596 situated in Block XV
Clyde Survey District, with no alteration to the Annual Rent and Rental Value AND WE
AGREE AND DECLARE THAT all and singular the covenants conditions and
agreements of the said recited lease expressed and/or implied shall continue in force in
respect of the residue of the land henceforth comprised therein as fully and effectually as
if such residue of the said land above had originally been comprised therein AND WE
HEREBY FURTHER AGREE AND DECLARE that the said surrender shall take effect
from the 30th day of June 1991.

SIGNED by the said FREDA LILLIAN)
UROUHART as Lessee in the presence)
of:)

Lessee

WITNESS: _____

OCCUPATION: _____

ADDRESS: _____

SIGNED by the said GRAHAM)
MICHAEL BLACK as Lessee)
RELEASED UNDER THE OFFICIAL INFORMATION ACT

the presence of:) Lessee

WITNESS: _____

OCCUPATION: _____

ADDRESS: _____

THE COMMON SEAL of PGG TRUST)
LIMITED as Lessee was hereunto affixed)
in the presence of:)

WITNESS: _____

OCCUPATION: _____

ADDRESS: _____

THIS IS TO CERTIFY for the purposes of Section 113 of the Land Act 1948 that from the 30th day of June 1991, the land referred to in the above Memorandum of Partial Surrender was excluded from the land comprised in Special Lease No S 156.

SIGNED for and on behalf of HER)
MAJESTY THE QUEEN pursuant)
to a Deed lodged with the District)
Land Registrar as No 856748/1 by)
LAND CORPORATION LIMITED)

LAND CORPORATION
LIMITED by its Attorney

by its Attorney SIMON JOHN)
KNOWLES BAMFORD in the)
presence of:)

WITNESS: _____

OCCUPATION: _____

ADDRESS: _____

SCHEDULE
(Land remaining in Lease)

Rural Section 41597 situated in Blocks XV Clyde and
II Potts Survey Districts.
Area: 28.8100 hectares

Correct for the purposes of the Land Transfer Act.

Solicitor for LAND CORPORATION LIMITED

401
RELEASED UNDER THE OFFICIAL INFORMATION ACT
NOTE FOR FILE

FROM: S Bamford
OUR REF: S 156, P 143
DATE: 22 October 1991
SUBJECT: PARTIAL SURRENDER OF PART SPECIAL LEASE AND
INCORPORATION INTO PASTORAL LEASE

PARTIAL SURRENDER OF PART SPECIAL LEASE:

An application was made to subdivide approximately 2.8 hectares from the SL. This land had Mrs Urquhart (Seniors) house located on it and at that stage it was intended to sell the remainder of the SL (Folio 422). There was discussion of easements required for water supply, power and access.

The application was approved 2 November 1982 (folio 426) subject to some minor alterations. New appellations were given on SO 15985 (folio 428).

i) **Area to be surrendered**

RS 41595	0.9285 hectares
RS 41596	<u>2.9235</u> hectares
	<u>3.8520</u> hectares

ii) **Land remaining in Lease**

RS 41597	<u>28.8100</u> hectares
----------	-------------------------

A letter and partial surrender document was sent to Mr G S Brockett, Solicitor (18/10/85, folio 434) and the matter died although it was assumed by the Urquharts it had been completed.

The lease was initially allocated to DOC and after some discussion was reallocated to the Office of Crown Lads to be administered by Landcorp.

While completing the subdivision of the pastoral lease it was noted that the partial surrender from the SL had not occurred. When Landcorp received the file it was confirmed the action had not been completed. Action was initiated to confirm the various parties wished it to still go ahead.

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INCORPORATION INTO PASTORAL LEASE

Present Lease comprises:

Sections 5, 6, 7, 8, 9 and 10, SO 18222 situated in Clyde,
Heron, Potts and Trip Survey Districts 9692.00 hectares

Land to be incorporated:

RS 41595 and 41596, situated in Clyde Survey District 3.852 hectares

New area of Pastoral Lease 9695.852 hectares

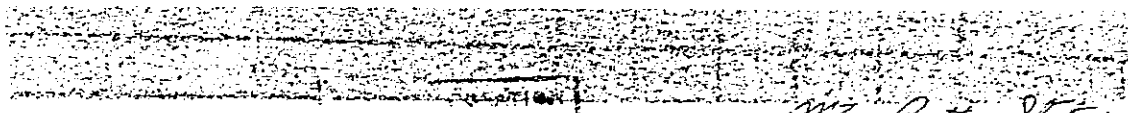
PGG Trust now administer the Estate of AA Urquhart and are secretary for Erewhon Park. All correspondence should be sent to them, with a copy to Alasdair Urquhart.

ACTION:

1. Prepare new partial surrender document.
2. Advise client, re preparation of reciprocal easements.
3. Prepare Section 113 Certificate, Incorporation into PL.
4. Cost to prepare documents has been quoted at \$100.00 and if Landcorp registers documents a small charge plus disbursements.

SJK BAMFORD
Consultant

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16 AUG 1991
CIVIL SERVICE

MT. Potts Station

MT. Somers

14th Aug 1991

Landcorp

P.O.

Christchurch

S. A. Somers

Dear Sir

I am writing with regard of the surrender of 3.8520 Ha from the special lease of Erewhon Park to the adjacent pastoral lease. I believe that this transfer should be completed and any costs to be paid by myself with regard to the transfer. The value of Mrs Uryehart's (senior) house has been taken into account with the separation of the Erewhon & Mt. Potts lease's and Mt Potts is paying ^{the} rates on the land and house.

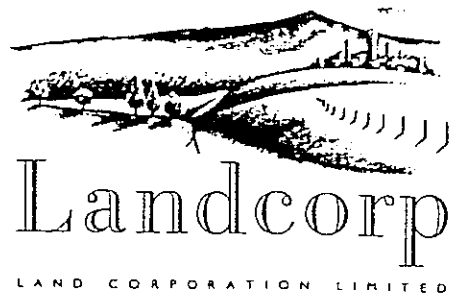
Yours faithfully

E. W. Uryehart

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7 May 1991

Estate A A Urquhart
C/- Gaibites, Sinclair and Partners
Chartered Accountants
P O Box 424
ASHBURTON

Dear Sir

TRANSFER OF ADMINISTRATION OF SPECIAL LEASE

This letter is to advise that agreement has been reached that the Department of Conservation will transfer the above Special Lease to the Office of Crown Lands. It will be managed by Landcorp in accordance with the pastoral management agreement.

The effective changeover date is 1 January 1991, and rental will be payable to Landcorp from this date. It is my intention to charge the annual rental once annually as a 1 July 1991.

Could you please confirm that the above address is correct for the receiving of correspondence and accounts.

I also note that the surrender of part (3.8520 ha) and inclusion of this land into the adjacent pastoral lease has not been completed. The last reference on file was a letter written to Mr G S Brockett, Barrister and Solicitor, Christchurch, of 18 September 1985. This letter included a memorandum of partial surrender which required execution. There is no indication this has occurred and the documents returned. Could you please advise if you wish to peruse this action and who we should contact. I would advise that costs incurred by Landcorp would be passed onto your clients including the costs of preparing new documents if required.

Should you have any queries please do not hesitate to contact the undersigned.

Yours faithfully


SJK BAMFORD
Consultant

CC Messers A W and C F Urquhart
C/- Mt Potts Station
P O Box 7
MT SOMERS

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INCORPORATING LANDCORP INVESTMENTS LIMITED & LANDCORP MANAGEMENT SERVICES LIMITED

Christchurch District Office
Southstate Tower
76 Cashel Street
Private Bag
CHRISTCHURCH, N.Z.
Tel (03) 799-787
Fax (03) 798-440

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S 156, ~~F-18~~

CF

rs Bitschkat

799 760

Private Bag
CHRISTCHURCH

18 September 1985

Mr G.S. Brockett
Barrister and Solicitor
P.O. Box 802
CHRISTCHURCH

61-487

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Dear Mr Brockett

APPLICATION TO SUBDIVIDE : ESTATE A.A. URQUHART

As you are no doubt aware, in November 1982 approval was given to the subdivision of the land held under special lease S 156.

The land to be surrendered from S 156 has now been surveyed and the legal description is as follows:

Rural Sections 41595 and 41596 situated in
Block XV Clyde Survey District containing
3.8520 hectares.

Would you please arrange to have the present lessees execute the attached Memorandum of Partial Surrender and return it to this office together with the existing special lease document (C.L. 4C/1273).

Once the above matter has been attended to I will proceed to register the partial surrender. It should be noted however that I will not be able to register the incorporation of the land into the pastoral lease (P 16) until this lease has been renewed. In the meantime I suggest you could now proceed to prepare the access and power supply easements in draft so that these can be lodged for registration against the pastoral lease in conjunction with the Memorandum of Incorporation.

Yours faithfully

B/L

J

18-10-85
L/A

Mrs Helen J. Bitschkat
for Commissioner of Crown Lands

enc

MEMORANDUM OF PARTIAL SURRENDER
RELEASED UNDER THE OFFICIAL INFORMATION ACT

IN THE MATTER of the Land Act 1948 and
its Amendments

AND

IN THE MATTER of Special Lease No. S 156
under the Land Act 1948 of
ALL that piece of land
situated in the Canterbury
Land District, containing
32.6620 hectares, more or
less, being Rural Sections
41595, 41596 and 41597
situated in Blocks XV
Clyde and II Potts Survey
Districts, and being the
whole of land comprised
and described in the
aforesaid Special Lease
recorded in Register book,
Volume 4C folio 1273
Canterbury Registry

We, FREDA LILLIAN URQUHART of Erewhon, Mt Somers, Widow, GRAHAM MCKENZIE BLACK of Blenheim, Farmer and PYNE GOULD GUINNESS LIMITED, a duly incorporated company having its registered office at Ashburton, as Executors, the Lessees under the above-mentioned lease DO HEREBY SURRENDER in terms of Section 145 of the Land Act 1948, all our estate and interest as such lessees in all that piece of land containing 3.8520 hectares, being Rural Sections 41595 and 41596 situated in Block XV Clyde Survey District, with no alteration to the Annual Rent and Rental Value AND WE AGREE AND DECLARE THAT all and singular the covenants conditions and agreements of the said recited lease expressed and/or implied shall continue in force in respect of the residue of the land henceforth comprised therein as fully and effectually as if such residue of the said land above had originally been comprised therein AND WE HEREBY FURTHER AGREE AND DECLARE that the said surrender shall take effect from the 30th day of June 1984.

SIGNED by the said FREDA LILLIAN URQUHART Lessee in the presence of:)
of:) _____ Lessee

Witness: _____

Occupation: _____

Address: _____

SIGNED by the said GRAHAM MCKENZIE BLACK Lessee in the presence of:)
presence of:) _____ Lessee

Witness: _____

Occupation: _____

Address: _____

RELEASED UNDER THE OFFICIAL INFORMATION ACT

THE COMMON SEAL of PYNE GOULD)
 GUINNESS LIMITED as Lessee was)
 hereunto affixed in the presence)
 of:)

SURRENDER ACCEPTED for and on behalf of HER MAJESTY THE QUEEN as Lessor:

SIGNED by the Deputy Assistant)
 Commissioner of Crown Lands for)
 the Canterbury Land District in) Deputy Assistant Commissioner of
 the presence of:) Crown Lands

Witness: _____

Occupation: _____

Address: _____

THIS IS TO CERTIFY for the purposes of Section 113 of the Land Act 1948 that from the first day of July 1984, the land referred to in the above Memorandum of Partial Surrender was excluded from the land comprised in Lease No. S 156.

Deputy Assistant Commissioner of
Crown Lands

SCHEDULE

(Land remaining in Lease)

Rural Section 41597 situated in Blocks XV Clyde
 and II Potts Survey Districts.
Area: 28.8100 hectares.

Correct for the purposes of the Land Transfer Act.

Deputy Assistant Commissioner of
Crown Lands

JS

r Savage

799 760

Private Bag
CHRISTCHURCH

2 November 1982

Mr M.J. Beauvais
Registered Surveyor
71 Allens Road
ASHBURTON

SUBMISSION TO COMMISSIONER
OF CROWN LANDS

CASE No: 82/573

ABOVE PROPOSAL APPROVED

AUTHORITY S. 60 + 93 LAND ACT 1977

[Signature]
COMMISSIONER OF CROWN LANDS

2 / 11 / 1982

PJA

Dear Mr Beauvais

APPLICATION TO SUBDIVIDE : ESTATE A.A. URQUHART

With reference to your letter of 22 September 1982, I am pleased to advise that the subdivision of land held under Special Lease S.156 as per scheme plan submitted, has been approved including the surrender and incorporation of Lot 1 to be amalgamated with Pastoral Lease P.16 (C.L. 529/17). This approval is subject to the Ashburton County Council's consent to the subdivision being obtained, all other approvals or permits as may be necessary and is conditional upon the boundary of Lot 2 being altered as recommended below and to the following easements being created:-

Proposed access, easements, power supply etc

Also there is no objection to an easement being created over Lot 2 in favour of the lessees of Erewhon Pastoral Lease (P.16) for access to the house occupied by Mrs A.A. Urquhart. In addition to provide access to Mr Alasdair Urquhart's house, it is suggested this be achieved by altering the boundary of Lot 2 so that the access to his house is contained within the Pastoral Lease and a further easement in favour of the lessees of Special Lease S.156 for joint use of the access will also be acceptable. As regards the water supply and access to the power house, there is again no objection to easements being created for these purposes, however a sub-lease of the power site would be preferable rather than exclusion from the Pastoral Lease. The question of how electricity costs are to be met would then be a matter for the various parties to reach agreement on and could possibly be achieved by way of a watering system.

Please note that approval to the above subdivision and easements is subject to all survey and other costs being met by your clients and to draft easements being submitted to this office for the District Solicitor's perusal and final consent and to the boundary of Lot 2 being altered as recommended above.

Yours faithfully

PJA 2/11
P.L. Savage
for Commissioner of Crown Lands

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~~The County Clerk
Ashburton County Council
P.O. Box 17
ASHBURTON~~

Above copy for your information. The attached copy of scheme plan also refers.

PA 2/11
P.L. Savage
for Commissioner of Crown Lands

encl

DFO
OFFICE

Above copy for your information. Field Officer T.B. Hood's report of 22 October 1982 refers.

PA 2/11
P.L. Savage
for Commissioner of Crown Lands

RELEASED UNDER THE OFFICIAL INFORMATION ACT

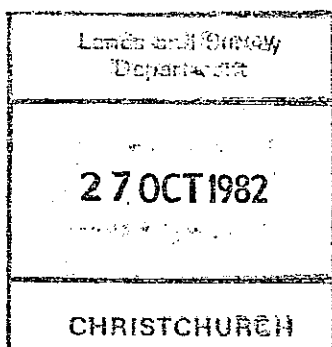
File: S. 156

Job No. 82/432

CHRISTCHURCH

22 October 1982

CCL
OFFICE



APPLICATION TO SUBDIVIDE : ESTATE A.A. URQUHART

Refer job instruction folio 423 and see letter from the Registered Surveyor, M.J. Beauvais folio 422.

The desire to subdivide the special lease S. 156 in the manner outlined is an obvious suggestion, in light of the wish for Mrs A.A. Urquhart to remain living on the Pastoral Lease in her present dwelling. This suggestion also falls into line with comments made by P.L. Savage, Land Admin. in paragraph 3 of note for file, folio 414, over the subject of Mrs Urquhart's desire to continue to reside in her present dwelling.

Considering that the department is prepared to transfer the special lease S. 156 from Erewhon Park Limited to another interest, I feel the issue of subdividing off part of the special lease with provision for easements allowing access to both Mr A. Urquhart and Mrs A.A. Urquhart is most satisfactory and all that is required is the survey and registration of easement documents. I can see no physical problems associated with subdivision and I am sure that access easements would be satisfactory in solving the access problem.

In regard to the question of moving the boundary of S. 156 to the northern side of the track with a right of way over the track, this would be possible but this problem of access can just as easily be satisfied with an easement as suggested above.

As there will be problems associated with the power supply, there will need to be provision made for either subdivision out of the Pastoral lease of the power house with the area becoming added to special lease S. 156 and the power supplied to the two dwellings metered, and charged for (if so desired) or else the power house could remain within the Pastoral Lease with the new lessee of special lease S. 156 being metered and charged for the power used (if so desired). What ever the outcome I feel this must be for Erewhon Park Limited and the new lessee to come to terms over and at any rate this aspect is only corollary to the main issue of subdivision.

As the above issues are mainly of a legal nature I feel a ground inspection is not warranted. In discussion with the SFO he supported my above comments.

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Recommendations

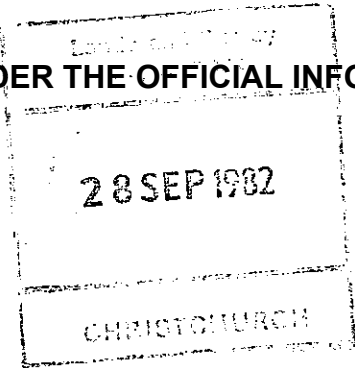
1. That the department give its consent to the subdivision as outlined on folio 422 in the Registered Surveyor's letter to this department with the exception of the suggestion about a movement of the boundary to the northern side of track with a right of way. I feel the access problem would be adequately covered by easements for access over both existing tracks.
2. That the power plant problem being only corollary to the subdivision be considered by the department further when Erewhon Park Limited have successfully obtained a transfer of S. 156.

J. B. Hood 22/10/82
 T.B. Hood
 Field Officer

I agree to the proposal to subdivide but consider the following modifications essential:

- 1) Easement over Lot 2 in favour of the lessee of P.16 for access to the house occupied by Mr Urquhart.
- 2) Alter boundary of Lot 2 so that the access to Mr Urquhart's house is contained within the pastoral lease. (An easement to lessee of S.156 is acceptable)
- 3) Surrender of Lot 1 & inclusion of it within P.16
- 4) Easements for water supply & access to the power house a sub lease of the power house site is preferred to exclusion & disposal from the pastoral lease.

P. B. Hood
 26/10/82.



Mervyn J. Beauvais,
REGISTERED SURVEYOR.

71 Allens Road,
Ashburton.

Phone 7435.

22 September 1982

The Commissioner of Crown Lands,
Lands & Survey Department,
Private Bag,
CHRISTCHURCH

Dear Sir,

Zona

re: Special Lease 4C/1273 R.S.39049

The trustees of the estate of A.A. Urquhart wish to dispose of part of the land in this lease, an area of approximately 29.6400ha (Lot 2). The area of approximately 2.8257ha (Lot 1) would be returned to the pastoral lease 529/17 and it is on this area which a house occupied by Mrs A.A. Urquhart has been built. It would be desirable that a right of way over the existing track giving access to the house be retained. Because of the topography of the area the northern part of Lot 1 would be useful for the movement of stock from the sheep yards to the east and south.

The present access to Mr Alasdair Urquhart's house and yards is along a track in the north of Lot 2. The track is also used by traffic to and from the restaurant and recreational area, so a combined use of this track would be necessary. Maybe the movement of the boundary to the northern side of the track with a R.O.W. over the track would be an acceptable solution.

Water supply for the restaurant is from outside Lot 2 and an easement for its supply would be needed.

Mr A. Urquhart would like to sell the power unit to any purchaser of Lot 2 and this would, no doubt, require the power house and the land around it to be taken out of the pastoral lease. It would also require easements for access to the power house and the pipe line and water supply to generate power, and an easement for the supply line from the power house to the restaurant. I would appreciate your comments on this.

Whatever arrangements are made for the power supply to the special licence, some provision should be made for the supply of electricity to both Mrs Urquhart's and Mr A. Urquhart's house

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...

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which I understand receive their power after it reaches the restaurant.

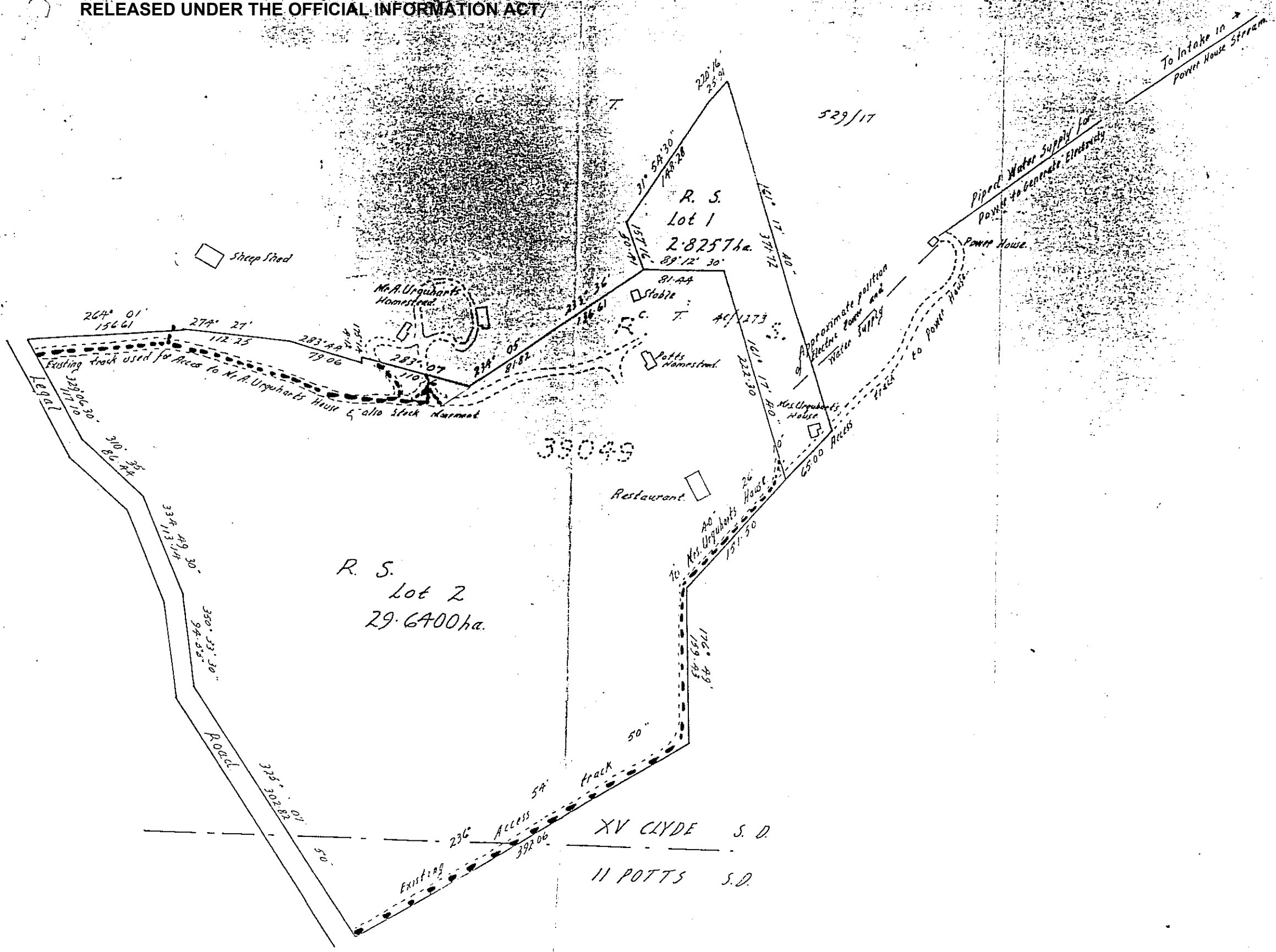
I would be pleased to receive your approval to proceed with the survey assuming that County approval is obtained and the leasees are agreeable to any suggestions or conditions you may make.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "Mervyn J. Beauvais".

Mervyn J. Beauvais.

MJB:RGB



Prepared by:
 Evelyn J. Beauvais
 Registered Surveyor
 A. Burton
 1982

R.S. LOTS 1 & 2 BEING PROPOSED SUBDIVISION
 OF R.S. 39049 BLOCKS XV CLYDE & 11 POTTS S.D.
 A. BURTON COUNTY COUNCIL Comprised in C.T.A.C. 1273

Total Area 32.6657 ha
 Scale 1:3000