

Crown Pastoral Land Tenure Review

Lease name : HAWKS BURN STATION

Lease number : PO 043

Due Diligence Report (including Status Report) - Part 5

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

6758

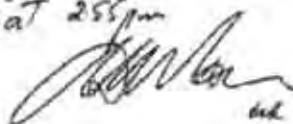
Proclamation

The Government of New Zealand
 do hereby proclaim that the
 land described in Schedule 1
 shall be taken for the purposes
 of the Water Resources Act 1980
 and shall vest in the
 Crown as from the date of this
 proclamation.
 P. W. Adams
 Minister of Lands



P. W. Adams
 Minister of Lands

885885 Transfer being a grant of
 rights (in gross) to maintain and
 support a dam and to store and convey
 water over the within land in favour of
 the Karnaclough Irrigation Company
 Limited - 30.6.1995 at 255 gm


 P. W. Adams

10/06/95
10/06/95
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10/06/95
10/06/95

CDE S15 - Request Manual Copy [X]

Document Type	SEARCH	Request #	17080
Reference Number	Transfer 88588	User Id	3331
Land District	Otago	Request Date	05/08/2001
Method of Delivery	Post	Client Reference	PHLIT/12/12670
<input type="checkbox"/> Certified Copy		Status	Pending

Delivery Details

Firm	Lucas International Consultants Ltd - Dunedin
Street	Private Bag 1933
Town	Dunedin
Country	New Zealand
Postcode	
Fax Number	03 474 8335

Exit [OK] Cancel

IN THE MATTER of Section 4 of the
Irrigation Schemes Act 1990

AND

IN THE MATTER of HER MAJESTY THE
QUEEN as Owner

AND

IN THE MATTER of the EARNSCLEUGH
IRRIGATION COMPANY LIMITED as
grantee of an easement in gross

INSTRUMENT OF TRANSFER OF EASEMENTS
IN GROSS FOR IRRIGATION WORKS

1.0 BACKGROUND

- 1.1 The Earnsclough Irrigation Company Limited, a duly incorporated company having its registered office at 29 The Mall, Cromwell (called "the Irrigation Company") has purchased the Earnsclough Irrigation Scheme pursuant to a Sale and Purchase Agreement between Anthony Bruce Lepper, Orchard Manager and Anthony John Banks, Orchardist, both of Earnsclough as agents for the Irrigation Company then yet to be incorporated and David Francis Caygill, Minister of Finance and James Robert Sutton, Minister of Agriculture on behalf of the Crown, dated 1 March 1990 and subsequently adopted by the Irrigation Company as the Purchaser. The Earnsclough Irrigation Scheme (called "the Irrigation Scheme") is defined by notices in the New Zealand Gazette Orders dated 17 July 1924 page 1667, 21 April 1925 page 967 and 15 March 1956 and is described in the said Sale and Purchase Agreement.



- 1.2 HER MAJESTY THE QUEEN (called "the Crown") is registered as Owner of that land described Fraser Dam being Block XII Leaning Rock Survey District and Blocks VI and VIII Bannockburn Survey District (called "the Crown's land").
- 1.3 The Minister of Agriculture (called "the Minister") had the right immediately before the date of sale of the Irrigation Scheme to the Irrigation Company, pursuant to Section 223 of the Public Works Act 1981 or the corresponding provisions of any former enactment relating to irrigation, to enter, use, occupy, carry out work on, store water on, or convey water over the Crown's land and in the manner, detailed in this Instrument, for the purposes of the Irrigation Scheme.
- 1.4 Section 4 of the Irrigation Schemes Act 1990 provides the statutory mechanism to transfer from the Landowners to the Irrigation Company, the same easement rights as the Crown previously had over the Crown's land, and the Crown and the Irrigation Company have agreed to the transfer of these easement rights to the Irrigation Company.

2.0 GRANT OF EASEMENT

The Crown TRANSFERS AND GRANTS to the Irrigation Company as an easement in gross forever, pursuant to Section 4 of the Irrigation Schemes Act 1990, the right to maintain and support a dam and the right to store water and to convey water over the said Crown's land as marked " _____ " on the plan E111C annexed which rights shall have attached to them the following rights, powers and obligations.

- 2.1 The Irrigation Company together with any person (as defined in Section 4 of the Acts Interpretation Act 1924) acting with the authority, or on the instructions, of the Irrigation Company and together with all tools, implements,



machinery, vehicles, equipment and materials of whatsoever nature shall have the uninterrupted and unrestricted rights:

- (a) To situate and maintain water works and store and convey water unimpeded along the stipulated course and at the stipulated position on the Crown's land shown on the plan attached and for this purpose to have the right to use, occupy, excavate, construct, maintain, reconstruct and carry out such works (in this Instrument called "water works") as the Irrigation Company considers necessary or desirable on the Crown's land along the stipulated course including, but without limitation, structures and works for; the dam, intakes, conveying water, water flow control and supply, storage, turnouts, monitoring and discharges.
- (b) To monitor and control its waterflows and the water source flows and to carry out viewing, surveillance and monitoring of its water works on the Crown's land.
- (c) To enter the Crown's land and to have access across the Crown's land by the most practicable route.
- (d) To erect and maintain such fixtures or markers as may be necessary to indicate the location of any pipeline and associated works provided that such fixtures or markers do not interfere with the reasonable management of the Crown's land.
- (e) To remove from the Crown's land over which there is a right to store water, sediment or other material the Irrigation Society considers is impeding or likely to impede the efficient operation of the dam and storage.



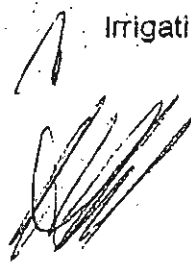
- (f) To install and maintain booms and other floating equipment on the lake on the Crown's land on which there is a right to store water and to have the right to anchor such equipment on the Crown's land.
- (g) To exclude entry by an person to the water works (excluding the Manorburn Dam Lake) in such circumstances that this is required to protect public safety or the security of the water works.
- (h) To generally do anything necessary or convenient for the full exercise of the rights under this Instrument and to give full effect to the purposes of this Instrument.

It being acknowledged that the words "convey water" and "conveying water" include "by-wash water" and "by-washing water".

2.2 In exercising its rights and powers under this Instrument, the Irrigation Company shall:

- (a) Cause as little disruption and disturbance to the occupation and enjoyment by the Crown of the Crown's land, as is reasonably possible.
- (b) Cause as little damage to the Crown's land and fixtures on it and the surface of it as is reasonably possible.
- (c) After exercising its rights and powers, restore the Crown's land and fixtures on it as nearly as is reasonably possible to its former condition but as shall be reasonable in the circumstances having regard to the economic and amenity values to the Crown of the land and fixtures affected.

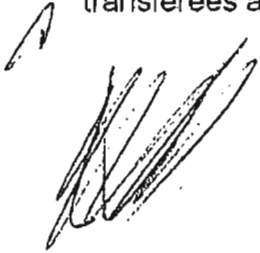


- 2.3 (a) When the Irrigation Company requires entry with machinery on the Crown's land to carry out maintenance or construction works, it shall take reasonable steps to give to the Crown or occupier of the land not less than 24 hours notice by direct personal contact, ordinary letter, facsimile transmission, or telephone prior to such entry and works being undertaken, unless there is an emergency and in which case no notice shall be required.
- (b) If the Landowner or occupier has received such notice the Landowner or occupier shall notify the Irrigation Company, prior to the entry and work being undertaken, of the presence of pipes or other underground facilities in the Landowner's land but only if their presence is known to the Landowner or occupier who has been given that notice and if the Landowner or occupier fails to notify the Irrigation Company then the Irrigation Company will not be liable for any damage it may cause to such underground pipes or underground facilities when their presence was known to the Landowner or occupier who was given the notice.
- 2.4 (a) It is acknowledged that the Irrigation Company shall not fence the boundaries of the easements.
- (b) The Crown shall not do, or permit to be done, anything, including planting trees or constructing works or buildings, which will prevent or interfere with the free passage of water along the stipulated course or prevent or interfere with the Irrigation Company's full rights of access and full use by it of its rights created by this Instrument and shall not interfere, or permit any interference, or allow trees, tree roots or other vegetation growing on or from the landowners land or stock pastured on the Crown's land to interfere with the support, structure or integrity of the Irrigation Company's water works.
- 

(c) Without limiting the extent of this clause 2.4, the crown shall not, without the prior written consent of the Company, plant trees or construct works or buildings within 4 metres of the centre line of a pipe or within 3 metres from the edge of a water race or other water works.

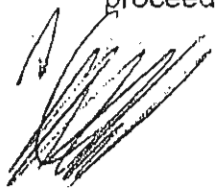
2.5 The rights and powers contained in paragraphs 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952 shall apply except insofar as they are varied by this instrument and with the deletion from both paragraphs 2 and 5 of the words "(in common with the grantor, his tenants and any other person lawfully entitled so to do)".

2.6 A reference to any party to this instrument includes that party and that party's transferees and successors.

A handwritten signature in black ink, consisting of several overlapping, stylized strokes, located below the text of clause 2.6.

2.7 **Alternative dispute resolution process.** If any party believes that a dispute between them has arisen regarding the easement rights or obligations under this instrument or compliance with such rights or obligations, such party may give written notice to the other party of the existence of such a dispute and the particulars of it and the following procedures shall apply:

- (a) The parties shall then meet in good faith and seek to resolve the dispute and if it is not resolved within 14 days of the notice to the other party of the existence of the dispute, the parties shall seek to agree on a process for resolving the dispute through means other than litigation or arbitration, such as conciliation, or independent expert evaluation or determination, or meditation.
- (b) If the parties cannot reach agreement on:
 - (i) the dispute resolution process and procedures to be adopted for resolving the dispute; and
 - (ii) the timetable for all steps in that process; and
 - (iii) the selection and compensation of the independent person required for such technique they shall refer the dispute to mediation and for that purpose they shall use the assistance of a dispute resolution person or organisation (mutually agreed to) and failing agreement nominated by the president of the Otago District Law Society.
- (c) Either party may elect that any statements made by that party or information or documents produced by that party, during the alternative dispute resolution process, shall have a "without prejudice" status.
- (d) No party to the dispute may refer a dispute to arbitration or commence proceedings in any Court unless the dispute has been referred to a



dispute resolution person or organisation in accordance with this clause and the dispute has not been resolved..

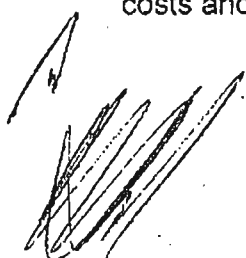
2.8 (a) If, following the procedures to resolve any dispute between the parties contained in clause 2.7 the dispute has not been resolved, the dispute shall be referred to arbitration in accordance with the Arbitration Act 1908 or any enactment in substitution of that Act.

(b) If the dispute is referred to arbitration under this clause then:

(i) The arbitrator shall determine the matter in dispute in a manner which is fair and reasonable to all parties to the arbitration.

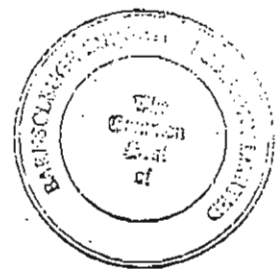
(ii) The cost of the arbitration and the award shall be fixed by the arbitrator who may direct that any party is to pay all or part of the costs and may make an order for costs in favour of any party.

GJD-737



DATED this ³ ~~28~~ day of ^{July} ~~June~~ 1995

SIGNED by the EARNSCLEUGH)
IRRIGATION COMPANY LIMITED)
by the affixing of its common seal)
in the presence of:)



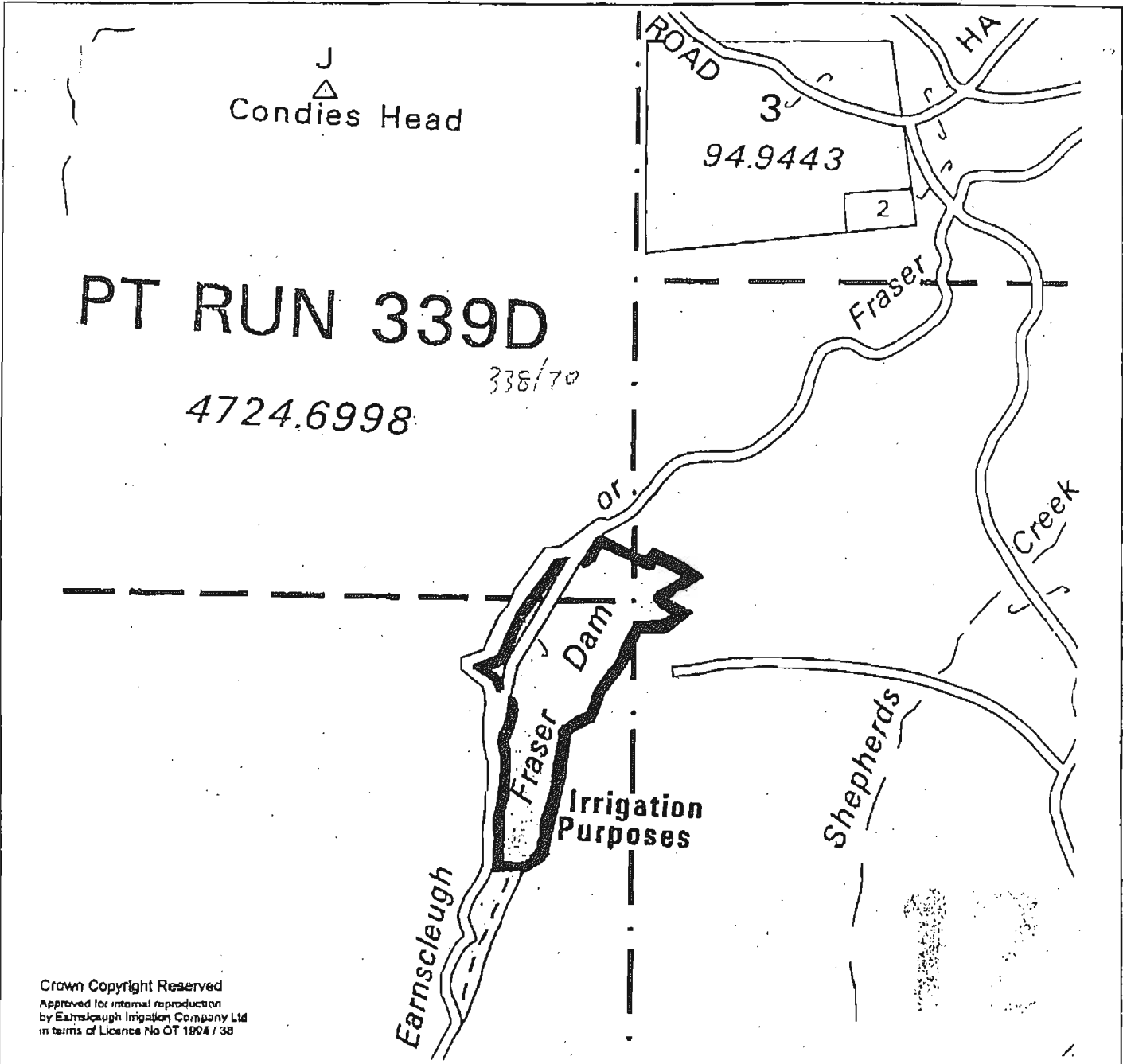
[Signature]
Director

[Signature]
Director

SIGNED by MURRAY ROBERT
MACKENZIE pursuant to a delegation
from the Commissioner of Crown
Lands in terms of Section 12B Survey
Act 1988.

[Signature]

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



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 Approved for internal reproduction
 by Earnscleugh Irrigation Company Ltd
 in terms of Licence No OT 1804/38

OPTIONAL EASEMENTS IN GROSS

Purpose	Comprised in	Shown	Servient Tenement	Grantee
Right to Store and Convey Water	Crown Land (Irrigation Purposes)		Crown Land Blk XII Leaning Rock SD Blks VI & VIII Bannockburn SD	Earnscleugh Irrigation Company Ltd

**Plan of Easement Over Crown Land, Block XII
 Leaning Rock SD and Blocks VI & VIII
 Bannockburn S.D.**

OTAGO LAND DISTRICT
 CENTRAL OTAGO D.C.

SCALE 1 : 25,000
 DATE: June 1995

Prepared by MCGEORGE & ELDER
 SURVEYING CONSULTANTS

E 111C

**INSTRUMENT OF TRANSFER OF
EASEMENTS IN GROSS FOR
IRRIGATION WORKS**

Correct for the purposes of the Land
Transfer Act 1952

.....
Solicitor for the Grantee

Her Majesty The Queen Owner

Earnsclough Irrigation
Company Limited Grantee

Particulars entered in the
Register as shown herein on the
day and the time stamped below.

.....
District
Assistant Land Registrar

of the District of Otago

Proc 6757
Proc 6758
PARTICULARS ENTERED IN
LAND REGISTER
ASST. LAND REGISTRAR
OTAGO DISTRICT
NEW ZEALAND

2.55 30.JUN.95 885885

MWP_0013184



Checketts McKay
Lawyers
Central Otago
GJD-749

802

802

Plan of
Subdivision 339d

KAWARAU

330b

325d

339c

E A N N O C K E U H

249

339d

11700.0.00

339f

Surveyed by B T Barton A.S. 1910
Scale 20 Chains to an inch

339g

L E A N I N G R O O D

Approved for registration by the Registrar-General of Land on the 14th day of August 1910.
In witness whereof I have hereunto set my hand and the seal of the Registrar-General of Land at Wellington this 14th day of August 1910.
Registrar-General of Land

Surveyed by B T Barton A.S. 1910
Scale 20 Chains to an inch

Produced by
B. T. Barton



802

RUN 339d

Sheet 12

802

~~FOR SURVEYS UNDER THE LAND TRANSFER ACT ONLY~~

LAND TRANSFER OFFICE

RECEIVED: 1 1 1927, 11:15 AM

TITLE REF. _____

REFERRED TO DRAUGHTSMAN:

DRAUGHTSMAN:

EXAMINED: 1/12/27, 11:15 AM

TRAIL NO. 46, 52

FIELD BOOK: 46, 52

CONV. & R. REPORT NO. _____

REF. PLANS: 46, 52

FILE: 1 1 1927

This plan to be marked on Survey by

DEPOSITED this _____ day

of _____, 1927

District Land Registrar.

VINCENT COUNTY



Approved as to Survey:

T. G. Phillips

Surveyor

Plan of
Road deviation through Run 339D.
BANNOCKBURN SURVEY DISTRICT

Approved,

Surveyed by T. G. Phillips, Licensed Surveyor, May 1927

Notarized (if Notarized Here)

DECLARATION. I, the undersigned, do hereby declare that this plan has been lawfully prepared by me and that both plan and survey comply with the provisions of the Surveyors' Act, 1914, and the regulations thereunder, and that the same are correct and true to the best of my knowledge and belief.

Declared at _____ on this _____ day of _____, 1927.

T. G. Phillips, Licensed Surveyor

9921



OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE

Project Number 6NLITR.02/036YD



This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Hawksburn				LIPS Ref 14078
Property	2	of	4	Crown Land-Section 3

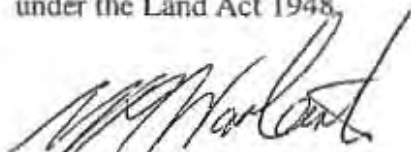
Land District	Otago
Legal Description	Section 3 Block VI Bannockburn Survey District
Area	2023 square metres
Status	Crown Land
Instrument of title / lease	No Registration
Encumbrances	Subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998. [Relevant land]
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase
Statute	Land Act 1948

Data Correct as at	5/9/2001
[Certification Attached]	

Prepared by	John Kirk 
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certification

Pursuant to Section 11(1)(1) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land under the Land Act 1948.



Max Haydn Warburton

Chief Surveyor

Land Information New Zealand, Dunedin.

17110 /2001

LAND STATUS REPORT for Hawksburn

LIPS Ref 14078

Property 2 of 4

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

LAND STATUS REPORT for Hawksburn				LIPS Ref 14078
Property	2	of	4	

Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	F42
Local Authority	Central Otago District
Crown Acquisition Map	Kemp Purchase
SO Plan	SO 802- Plan of subdivision 339D situated in Bannockburn and Leaning Rock Survey Districts [March 1913] SO 21792-Plan of Sections 1,2 & 3 Block VI Bannockburn Survey District & Section 4 Block XIV Leaning Rock Survey District [August 1986] Approved for issue of Pastoral Lease only.
Relevant Gazette Notices and / or Computer interest register.	Nothing Found
CT Ref / Lease Ref	Nothing Found
Plan Index	SO 21792 SO 802
Legalisation Cards	Copy of card for SO 21792 attached. No actions recorded
Statutory Actions (Landonline)	All plans searched no actions found
CLR	This area was previously known as Section 12, Block IV, Bannockburn Survey District. The Crown Lands Register as at 1987 show's this land as a Map Gravel Reserve
Allocation Maps (if applicable)	<ul style="list-style-type: none"> • DOC allocation- no allocations found • Other SOEs- searched nothing found • Removed as a SOE allocated to Landcorp [L*F42*7*CO] and allocated to the Department of Lands for review [U*F42*32*CO]. Disputed tag was removed and remained with the Commissioner of Crown Lands. LIPS maps- Show's PROMIS ref 1090
VNZ Ref - if known	28441/15300
Crown Grant Maps	Not applicable
If Subject land Marginal Strip:	a) Not applicable
a) Type [Sec 24(9) or Sec 58]	
b) Date Created	b)
c) Plan Reference	c)

LAND STATUS REPORT for Hawksburn				LIPS Ref 14078
Property	2	of	4	

Research – continued

If Crown land – Check Irrigation Maps.	Searched nothing found
Mining Maps	40/386 OT9D/599 Prophecy Mining Limited expires 29/10/2002. This permit was surrendered on 26 November 1998
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989 b) By Proc	a) SO Plan Not applicable 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) Is relevant land in terms subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998. 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 1848 Kemp Purchase d) Shown as a map Gravel Reserve on SO 802, the CLR show's this as a map Gravel Reserve. This is a parcel of Crown Land defined on an original block plan (being the first survey of the land after the original crown acquisition from the form Maori owners) showing a proposed intention for reservation. In some cases gazette action followed but in this instance no action occurred. Therefore the land remained as un-alienated Crown Land.

L. & S.—N. 17: Card 1 of 1

:Land District: OTAGO

SO Plan No. 21792

Part Sec. Rd.	Lot. Stm.	Letter Colour	Area		Gazette Reference	Document Number	Description of Action	Remarks
			Ha	m ²				
							Block VI Bannockburn S.D.	
	1		2450	0000				
			"Subject to the provision of marginal strips pursuant to S.24 Conservation Act 1987".					
	2		2000	0000				
			"Subject to the provision of marginal strips pursuant to S.24 Conservation Act 1987".					
	3		0	2023				
							Block XIV Leaning Rock S.D.	
	4		180	0000				

LAND STATUS REPORT for Hawksburn

LPS Ref 14078

Property 2 of 4

Research – continued

If Crown land – Check Irrigation Maps.	Searched nothing found
Mining Maps	40/386 OT9D/599 Prophecy Mining Limited expires 29/10/2002. This permit was surrendered on 26 November 1998
<p>If Road</p> <p>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</p> <p>b) By Proc</p>	<p>a) SO Plan Not applicable</p> <p>b) Proc Plan</p> <p>c) Gazette Ref</p>
<p>Other Relevant Information</p> <p>a) Concessions – Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a)</p> <p>b) Is relevant land in terms subject to Part 9 of the Ngai Tahu Claims Settlement Act 1998.</p> <p>c) Either</p> <p><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 1848 Kemp Purchase</p> <p>d) Shown as a map Gravel Reserve on SO 802, the CLR show's this as a map Gravel Reserve. This is a parcel of Crown Land defined on an original block plan (being the first survey of the land after the original crown acquisition from the form Maori owners) showing a proposed intention for reservation. In some cases gazette action followed but in this instance no action occurred. Therefore the land remained as un-alienated Crown Land.</p>

Promis No

1090

C.C.L

OTAGO LAND DISTRICT
Disputed L.C. Allocations reallocated to Lands.

NAME: _____

NZMS 261 SHEET: _____ ALLOCATION REFERENCE: U*

LOCAL AUTHORITY: _____

PARCEL DESCRIPTION:

U*F42+32+00

11 Sec 3 Blk VI Bannockburn SO .2023

See equivalent
PROHIS record for
further actions.
Other Remarks: was
LC No? SO 22209.

PLAN No.: _____ INST OF TITLE: _____

TOTAL AREA: _____ DOC/CT No.: _____

INTEREST TO BE TRANSFERRED: _____ ALL, PT, BAL: _____

GAZ REFERENCE: _____

STATUS: _____

OWNER/PURPOSE: _____

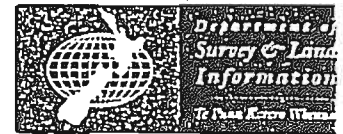
REMARKS: Removed from the Lands for
Review Schedule
See file 6700-02 fol 50
No Longer Disputed ✓

DUPLICATIONS: _____ CATEGORY: _____

ALLOCATION CHECK

JOURNAL SET UP

Disputed tag removed
remains with C.C.L



STATUS CHECK

DOSLI REFS:
 JOB No: 906 156
 FILE: 5400-02- 1090
 RECORD MAP: 798
 PLANS: SO 21792
 LARES: U* F42 * 32 *CO

DATE 13 / 4 / 92
 C'ST/DOCUMENTS: 661830/3 reapp
only
 LEG CARDS: No action Recorded
 CROWN LAND REGISTER: "LC" Map Gravel
 MINING MAP: No ref.

John Wickliffe House
 Princes Street
 PO Box 896
 Dunedin
 New Zealand
 Phone 0-3-477 0650
 Fax 0-3-477 3547

DESCRIPTION

LEGAL DESCRIPTION was LC No7 SO 22209.?

P42 32 CO Sec 3 Blk VI Bannockburn SD .2023 11

AREA 0.2023 ha.

STATUS Crown Land (No Registration) Subject to the Land Act 1948 Administered by DOSLI

..... adjoins C.L. 338/70 (pastoral lease P43)

NOTE reappellation memorial 661830/3 on title document
incorrectly indicates that this parcel is within lease!

ENCUMBRANCES —

VALUATION REFERENCE

28441 / 15300 Adj

PLAN REQUIREMENTS

- SURVEY PLAN
- COMPILED PLAN
- COMPUTED PLAN
- CHANGE OF APPELLATION

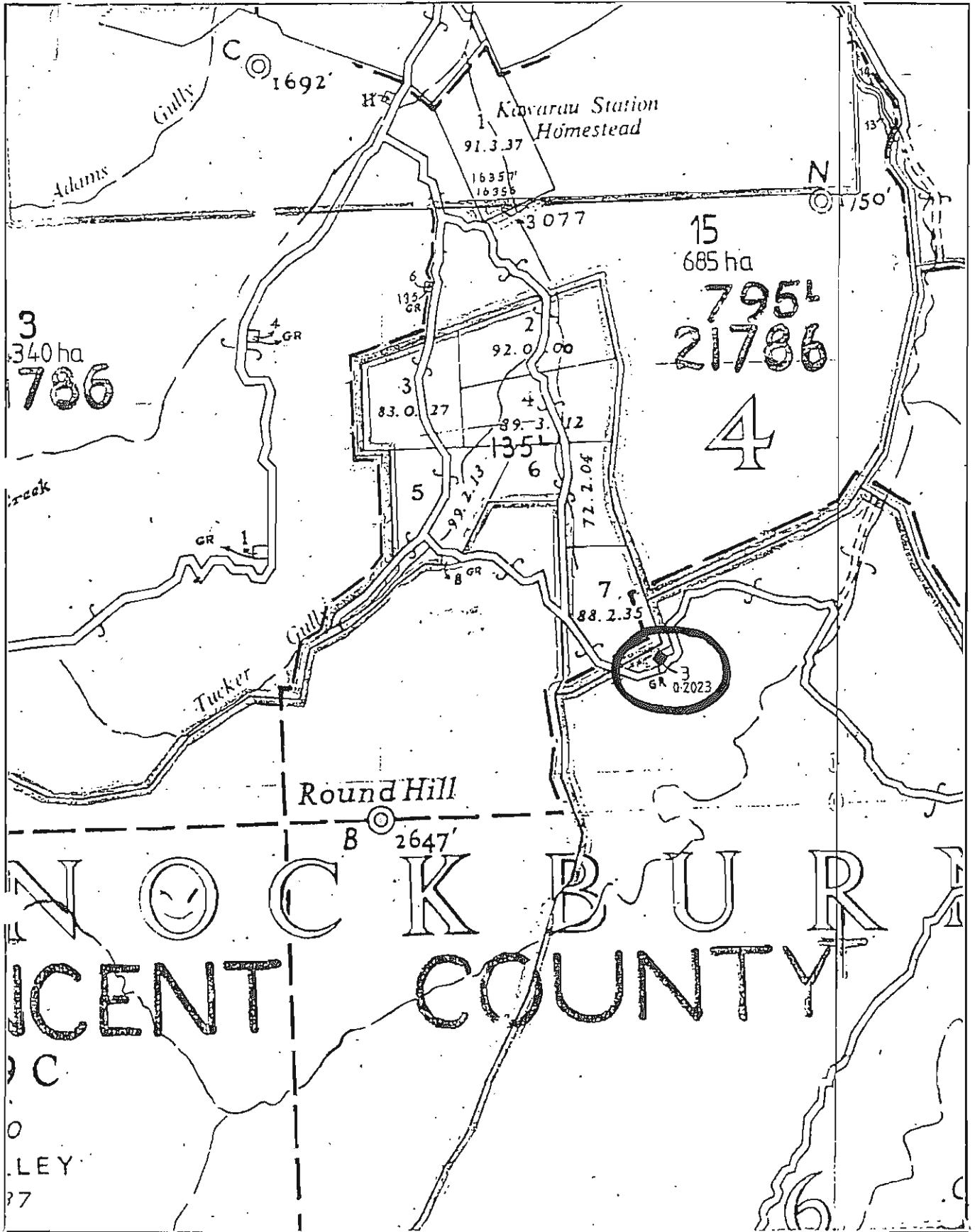
NAME AND ADDRESS OF LOCAL RATING AUTHORITY

Central Otago District
Box 122
Alexandra.

COMMENTS Surrounded by Pastoral Lease

SIGNED J. Manson

FOR DISTRICT MANAGER/CHIEF SURVEYOR



OTAGO LAND DISTRICT

RECORD MAP 798

SCALE 1:31680

LOCAL AUTHORITY

Produced by the Department of Survey and Land Information under the authority of the Surveyor General.
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TIME COST JOB MASTER FILE

FORM NO : DOSLI-F26C

BRANCH : 14

DEPARTMENT : 71

JOB NUMBER : 906156

SHORT NAME : **GL-HAPPY VALLEY RD**

OBJECTIVE : 71009

JOB TYPE : *L* TRANSFER CODE : TO: *M*

CUSTOMER NUMBER : 140101

CUSTOMER ORDER NO :

FILE REF : **5400-02-1090**

JOB DESCRIPTION : **ADMINISTRATION LAND ACT CL UNALLOCATED
HAPPY VALLEY RD BANNOCKBURN**

CONTRACT VALUE : ESTIMATE/QUOTE: **\$800.00**

EMPLOYEE NUMBER : 6603

WAGE COST RATE : RATE *1.4*

COMMENTS :

PREPARED BY:

AUTHORISED BY:

ENTERED BY:

7

DATE:

14/4

DATE:

DATE:

FIXED ASSET MASTER & ACQUISITION

FORM NO : DOSLI-F52C, F72C

ASSET NO : 141090

SUB CODE

- 0 LAND
- 1 BUILDING
- 2 OTHER INTEREST

DESCRIPTION : HAPPY VALLEY RD BANNOCKBURN
906156

BRANCH : 14
DEPARTMENT : 71

MAJOR GROUP	:	FL	Land - Forest Land
		PL	Land - Crown Leases
		UL	Land - Unalienated Crown Land
		SL	Land - Surplus Government Property
		WL	Land - Treaty of Waitangi
		UB	Buildings - Unalienated Crown Land
		SB	Buildings - Surplus Government Property
		WB	Buildings - Treaty of Waitangi

MINOR GROUP	:	FR	No Treaty Claim
		IM	Improvement - Not Specified
		LE	Lease
		MP	Molesworth Station
		TU	Treaty Claim Unknown
		TW	Treaty Claim Pending/Granted

LOCATION : 14

COMMENTS : CL - Happy Valley Road - 2023 ha

BALANCE TYPE : Z

REFERENCE : DATE :

VALUE/PURCHASE PRICE :	0	\$ 250
	1	\$
	2	\$

PREPARED BY:

7

AUTHORISED BY:

ENTERED BY:

DATE:

14/4

DATE:

DATE:



STATUS CHECK

DOSLI REFS:

DATE 13 / 4 / 92

JOB No: 906 156

C'ST/DOCUMENTS: 661830/3 reap only

FILE: 5400-02- 1090

LEG CARDS: No action Recorded.

RECORD MAP: 798

CROWN LAND REGISTER: "LC" map Gravel

PLANS: 5021792

MINING MAP: No ref.

LARES: U* F42 * 32 * CO

John Wickliffe House
Princes Street
PO Box 896
Dunedin
New Zealand
Phone 0-3-477 0650
Fax 0-3-477 3547

DESCRIPTION

LEGAL DESCRIPTION was LC No7 SO 22209

R42 32 CO Sec 3 Blk VI Bannockburn SD .2023 11

AREA 0.2023 ha.

STATUS Crown Land (No Registration) Subject to the Land Act 1948 Administered by DOSLI

adjoins C.L. 338/70 (Pastoral lease P43)

NOTE reapportionment memorial 661830/3 on title document
incorrectly indicates that this parcel is within lease!

ENCUMBRANCES —

VALUATION REFERENCE

PLAN REQUIREMENTS

- SURVEY PLAN
- COMPILED PLAN
- COMPUTED PLAN
- CHANGE OF APPELLATION

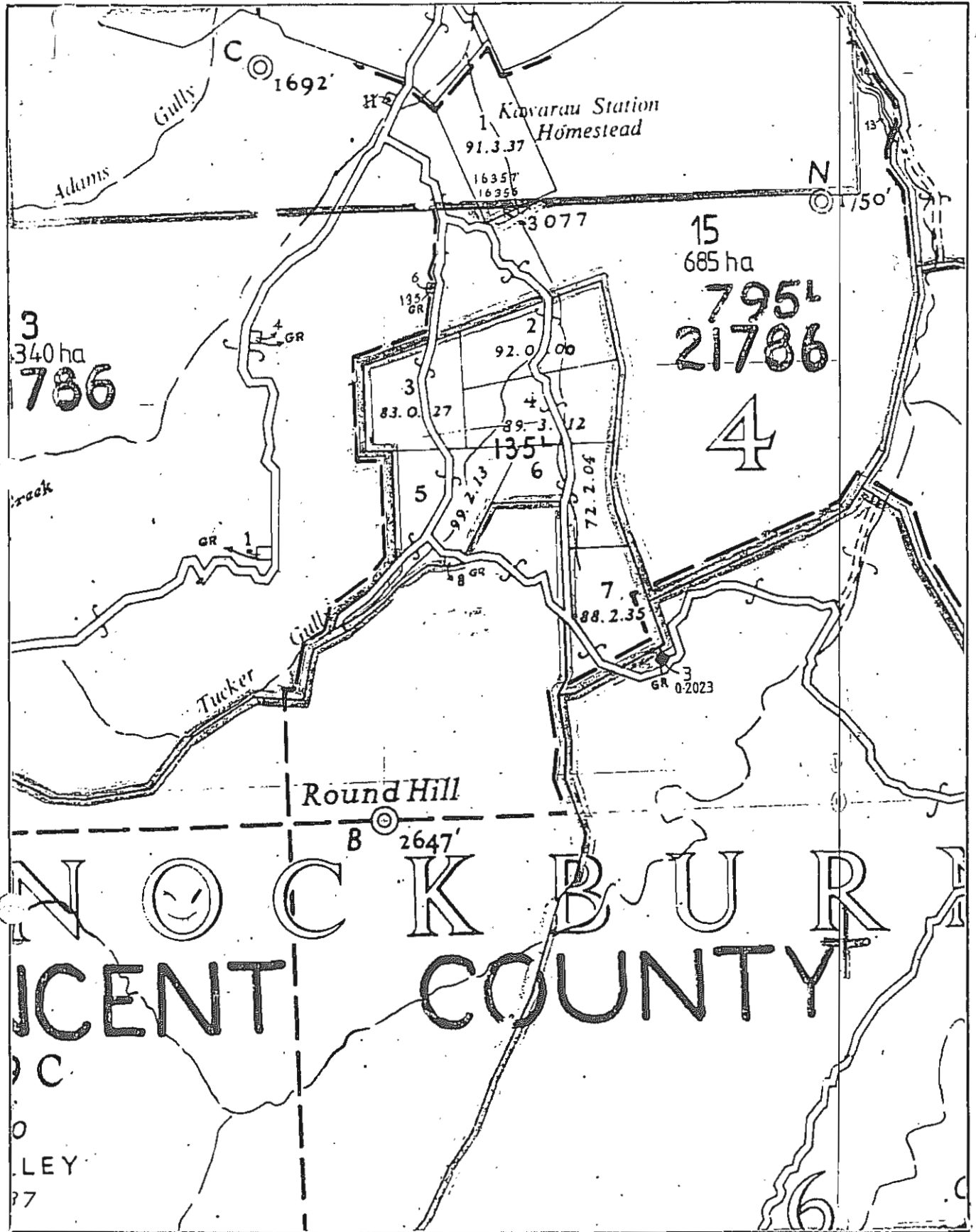
NAME AND ADDRESS OF LOCAL RATING AUTHORITY

Central Otago District
Box 122
Alexandra.

COMMENTS Surrounded by Pastoral Lease

SIGNED J. Manson

FOR DISTRICT MANAGER/CHIEF SURVEYOR



OTAGO LAND DISTRICT

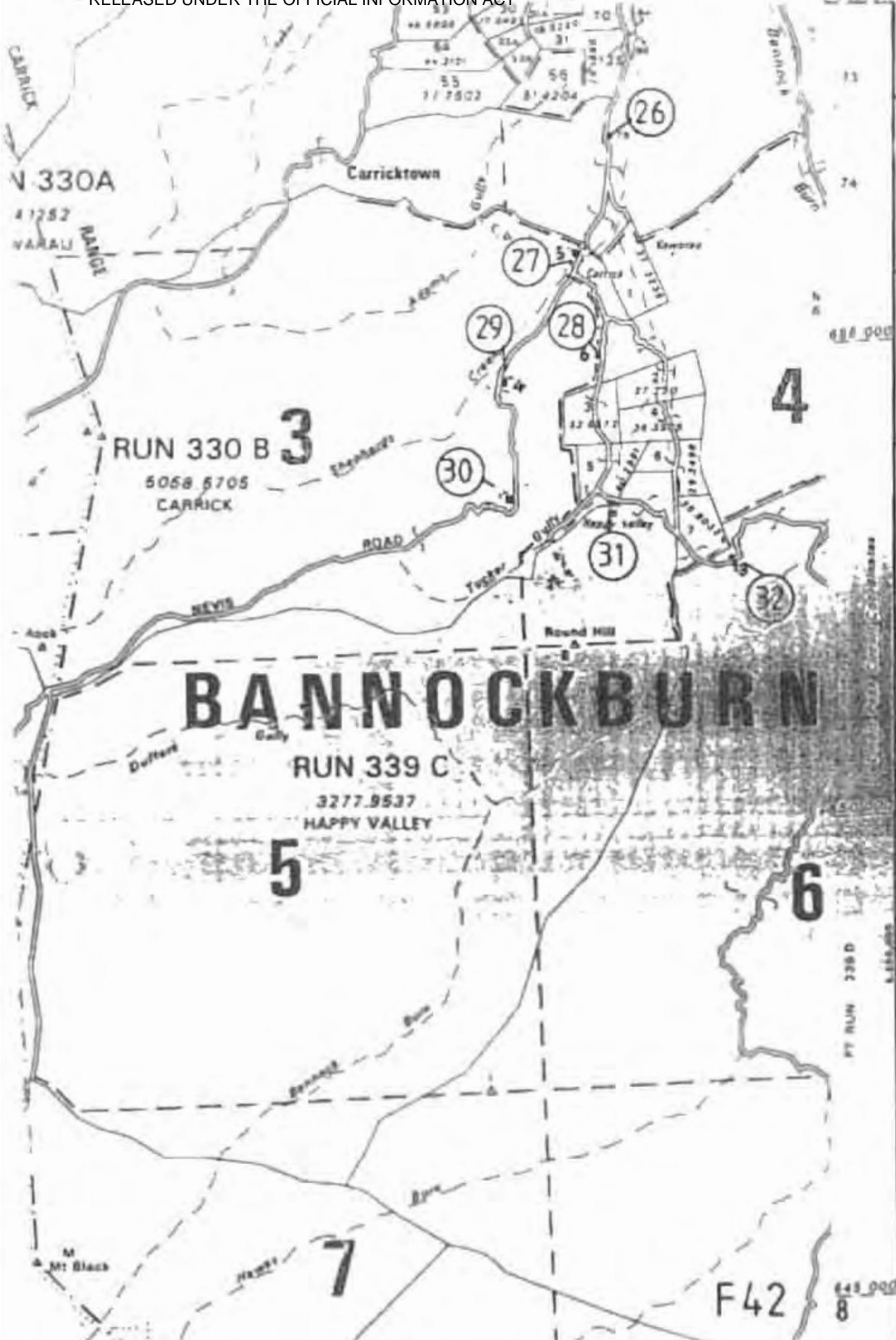
RECORD MAP 798

SCALE 1:31680

LOCAL AUTHORITY

Produced by the Department of Survey and Land Information under the authority of the Surveyor General.
CROWN COPYRIGHT RESERVED. REPRODUCTION PROHIBITED without permission of the Chief Surveyor.





V 330A
41252
VARAU

3
RUN 330 B
5058 5705
CARRICK

BANNOCKBURN

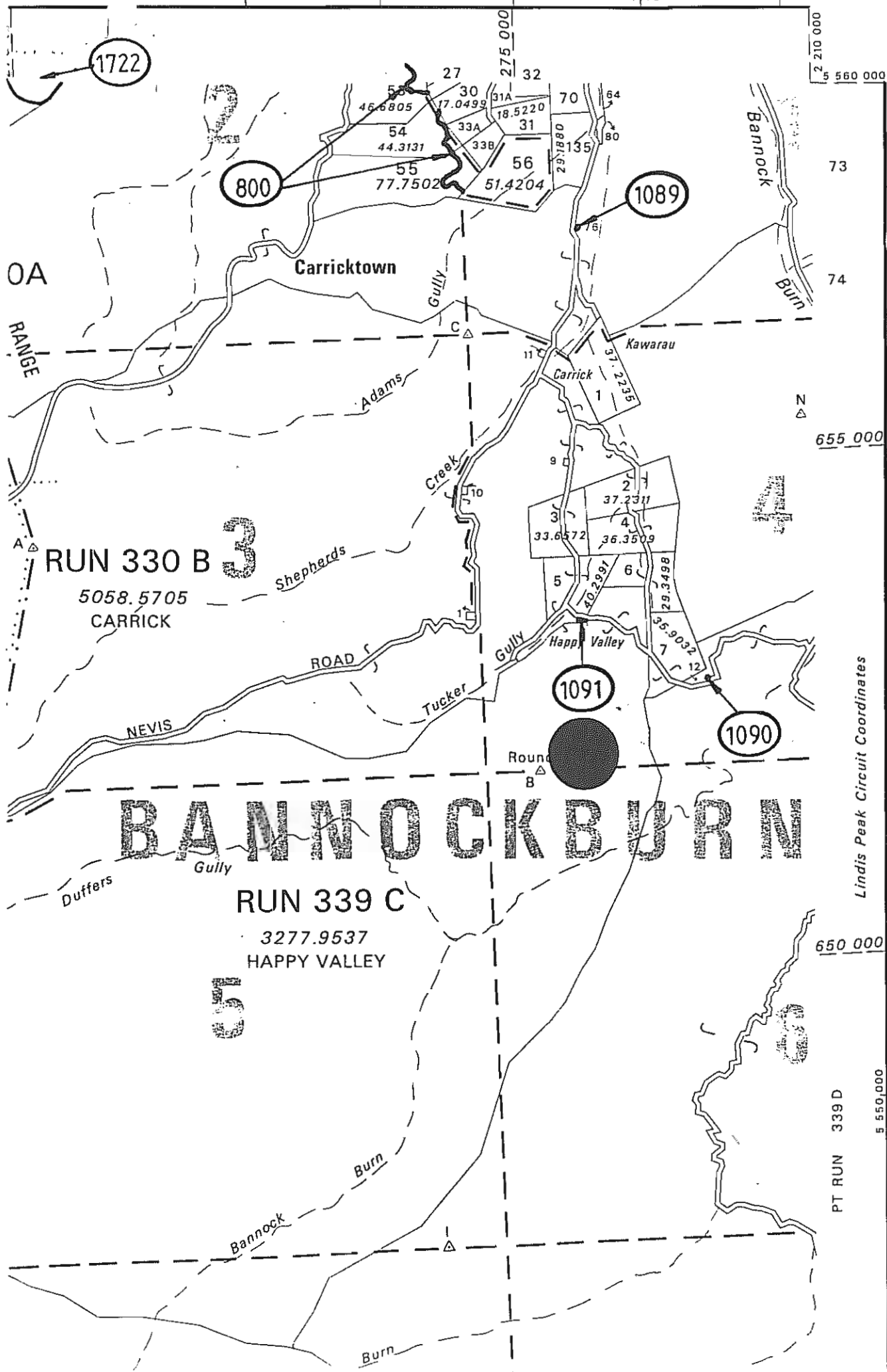
5
RUN 339 C
3277.9537
HAPPY VALLEY

F42

11
74
618 000
4
618 000
8

NZMS 261 F42 KINGSTON

169°10'



**OPUS INTERNATIONAL CONSULTANTS LIMITED
DUNEDIN OFFICE**

Project Number 6NLITR.02/036YD



This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Hawksburn				LIPS Ref	None
Property	3	of	4	Freehold	

Land District	Otago
Legal Description	Section 4 Block VI Bannockburn Survey District
Area	15.2971 hectares
Status	Freehold
Instrument of title / lease	OT7D/1276
Encumbrances	None registered
Mineral Ownership	Ownership resides in the owner in certificate of title OT7D/1276
Statute	Land Transfer Act 1952

Data Correct as at	5/9/2001
[Certification Attached]	

Prepared by	John Kirk
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

Certification

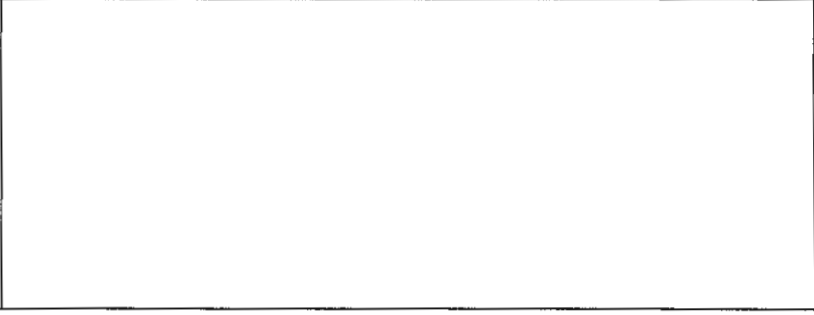
Pursuant to Section 11(1)(1) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Freehold land under the Land Transfer Act 1952.

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

17/10/2001

LAND STATUS REPORT for Hawksburn				LIPS Ref None
Property	3	of	4	

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



LAND STATUS REPORT for Hawksburn			LIPS Ref None
Property	3	of	4

Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	G42
Local Authority	Central Otago District
Crown Acquisition Map	Kemp Purchase
SO Plan	SO 802- Plan of subdivision 339D situated in Bannockburn and Leaning Rock Survey Districts [March 1913] SO 3076- Plan of Section 4 Block VI Bannockburn Survey District [October 1910] SO 3039-Plan of survey data, Block VI Bannockburn Survey District [March 1877]
Relevant Gazette Notices and / or Computer interest register.	Not applicable
CT Ref / Lease Ref	OT 7D/1276
Plan Index	Not searched
Legalisation Cards	None found
Statutory Actions (Landonline)	Not applicable
CLR	Not applicable
Allocation Maps (if applicable)	Not applicable
VNZ Ref - if known	Not applicable
Crown Grant Maps	Not searched
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) Not applicable b) c)

LAND STATUS REPORT for Hawksburn				LIPS Ref None
Property	3	of	4	

Research – continued


If Crown land – Check Irrigation Maps.	Not applicable
Mining Maps	No instruments registered on title
<p>If Road</p> <p>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</p> <p>b) By Proc</p>	<p>Not applicable</p> <p>a)</p> <p>b) Proc Plan</p> <p>c) Gazette Ref</p>
<p>Other Relevant Information</p> <p>a) Concessions – Advice from DOC or Knight Frank.</p> <p>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998</p> <p>c) Mineral Ownership</p> <p>d) Other Info</p>	<p>a) Not applicable</p> <p>b) Not applicable</p> <p>c) The OT7D/1276 (formerly CT 75/64) was granted pursuant to the Otago Waste Act 1872, which are silent as to minerals. As such, and because minerals are not referred to in any of the chain of ownership instruments, minerals are considered to have run with the land from the date of the original Crown Grant until the latest certificate of title. Therefore the non-statute minerals, reside in the owner in certificate of title OT7D/1276. The statute minerals, Petroleum, Gold, Silver & Uranium existing in its natural condition, are reserved in the Crown by virtue of S.10 of the Crown Minerals Act 1991."</p> <p>d)</p>



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



Historical Search Copy


R. W. Muir
Registrar-General
of Land

Identifier OT7D/1276
Land Registration District Otago
Date Issued 24 June 1982

Prior References
OT75/64

Estate	Fee Simple
Area	15.2971 hectares more or less
Legal Description	Section 4 Block VI Bannockburn Survey District

Original Proprietors

Phillip Andrew Sheridan McElroy as to a 1/2 share
Ronald Iverson George McElroy as to a 1/4 share
Ronald Iverson George McElroy, Julia Ann Jopp and Phillip Andrew Sheridan as to a 1/4 share

Interests

805969.3 Mortgage to The Rural Bank Limited - 27.5.1992 at 9:59 am
5032667.1 Discharge of Mortgage 805969.3 - 30.3.2001 at 9:32 am
5032667.3 Transfer to Hawksburn Station Limited - 30.3.2001 at 9:32 am
5032667.4 Mortgage to The National Bank of New Zealand Limited - 30.3.2001 at 9:32 am



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



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier OT7D/1276
Land Registration District Otago
Date Issued 24 June 1982

Prior References
OT75/64

Estate	Fee Simple
Area	15.2971 hectares more or less
Legal Description	Section 4 Block VI Bannockburn Survey District

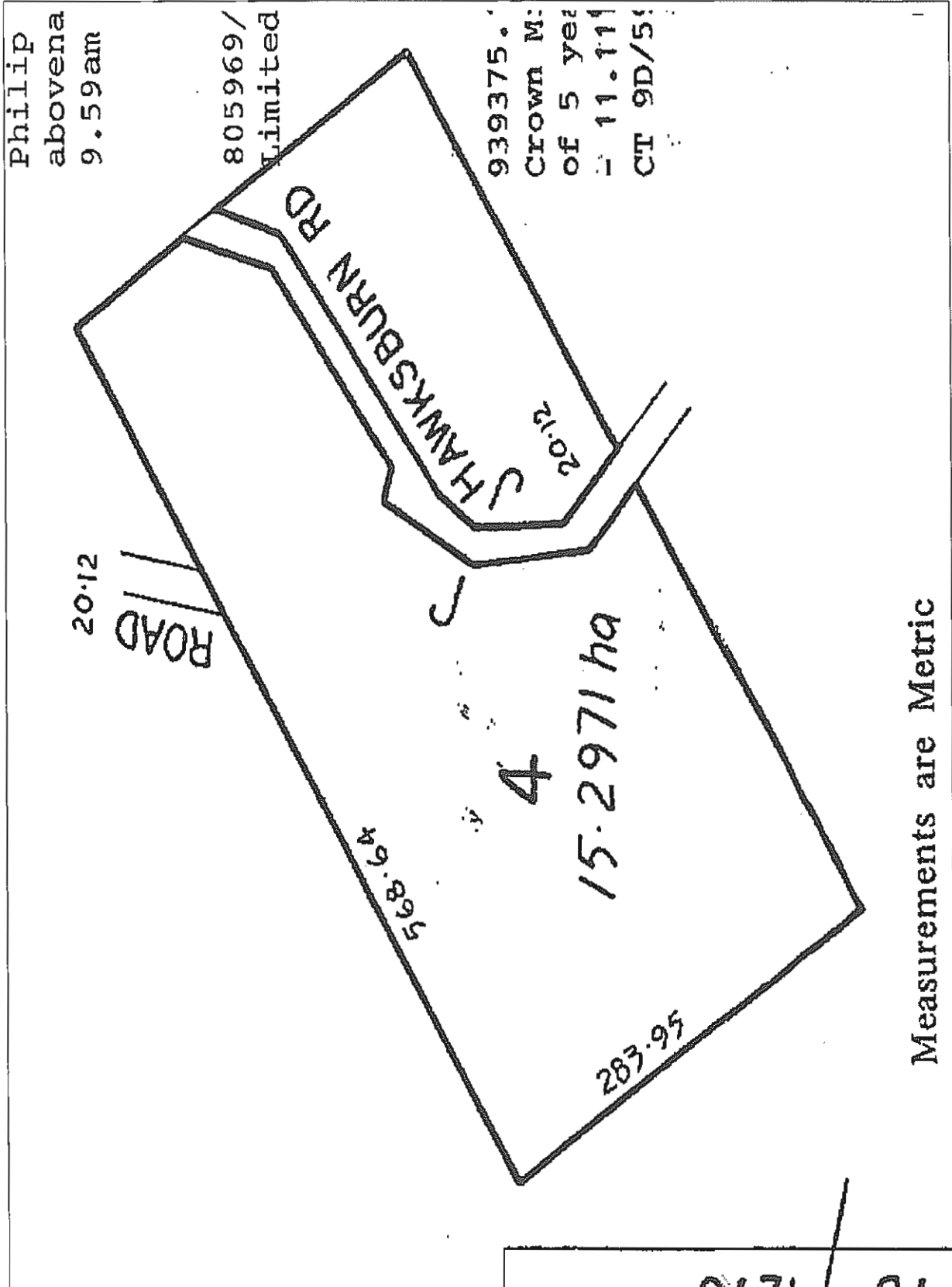
Proprietors
Hawksburn Station Limited

Interests

5032667.4 Mortgage to The National Bank of New Zealand Limited - 30.3.2001 at 9:32 am

ntifier

OT7D/1276



No. 70 / 1276

References

Prior C/T 75/64
Tract 578085
Transfer No.
N/C. Order No.



REGISTER

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate dated the 24th day of June one thousand nine hundred and eightytwo under the seal of the District Land Registrar of the Land Registration District of O T A G O

WITNESSETH that RONALD IVERSON GEORGE McELROY and PHILIP ANDREW SHERIDAN McELROY both of Bannockburn Farmers as tenants in common in equal shares are

seised of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, be the several admeasurements a little more or less, that is to say: All that parcel of land containing 15.2971 hectares more or less being Section 4 Block VI BANNOCKBURN SURVEY DISTRICT

Interests at date of Issue:

550067 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 2.3.1981 at 11.36 am (as varied subsequently)

DISCHARGED
22 MAY 1981
A.L.R.

[Signature]
ASSISTANT LAND REGISTRAR

567493/2 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 9.12.1981 at 9.38 am

DISCHARGED
19 APR 1982
A.L.R.

713229 Transfer of a 1/2 of his 1/2 share Ronald Iverson George McElroy to Marcia Jean McElroy of Bannockburn, Married Woman - 6.10.1988 at 9.19am

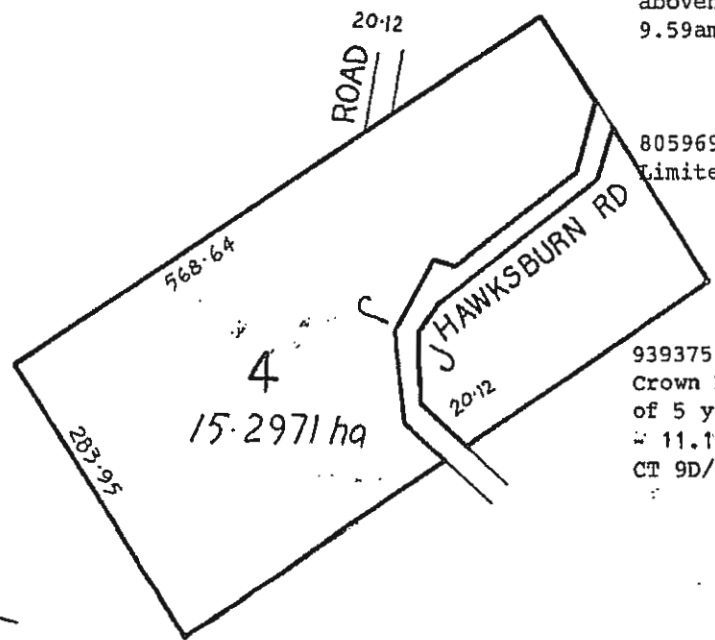
578085/2 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 24.6.1982 at 11.07 am

DISCHARGED
7 DEC 1987
A.L.R.

[Signature]
A.L.R.

805969/1 Transmission of the 1/4 share of Marcia Jean McElroy to Peter Redmond McConnell of Alexandra Solicitor, Ronald Iverson George McElroy abovenamed, Julia Ann Jopp of Moutere Married Woman and Philip Andrew Sheridan McElroy abovenamed as Executors - 27.5.1992 at 9.59am

[Signature]
A.L.R.



805969/3 Mortgage to The Rural Bank Limited - 27.5.1992 at 9.59am

[Signature]
A.L.R.

939375.1 Exploration Permit under the Crown Minerals Act 1991 for the duration of 5 years commencing on the 30.10.1991 at 11.11.1991 at 11.11.1991
CT 9D/599 issued

[Signature]
A.L.R.

[Signature]
for DLR

Measurements are Metric
Scale 1:6000

No. 70 / 1276

978236.1 Transmission of the 1/4
share of Peter Redmond McConnell,
Ronald Iverson George McElroy,
Julia Ann Jopp and Philip Andrew
Sheridan McElroy to Ronald
Iverson George McElroy, Julia Ann
Jopp and Philip Andrew Sheridan
as Survivors
12.11.1999 at 11.17

K. Patel
for RGL



Image Quality due to Condition of Original

CANCELLED

Registered Book Vol. 75 Folio. 64

75/64

No. 2155.

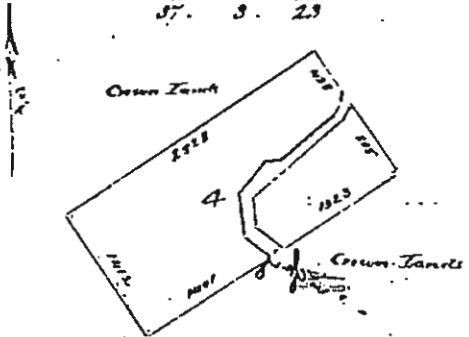


Victoria, by the Queen of Great Britain and Ireland, Queen:

Grant under Otago Waste Lands Act 1872 TO ALL to whom these Presents shall come, Greeting:

Know Ye that, for good considerations Us thereunto moving, We, for Us, our Heirs and Successors, do hereby Grant unto William Smellie Graham and Henry Walton, both of Hawkeburn Station in the Provincial District of Otago ~~landholders~~ ^{Heirs} Heirs and Assigns, All that Parcel of Land in our Provincial District of Otago in our Colony of NEW ZEALAND, containing by admeasurement thirty seven (37) acres three (3) roods and twenty three (23)

BA. VI. Dannockburn His 57. 3. 23



EQUIVALENT METRIC AREA IS 15.3351 ha

Scale 10 chains = 1 inch. Surveyed by A. R. Mackay Nov. 1877. Chief Surveyor W. H. Fisher. Draftsman K. W. H.

poles more or less situate on Run No. 335 being Pre-emptive Right under Application No. 72nd now known as Section four (4) Block Six (vi) Dannockburn District bounded towards the North West by Brown Rando two thousand eight hundred and twenty eight (2828) links towards the North East by Brown Rando four hundred and thirty eight (438) links and eight hundred and five (805) links towards the South East by Brown Rando one thousand three hundred and twenty three (1323) links and one thousand four hundred and one (1401) links and towards the South West by Crown Rando one thousand four hundred and twelve (1412) links and intersected by a Road line be all the aforesaid ^{and contains more or less}

As the same is delineated on the plan drawn in the margin hereto, WITH all the Rights and Appurtenances thereto belonging: To hold unto the said William Smellie Graham and Henry Walton

in fee simple in common and not as joint tenants as from the seventeenth day of January one thousand eight hundred and seventy six Heirs and Assigns for ever. In Testimony whereof We have caused this our GRANT to be sealed with the Seal of our Colony of New Zealand.

Witness our Trusty and Well-beloved Sir William Francis Drummond Serrvois Lieutenant General in Our Army Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George Companion of the Most Honourable Order of the Bath

Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, at Wellington this thirteenth day of March 1878 in the year of our Reign, and in the year of our Lord one thousand eight hundred and eighty

W. F. Drummond Serrvois

For Secretary (OVER)

No. 22824 Reg. O. 68 Index No. 23203

C.T. 75/64

75/ 64

Transfer N° 21041 William Smellie Graham Mortgage No. 12752 Andrew Coleman McElroy named within as William Smellie Graham and to Henry Walton & The New Zealand and Australia Land Company Limited, Central N.Z. March produced 31st April 1942 at 3:00

Transfer N° 7512 The New Zealand and Australia Land Company Limited to Robert Cameron of Palmerston North sheep farmer produced 22/4/50 at 11:30

237503 Transfer Andrew Coleman McElroy to Ronald Dawson George McElroy of Bannockburn sheep farmer and The Trustees Executor and Grancy Company of New Zealand Limited as tenants in common in equal shares. Produced 5.9.1961 at 2:50

Mortgage N° 54192 Robert Cameron to David Robert Berson produced 27/5/50 at 10:30

Mortgage N° 59302 of Mortgage N° 54192 David Robert Berson to Francis Wynn and Venetia Helen Faith produced 25/1/52 at 12:00

237535 Mortgage Registered Proprietor to Andrew [Name] Produced 5.9.1961 at 2:50

Transfer N° 19570 Rodrick Cameron to Alice Berson of Bannockburn Spinster produced 28th October 1925 at 2:00

Mortgage N° 14281 Alice Berson to Rodrick Cameron produced 28th October 1925 at 2:00

Mortgage of 1927 of Mortgage N° 69281 Rodrick Cameron to Charles Joseph Lane produced 14th January 1927 at 2:30

Transfer N° 102799 Alice Berson to David Robert Berson of Danamu sheep farmer produced 29th July 1929 at 3:00

Extension of mortgage N° 69281 produced 5th April 1932 at 11:30

Transfer N° 114543 David Robert Berson to Rodrick Cameron of Palmerston Sheep farmer produced 12th July 1935 at 2:30

Mortgage N° 93422 Rodrick Cameron to [Name] produced 12th July 1935 at 2:30

Variation of terms of mortgage N° 69281 produced 12th July 1935 at 2:30

Transfer N° 114544 of mortgage N° 69281 Rodrick Cameron to the Bank of New Zealand produced 12th July 1935 at 2:30

Reduction of Principal Sum of Mortgage N° 69281 produced 12th July 1944 at 12:00

Transfer 1143603 Robert Cameron to Alfred Coleman McElroy of Bannockburn farmer produced 14th June 1944 at 12:00

Entered at 10 o'clock on the 14th day of April 1955. H. J. Buller District Land Registrar. Otago. DATED 13th March 1955. 3 R. 23 P. Grant to

William Smellie Graham and Henry Walton

Entered in Reg. No. 15109 Folio 5. 15th March 1955.

Entered on Record this 19th day of March 1955.

Reg. No. O. 88 Folio 184

[Signature] CLERK SECRETARY FOR CROWN LANDS

(OVER)

C.T. 75/64

75/64

387497 Transmission of Mortgage 237535
to The Trustees Executors and Agency
Company of New Zealand Limited
entered 19.5.1972 at 2.10 pm

53334b
DISCHARGED
[Signature]
A.L.R.

389510 Mortgage to Trustees Executors
and Agency Company of New Zealand
Limited - 27.7.1981 at 10.58 am.

[Signature]
A.L.R.

THIS REPRODUCTION (ON A REDUCED SCALE)
CERTIFIED TO BE A TRUE COPY OF THE
ORIGINAL REGISTER FOR THE PURPOSES OF
SECTION 215A LAND TRANSFER ACT 1952.
[Signature]
A.L.R.

467570 Variation of Mortgage 389510 -
21.10.1976 at 10.47 am

[Signature]
A.L.R.

550067 Mortgage to The Rural Banking and
Finance Corporation of New Zealand -
2.3.1981 at 11.36 am

[Signature]
A.L.R.

567493/1 Variation of Mortgage 550067 -
9.12.1981 at 9.38 am

[Signature]
A.L.R.

567493/2 Mortgage to The Rural Banking and
Finance Corporation of New Zealand - 9.12.1981
at 9.38 am

[Signature]
A.L.R.

578085/1 Transfer of their 1/2 share
The Trustees Executors and Agency
Company of New Zealand Limited to
Philip Andrew Sheridan McElroy of
Bannockburn Farmer - 24.6.1982 at
10.37 am

[Signature]
A.L.R.

578085/2 Mortgage to the Rural Banking
and Finance Corporation of New Zealand
- 24.6.1982 at 10.37 am

[Signature]
A.L.R.

CANCELLED: SEE NOW
C.T. 75/127b
[Signature]
A.L.R. 24/6/82

DUPLICATE DESTROYED
1/19/82



**OPUS INTERNATIONAL CONSULTANTS LIMITED
 DUNEDIN OFFICE**

Project: **aber 6NLITR.02/036YD**



This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50269 dated September 2001 and is undertaken for the purposes of Tenure Review in terms of the Crown Pastoral Land Act 1998.

LAND STATUS REPORT for Hawksburn				LIPS Ref no ref
Property	4	of	4	Freehold 2

Land District	Otago
Legal Description	Sections 2 and 3 Block XIV Leaning Rock Survey District
Area	4.0367 – Section 2 95.0834 – Section 3 99.1201 hectares Total Area
Status	Freehold
Instrument of title / lease	OT7D/1277 and OT89/50
Encumbrances	None registered
Mineral Ownership	Ownership resides in the owner in certificate of titles OT7D/1277 and OT89/50.
Statute	Land Transfer Act 1952

Data Correct as at	5/9/2001
[Certification Attached]	

Prepared by	John Kirk
Crown Accredited Agent	Opus International Consultants Ltd, Dunedin

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 Freehold land under the Land Transfer Act 1952.

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

17 / 10 / 2001

LAND STATUS REPORT for Hawksburn				LIPS Ref no reference
Property	4	of	4	

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

LAND STATUS REPORT for Hawksburn			LIPS Ref no reference
Property	4	of	4

Research Data: *Some Items may be not applicable*

SDI Print Obtained	Yes
NZMS 261 Ref	G42
Local Authority	Central Otago District
Crown Acquisition Map	Kemp Purchase
SO Plan	SO 802- Plan of subdivision 339D situated in Bannockburn and Leaning Rock Survey Districts [March 1913] SO 5244- Plan of Sections 2 and 3 Block XIV Leaning Rock Survey District. [January 1910]
Relevant Gazette Notices and / or Computer interest register.	Not applicable
CT Ref / Lease Ref	OT7D/1277 and OT89/50
Plan Index	Not searched
Legalisation Cards	None found
Statutory Actions (Landonline)	Not applicable
CLR	Not applicable
Allocation Maps (if applicable)	Not applicable
VNZ Ref - if known	Not applicable
Crown Grant Maps	Not searched
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58] b) Date Created c) Plan Reference	a) Not applicable b) c)

LAND STATUS REPORT for Hawksburn				LIPS Ref no reference
Property	4	of	4	

Research – continued

If Crown land – Check Irrigation Maps.	Not applicable
Mining Maps	No instruments registered on title
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989 b) By Proc	a) SO Plan Not applicable 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) Not applicable b) Not applicable c) The OT7D/1277 was granted pursuant to the Otago Waste and OT89/50 was granted pursuant to the Land Act 1885, which are silent as to minerals. As such, and because minerals are not referred to in any of the chain of ownership instruments, minerals are considered to have run with the land from the date of the original Crown Grant until the latest certificate of title. Therefore the non-statute minerals, reside in the owner in certificate of titles OT7D/1277 and OT89/50. The statute minerals, Petroleum, Gold, Silver & Uranium existing in its natural condition, are reserved in the Crown by virtue of S.10 of the Crown Minerals Act 1991.” d)



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



R.W. Muir
Registrar-General
of Land

Search Copy

Identifier **OT89/50**
Land Registration District **Otago**
Date Issued 03 July 1889

Prior References
WA 2/104

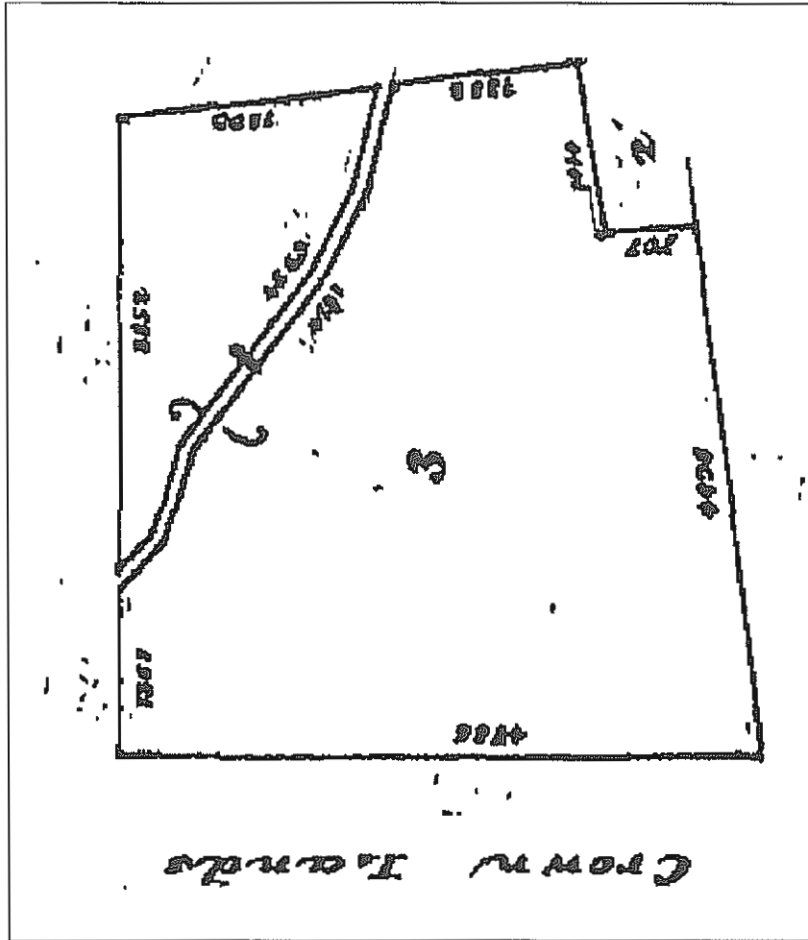
Estate	Fee Simple
Area	95.0834 hectares more or less
Legal Description	Section 3 Block XIV Leaning Rock Survey District

Proprietors
Hawksburn Station Limited

Interests
5032667.4 Mortgage to The National Bank of New Zealand Limited - 30.3.2001 at 9:32 am

ntifier

OT89/50





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

Historical Search Copy



Identifier OT89/50
Land Registration District Otago
Date Issued 03 July 1889

Prior References
WA 2/104

Estate	Fee Simple
Area	95.0834 hectares more or less
Legal Description	Section 3 Block XIV Leaning Rock Survey District

Original Proprietors

Philip Andrew Sheridan McElroy as to a 1/2 share
Ronald Iverson George McElroy as to a 1/4 share
Ronald Iverson George McElroy, Julia Ann Jopp and Phillip Andrew Sheridan as to a 1/4 share as Executors

Interests

805969.3 Mortgage to The Rural Bank Limited - 27.5.1992 at 9:59 am
5032667.1 Discharge of Mortgage 805969.3 - 30.3.2001 at 9:32 am
5032667.3 Transfer to Hawksburn Station Limited - 30.3.2001 at 9:32 am
5032667.4 Mortgage to The National Bank of New Zealand Limited - 30.3.2001 at 9:32 am

Block XIV Learning Rock District
234. 3. 33

290

[Schedule 1.]

NEW ZEALAND.

William Smellie Graham
Henry Walton

Reference: Warrant No. 114
P.R. folio



Register-book,
Vol. 89, folio 50

19/50

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT.

This Certificate, dated the third day of July, one thousand eight hundred and eighty ~~three~~, under the hand and seal of the District Land Registrar of the Land Registration District of Clare, being a Certificate in lieu of Grant, under Warrant of His Excellency the Governor, in exercise of the powers enabling him in that behalf, Witnesseth that William Smellie Graham and Henry Walton both of London Mechanics and owners of an estate in fee simple as tenants in common is/are owner of an estate in fee simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by memorial underwritten or endorsed hereon; subject also to any existing right of the Crown to take and lay off roads under any Act of the General Assembly of New Zealand) in the land hereinafter described, as the same is delineated by the plan drawn hereon, bordered, red, be the several admeasurements a little more or less, which said land is in the said Warrant expressed to have been originally acquired by Mr. and Mrs. William Smellie Graham and Henry Walton as from the Sealed day of July, one thousand eight hundred and eighty eight, under The Land Act 1885, that is to say: All land parcels of land containing together two hundred and thirty four and three quarters three three eighths and thirty five hundredths poles, more or less situated in the Learning Rock District being section three Block fourteen XIV on the public map of the said District deposited in the Office of the Chief Surveyor Dunedin

EQUIVALENT METRIC AREA IS 95.083449



District Land Registrar

Block XIV Learning Rock District
234. 3. 33

Transfer No. 21091 William Smellie Graham and Henry Walton to the New Zealand and Australian Land Company Limited, Entered 16th March 1891 at 11.55 o'clock.

Transfer No. 73512 The New Zealand and Australian Land Company Limited to Rodrick Cameron of Palmerston Sheep Farmer produced 27/5/00 at 10.30

Mortgage No. 54292 Rodrick Cameron to Robert Borson produced 27/5/00 at 10.30 DISCHARGED

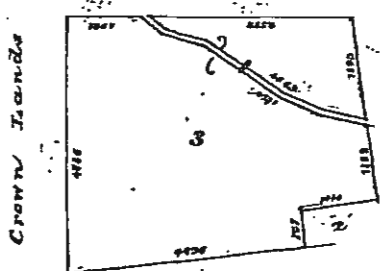
Mortgage No. 59808 of Mortgage No. 54292 David Robert Borson to Francis Napier produced 27th May 1922 DISCHARGED

Transfer No. 19540 Rodrick Cameron to Alice & Isaac Benhook barn & pinster produced 28th October 1925 at 10.00

Mortgage No. 9281 Alice & Isaac Benhook to Rodrick Cameron produced 28th October 1925 at 10.30 DISCHARGED

Mortgage No. 9281 of Mortgage No. 9281 Rodrick Cameron to Charles Joseph Bone produced 14th January 1924 at 1.30 DISCHARGED

Crown Lands



Crown Lands

Scale - 20 Chains = 1 inch
Surveyed by J. Campbell Sep. 1883
Chief Surveyor C.W. Adams
Chief Draughtsman T. Skye

C.T. 89/50.

Transfer No 102789 Alise Corson & David Robert Corson of Oamaru Shephermer produced 27th July 1929 at 3:00

Extension of Mortgage No 49201 produced 1st April 1930 at 11:00

Transfer No 114643 David Robert Corson & Roderick Cameron of Palmerston Shep farmer produced 12th July 1935 at 2:30

Mortgage No 73422 Roderick Cameron & John P. Stephenson & Co. Limited produced 12th July 1935 at 2:30

Variation of terms of mortgage No 69281 produced 12th July 1935 at 2:30

Transfer No 114644 of mortgage No 69281 Roderick Cameron to the Bank of New Zealand produced 12th July 1935 at 2:30

Reduction of Principal Sum of Mortgage No 69281 produced 11th June 1935 at 12:00

Transfer No 143607 Roderick Cameron to Andrew Coleman McElroy of Bannockburn farmer produced 24th July 1937 at 12:00

Mortgage No 122352 by Andrew Coleman McElroy to Ronald Iversen George McElroy & Marcia Jean McElroy of Bannockburn produced 24th April 1942 at 3:00

237533 Transfer Andrew Coleman McElroy to Ronald Iversen George McElroy & Marcia Jean McElroy of Bannockburn Shephermer and The Trustees Executors and Agency Company of New Zealand Limited entered in common in equal shares Produced 5.9.1961 at 2:50 pm

237535 Transfer to Andrew Coleman McElroy of Bannockburn Shephermer produced 5.9.1961 at 2:50 pm

387497 Transmission of Mortgage 237535 to The Trustees Executors and Agency Company of New Zealand Limited entered 19.6.1972 at 2.10 pm.

389510 Mortgage to The Trustees Executors and Agency Company of New Zealand Limited entered 10.5.1973 at 10.53 am

53346 Mortgage to The Trustees Executors and Agency Company of New Zealand Limited entered 10.5.1973 at 10.53 am

89/ 50

467570 Variation of Mortgage 389510 - 21.10.1976 at 10.47 am

550067 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 2.3.1981 at 11:30 am

567493/1 Variation of Mortgage 550067 - 9.12.1981 at 9.38 am

567493/2 Mortgage to The Rural Banking and Finance Corporation of New Zealand - 9.12.1981 at 9.18 am

578085/1 Transfer of their 1/2 share the Trustees Executors and Agency Company of New Zealand Limited to Philip Andrew Sheridan McElroy of Bannockburn Farmer - 24.6.1982 at 10.37 am

578085/2 Mortgage to the Rural Banking and Finance Corporation of New Zealand - 24.6.1982 at 10.37 am

713229 Transfer of a 1/2 of his 1/2 share Ronald Iversen George McElroy to Marcia Jean McElroy of Bannockburn, Married Woman - 6.10.1988 at 9.19am

805969/1 Transmission of the 1/4 share of Marcia Jean McElroy to Peter Redmond McConnell of Alexandra Solicitor, Ronald Iversen George McElroy abovenamed, Julia Ann Jopp of Moutere Married Woman and Philip Andrew Sheridan McElroy abovenamed as Executors - 27.5.1992 at 9.59am

805969/3 Mortgage to The Rural Bank Limited - 27.5.1992 at 9.59am

THIS REPRODUCTION (ON A REDUCED SCALE) CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL REGISTER FOR THE PURPOSES OF SECTION 215A LAND TRANSFER ACT 1952.

89/50

939375.1 Exploration Permit under the
Crown Minerals Act 1997 for the duration
of 5 years commencing on the 30.10.1997
- 11.11.1997 at 12.11.1997
CT 9D/599 issued

K. Hughes
for DLR

978236.1 Transmission of the 1/4
share of Peter Redmond McConnell,
Ronald Iverson George McElroy,
Julia Ann Jopp and Philip Andrew
Sheridan McElroy to Ronald
Iverson George McElroy, Julia Ann
Jopp and Philip Andrew Sheridan
as Survivors
12.11.1999 at 11.17

H. Patel
for RGL





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



Search Copy

R.W. Muir
Registrar-General
of Land

Identifier **OT7D/1277**
Land Registration District **Otago**
Date Issued 24 June 1982

Prior References
OT75/63

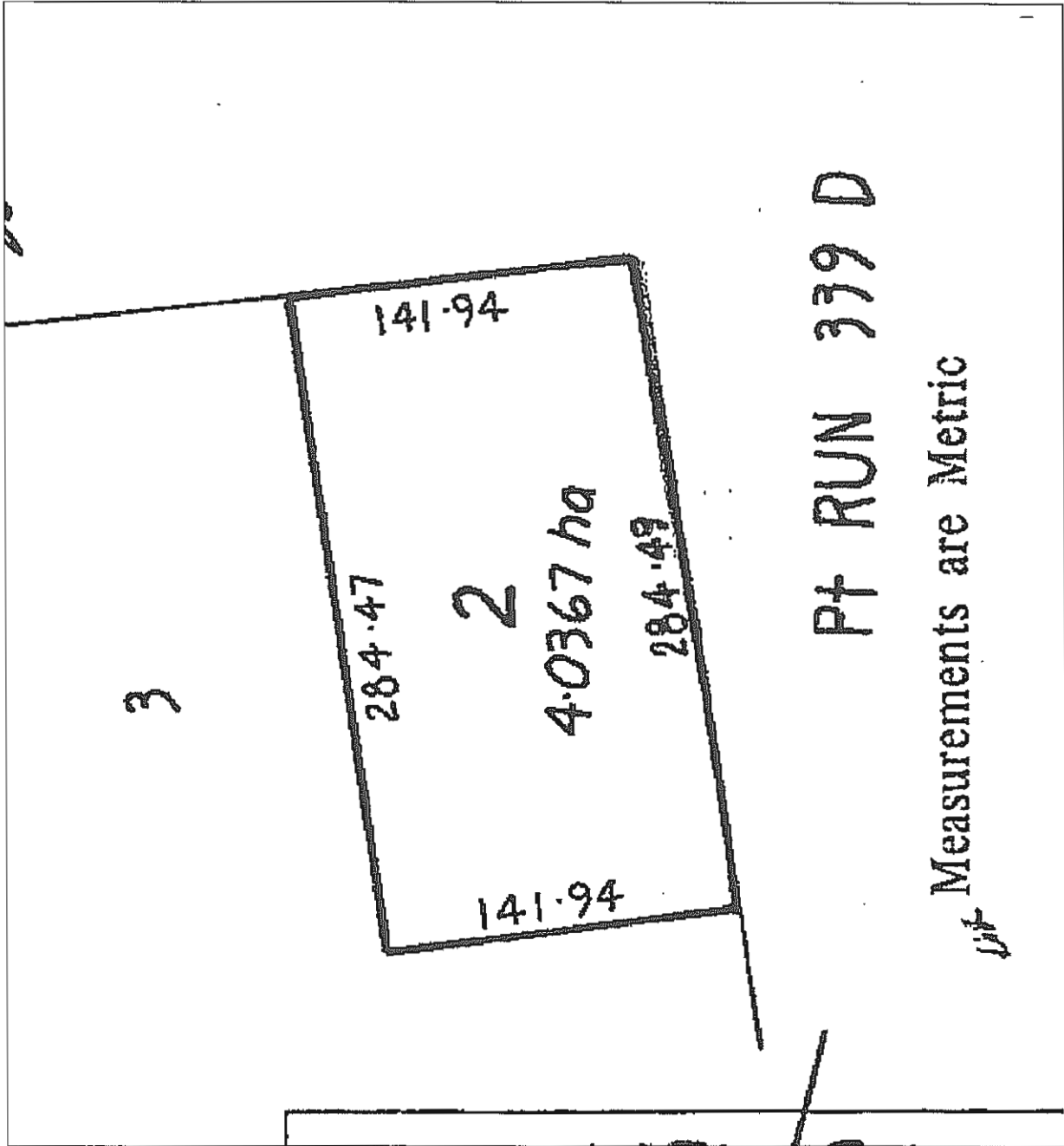
Estate	Fee Simple
Area	4.0367 hectares more or less
Legal Description	Section 2 Block XIV Leaning Rock Survey District

Proprietors
Hawksburn Station Limited

Interests
5032667.4 Mortgage to The National Bank of New Zealand Limited - 30.3.2001 at 9:32 am

Identifier

OT7D/1277



CANCELLED

Age Quality due to Condition of Original



Registered Book Folio 63

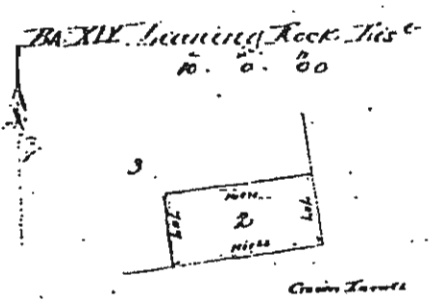
75/63

No. 21555

Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen:

Grant under Otago Waste Lands Act 1872 TO ALL to whom these Presents shall come, Greeting:

Know Ye that, for good considerations by hereunto moving, We, for Us, our Heirs and Successors, do hereby Grant unto William Smellie Graham and Henry Walton, both of Hawkeburn Station, in the Provincial District of Otago Runholders their Heirs and Assigns, All that Parcel of Land in our Provincial District of Otago in our Colony of New Zealand, containing by admeasurement Ten (10) Acres more or less situate on Run No 939 being Pre-emptive Right under Application No 71^r now known as section numbered two (2)



EQUIVALENT METRIC AREA IS 4.0469 ha

Block Fourteen (XIV) Leaning Rock. District bounded towards the North West by section numbered 3 one thousand four hundred and fourteen (1414) links towards the North East by Crown Lands seven hundred and seven (707) links towards the South East by Crown Lands one thousand four hundred and fourteen (1414) links and towards the South West by section numbered 3 seven hundred and seven (707) links be all the aforesaid linkages more or less

Scale 10 chains to an inch. Surveyed by A. K. Mackay M.E.P. 1877. Chief Surveyor W. T. Mackay. Draftsman W. T. Mackay.

As the same is delineated on the plan drawn in the margin hereof, WITH all the Rights and Appurtenances thereto belonging: Do had unto the said William Smellie Graham and Henry Walton

to have and to hold unto them, their Heirs and Assigns for ever. In Testimony Whereof We have caused this our GRANT to be sealed with the Seal of our Colony of New Zealand.

Witness our Trusty and Well-beloved Sir William Francis Brummond Servois Lieutenant General in our Army Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George Companion of the Most Honorable Order of the Bath

Governor and Commander-in-Chief in and over the Colony of New Zealand and its Dependencies, and Vice-Admiral of the same, at Wellington this thirteenth day of March 1888, in the year of our Reign, and in the year of our Lord one thousand eight hundred and eighty eight

No. 22823 By O.E.B. Index No. 23202

W. F. Brummond Servois His Excellency

(OVER)

75/ 63

Transfer N° 21071 William Smellie Graham Mortgage N° 127352 plain - William Smellie Graham named within as William Smellie Graham and the Wright, Stephenson Partners, Francis Henry Walton to the New Zealand and Australia Land Company Limited, entered 14th March produced 30th April 1947 at 11:55 a.m.

Transfer N° 7352 The New Zealand and Australia Land Company Limited to Rodrick Cameron of Palmerston Shepparton produced 20/4/30 at 10:30 a.m.

Mortgage N° 5439 Rodrick Cameron to Daniel Robert Borson produced 27/5/20 at 10:20 a.m.

Mortgage N° 5908 of Mortgage N° 5439 Daniel Robert Borson to Francis Henry Walton and Rodrick Cameron produced 22nd May 1922 at 11:10 a.m.

Transfer 1954c Rodrick Cameron to Alice Borson of Dannevirke produced 20 October 1925 at 2:00 p.m.

Mortgage 1920 Alice Borson to Rodrick Cameron produced 20 October 1925 at 2:30 p.m.

Mortgage of 73376 of Mortgage of 69211 Rodrick Cameron to Rodrick Cameron produced 27th July 1935 at 2:30 p.m.

Transfer N° 103789 Alice Borson to David Robert Borson of Dannevirke Shepparton produced 27th July 1929 at 2:00 p.m.

Extension of Mortgage N° 69281 produced 8th April 1930 at 11:30 a.m.

Transfer N° 114643 David Robert Borson to Rodrick Cameron of Palmerston Shepparton produced 12th July 1935 at 2:30 p.m.

Mortgage of 69281 Rodrick Cameron to Wright Stephenson Partners limited produced 12th July 1935 at 2:30 p.m.

Variation of terms of mortgage of 69281 produced 2nd July 1935 at 2:30 p.m.

Transfer N° 114644 of mortgage of 69281 Rodrick Cameron to the Bank of New Zealand produced 12th July 1935 at 2:30 p.m.

Reduction of Principal Sum of Mortgage 69281 produced 12th June 1944 at 12:00 p.m.

Transfer 114603 Rodrick Cameron to Francis Henry Walton of Dannevirke Shepparton produced 14th June 1944 at 12:00 p.m.

237533 Transfer Andrew Coleman McElroy to Ronald Duersen Fege McElroy of Dannevirke Shepparton and the Trustees Executors and Agency Company of New Zealand Limited, as tenants in common in equal shares. Produced 5.9.1931 at 2:50 p.m.

237535 Mortgage of 69281 to Francis Henry Walton and Rodrick Cameron produced 5.9.1931 at 2:50 p.m.

Executed at 10 o'clock on the 14th day of April 1935.



J. A. Sullivan, Registrar of Land Transfers.

Registered in the office of the Registrar of Land Transfers, Otago, dated 13th March 1935.

Grant to

William Smellie Graham and Henry Walton

Entered in Reg. No. 153 Folio 14.

Entered on Record this 19th day of March 1935.

Reg. No. 0.88 Folio 153

J. A. Sullivan, Under Secretary for Crown Lands.

(OVER)

T. 75/63

387497 Transmission of Mortgage
237535 to The Trustees Executors
and Agency Company of New Zealand
Limited entered 19.6.1972 at
2.10 pm

[Signature]
A.L.R.

389510 Mortgage to The Trustees
Executors and Agency Company of New
Zealand Limited entered 20.10.1972 at 10.53 am

[Signature]
A.L.R.

THIS REPRODUCTION (ON A REDUCED SCALE)
CERTIFIED TO BE A TRUE COPY OF THE
ORIGINAL REGISTER FOR THE PURPOSES OF
SECTION 215A LAND TRANSFER ACT 1952.
[Signature] A.L.R.

467570 Variation of Mortgage 389510 -
21.10.1976 at 10.47 am

[Signature]
A.L.R.

550067 Mortgage to The Rural Banking and
Finance Corporation of New Zealand -
2.3.1981 at 11.36 am

[Signature]
A.L.R.

567493/1 Variation of Mortgage 550067 -
9.12.1981 at 9.38 am

[Signature]
A.L.R.

567493/2 Mortgage to The Rural Banking and
Finance Corporation of New Zealand -
9.12.1981 at 9.38 am

[Signature]
A.L.R.

578085/1 Transfer of their 1/2 share
The Trustees Executors and Agency
Company of New Zealand Limited to
Philip Andrew Sheridan McElroy of
Bannockburn Farmer - 24.6.1982 at
10.37 am

[Signature]
A.L.R.

578085/2 Mortgage to the Rural Banking
and Finance Corporation of New Zealand
- 24.6.1982 at 10.37 am

[Signature]
A.L.R.

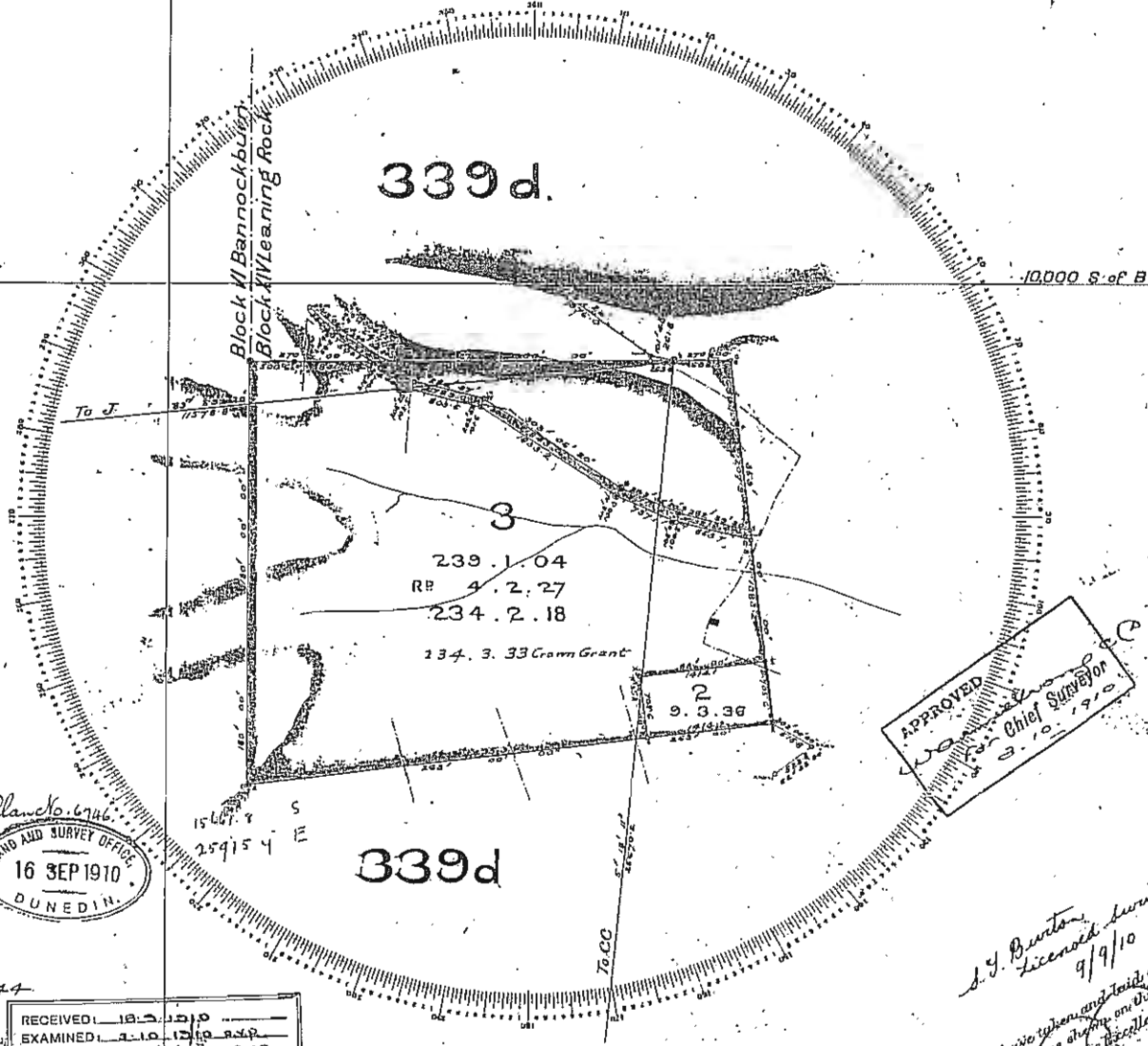
CANCELLED: SEE NOW
C.T. 7D1277
[Signature]
A.L.R. 24/6/82

DUPLICATE DESTROYED
1/9/82



DEPARTMENT OF LANDS AND SURVEY.

Instructions No.	Date
Field Book No.	Page
Traverse Reductions Book	Page
Map received	Examined
Registered	



Plan No. 6746
 LAND AND SURVEY OFFICE
 16 SEP 1910
 DUNEDIN.

APPROVED
 J. J. Burton
 Chief Surveyor
 9/9/10

J. J. Burton
 Licensed Surveyor
 9/9/10

F.B. 644

RECEIVED	18.7.1910
EXAMINED	2.10.1910
TRAV. RED. BOOK	Page 210
FIELD BOOK	Page 39
REF. PLANS	Small Sheets 53

Plan of Sections 2 & 3 Leaning Rock Bk XIV
 Surveyed for... as defined on ground
 By S. T. Burton
 Ass't Surveyor

I hereby certify that I have taken and laid out
 the field from... as shown on this
 plan under a warrant from the Hon. Secy
 of the Govt. dated...
 Surveyor

January 1910

~~235~~

NOTE: Measured lines to be drawn in red, bearings in black, observed bearings in blue, the figures also being red black and blue. To be round each peg a double red arc round each only station. Remarks of Surveyor to be noted on back hereof.

5244