

## **Crown Pastoral Land Tenure Review**

**Lease name : Mt HOPE**

**Lease number : PO 307**

### **Due Diligence Report (including Status Report) - Part 1**

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.

**June 09**

## DUE DILIGENCE REPORT

### CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

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File Ref:	Po307	Report No:	AT2008	Report Date:	7 May 2002
LINZ Ref:	12564				
Office of Agent:	Alexandra	LINZ Case No:		Date sent to LINZ:	7/5/02

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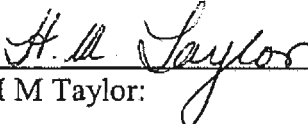
#### RECOMMENDATIONS:

- (1) That the Commissioner of Crown Lands or his delegate **note** the contents of 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** the following incomplete actions which require action by the Manager of Crown Property Contracts.
  - 2.1 The area recorded on the lease document differs from that identified in the Status Check (*see Attachments 2 and 3*).
  - 2.2 The legal description is recorded incorrectly on CT 2C/604 (*see Schedule A – Status Check*).

***The following is brought to your attention to note only:***

- Certificate of Incorporation No 920608/3 is registered and noted on the historic search copy of CT 2C/604. This Certificate is not noted on the current search copy of 2C/604.

**Signed by Knight Frank (NZ) Limited:**

  
\_\_\_\_\_  
H M Taylor:

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

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Name:  
Date of decision:

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**(1) Details of lease:**

**Lease name:** Mount Hope

**Location:** This is a small pastoral lease which is used to complement other land as summer grazing. It is situated on Pomahaka Road, which is 10 kms from Roxburgh on State Highway 8, 45 kms from Alexandra, the nearest major service centre.

**Lessee:** Alexander Raymond Gunn

**Tenure:** Pastoral lease under the Land Act 1948 and Crown Pastoral Land Act 1998, Pastoral Lease No 307.

**Term:** 33 years from 1 July 1996 to 30 June 2029.

**Annual Rent:** \$750

**Rental Value:** \$50,000

**Date of Next Review:** 30 June 2007

**Land Registry Folio Ref:** OT2C/604

**Legal Description:** Section 2 SO Plan 23792, and Section 1 SO Plan 23791 being all the land contained in Instrument of Title 2C/604.

**Area:** 1032.800 hectares

**(2) File Search:**

**Files held by Agent in Alexandra on behalf of LINZ:**

<i>File Reference</i>	<i>Volume</i>	<i>First Folio</i>	<i>Date</i>	<i>Last Folio</i>	<i>Date</i>
Po307	1	1	21/1/1913	183	1/10/1991
Po307	2	181	6/4/1991	203	8/6/1999
50213/09/12564/AZNO	Current	No number		Maps	1/7/2000

**Files held in Christchurch on behalf of LINZ:**

None provided by LINZ.

The file search showed that the records are complete except for one missing folio. There are two entries that belong to another property and a case of misnumbering, but this does not compromise the integrity of the records. Confidence is held that all important data has been searched.

In 1913 Run 519 was held by H A and W Tamblin (*Pastoral Licence 1160 – expiring 28 February 1914*).

By 1914 the Commissioner of Crown Lands had decided to re-let this run in two subdivisions, Run 515 and Run 519. The lessees were asked to select one of the subdivisions. Term to be as previous – 14 years.

Run 519 was selected (*annual rental £15 – licence expires 28 February 1928*) area 2310 acres.

Pastoral licence (*RP1844*) was renewed for a term of 35 years from 1 March 1928. Rental £25, expired 26 February 1963.

William Tamblyn died in 1932 and the property was transferred to Leslie McKnight, when Henry Albert Tamblyn retired in 1934 (*price paid £250*).

1935 and 1936 records show a dispute over a block flood channel near the main road, however this relates to freehold land held in conjunction with the pastoral licences.

By 1961, L McKnight (*Run 519, Teviot Survey District*) and R and A R Tamblyn (*Run 691, Teviot Survey District*) proposed to form a partnership and farm the runs under one lease.

A suitable boundary between Run 519 and Run 425C held by G A Bain, was identified as a potential problem. The boundary was not fenced and both Tamblyn (*Run 691*) and McKnight (*Run 519*) enjoyed the benefits of 3 month's summer grazing on this neighbouring block, likewise Bain enjoyed grazing for his stock on their properties. Tamblyn and McKnight expressed a willingness to fence this boundary if Bain agreed.

Folios referring to the proposed boundary adjustments continued through to June 1962 when the proposal was shelved as Bain wished the current arrangement to continue.

December 1962 saw a consultation between all three lessees, and the PLO to determine suitable boundary lines. Recommended that boundary fence be constructed within 4 years, lease expired 28 February 1963.

By May 1963, Messrs Tamblyn and McKnight had made it clear that they did not agree with the proposed lines for the boundary fence.

McKnight died April 1963, and the proposed partnership with Messrs Tamblyn did not proceed. The lease itself was only used as a summer run-off, run in conjunction with freehold land. A Pastoral Run Licence Renewal Report in 1963 notes that area had been lightly grazed by the neighbour's cattle (*Bain P50*) for past 60 years.

1964 saw survey of proposed boundary adjustments.

Pastoral lease renewal (*1964*) stock limitation 2100 sheep (*including note more than 1000 ewes*) for 3.5 months end December to mid-April.

Lessee (*Estate McKnight*) permitted to run 50 cattle in dry seasons, rental £35. Term 33 years from 1 July 1963 to 30 June 1996.

Personal stock increase to 1600 breeding ewes for 3.5 months (*end December to beginning April*). Term 33 years from 1 July 1963, rental £35.

252 acres from P150 to be incorporated into Run 51A and surrender of 604 acres from Run 519 transferred to PL50 to occur to allow boundary fence to be constructed on achievable fenceline.

Mrs McKnight expressed concern about the boundary adjustments in folios from early 1965. This was resolved. Transfer to Evelyn Priscilla McKnight. New legal description (1967) Run 759, Blocks VI, IX Whitecomb Survey District, Blocks V, IX, X Teviot Survey District. Area 2000 acres SO 15989. This actions the new boundary lines.

1969 – Property now managed by W Gunn. Still no boundary between P50 in west and P302 in east. Stock range freely. The property was transferred to A R Gunn in July 1969 (\$60,000) from E P Ogilvie (*formerly McKnight*), remarried 1968. Rental \$70.

Stock limitation set in 1969 - 2100 sheep (*including 1600 breeding ewes*) for 3.5 months from end of December to beginning of April.

Boundary concerns arose again in 1972, between Bain and his neighbours Gunn and Tamblyn.

Stock are grazed openly by agreement by each party within their respective stock limitations.

Bain proposed the construction of a partial boundary fence. Tamblyn and Gunn concerned re reduction of area of valuable summer country, available to them. Bain's cattle would however still have grazing on their properties available during the summer period.

Decision that to be equitable, whole boundary fence will be constructed or alternatively no boundary fencing will occur.

In 1975 stock limitation was set to continue at 2100 ewes (*including not more than 1600 breeding ewes*) for 3.5 months from end December to beginning of April.

By 1997 no development had been done on the lease.

In October 1981, an Erosion Control Scheme within the catchments of both Coal and Washpool Creeks was proposed. This scheme was on the freehold run in conjunction with this property.

In 1982 the stock limitation was continued at current levels. The lack of boundary between P50 (*Bain*), Po203 (*Tamblyn*) and P302 (*Gunn*) allowed stock to wander at will over a large amount of summer country.

In 1983 Tamblyn and Gunn agreed to fence their common boundary.

The fenceline was bulldozed and fence completed early in 1985.

In 1986 an area of wildlife habitat was identified. It was a high altitude bog, home to a number of native bird species.

Personal stock limitation set in 1969 at:

2100 sheep (*including 1600 breeding ewes*) for 3.5 months end December to beginning April.

Right to run 50 cattle if drought experienced on freehold over summer.

Bain's Block (P50) purchased by Department of Conservation in 1986. Gunn continued to graze it as usual.

No fertiliser applied to lease by 1985 and no internal subdivision, just one large block containing primarily native species.

By 1988 negotiations were underway between DoC and lessee re RAP's. Mr Gunn suggested a practical fenceline to exclude 80% of RAP UMB 15 from his lease. Boundary to be fenced between RAP UMB 15 and Gunn's property. This will protect the Little Pomahaka headwaters.

A hut on Bain's Block to remain under existing ownership of 2/3 DoC and 1/3 A R Gunn. DoC to retain half share in track to Bain's Hut.

Base stock limit increased to allow for lease now covering a larger area.

Stock limit now to be (1990) on completion of land transfer with DoC.

3000 sheep (*including not more than 1600 breeding ewes for 3.5 months*).

Lessee permitted to graze 50 cattle in a dry season. Annual rental \$100, renewal 1996.

Personal stock limit granted:

3000 sheep (*including not more than 2400 breeding ewes*) and 80 cattle.

In 1990, the Land Rationalisation Agreement was signed.

A marginal strip was laid off along length of Little Pomahaka River from junction with Pomahaka River upstream to the boundary with the RAP and from the junction of the two rivers downstream to the boundary of Bain's Block ie, along the complete length of the river running through the lease.

DoC and Gunn agreed to share equally maintenance of vehicle track to Junction Hut. Lessee will allow DoC staff to use track to gain access to Bain's Block by vehicle. In addition public will be allowed foot access at all reasonable times and vehicle access by arrangement with the lessee and DoC.

New area – 1013.4245 ha.

Historic gold workings along the Little Pomahaka River now included in lease. These are within the marginal land strip of Crown land.

The Land Rationalisation will protect the sensitive high altitude plant communities in the Little Pomahaka headwaters encompassed by RAP Umbrella 15.

DoC reserved the right to fence individual historic structures within the Section 58 strip if practical and if required to protect them from cattle damage after consultation with lessee.

The PNA Implementation Report in 1990, notes summer access only by 4WD vehicle. The lower portion of Bain's Block which is now included in lease, has one subdivision fence and minimal tracking.

During 1990 a fenceline/firebreak was bulldozed, plus a short length of 4WD track was bulldozed to allow access to fenceline.

In 1991 burning of part of property was proposed. Burning permit renewed for 1992 and 1993.

The lease was partly burnt in 1993.

By 1993 the Land Exchange Agreement had been signed.

In 1994 rent review undertaken. This lease was renewed 1 July 1996 for a term of 33 years, rental \$750, rent review in 11 years and expires 30 June 2029.

It was not until December 1996 that DoC registered the partial surrender for Section 3, SO 23793 and the incorporation of Section 1, SO 23791. Area surrendered to DoC 393.5 ha (*from P307*) Section 3, SO 23793. New area of pastoral lease 1019.0713 ha.

**(3) Summary of lease document:**

*Terms of lease:*

License 1844 held by H A and W Tamblyn was superseded by OT2C/604 – a pastoral lease.

The commencement date on Crown files agrees with the lease document.

The lease was issued on 1 July 1963 under the Land Act 1948 for a term of 33 years. The lease was renewed for a further 33 years commencing 1 July 1996.

The ownership is the same as used on Crown files and in the Status Check.

No non-standard conditions are recorded.

*Original Lease Stock Limit:*

2100 Sheep (*including not more than 1000 breeding ewes*) for 3.5 months from end December to beginning of April.

**Renewals and variations:**

*Appellation 3 11450 (1967):*

This records the boundary adjustment needed to create a practical fenceline between P50 (*Bain*) and P307 (*Estate McKnight*).

252 acres from P50 incorporated into P307, and 604 acres surrendered from Run 519 and Incorporated into P50. Area 2000 acres.

*New Appellations 810972, 810973 (1992):*

These were used to facilitate the land transfers needed for PNA implementation.

908427                      Memorandum renewing the term of the lease, registered 22 May 1996 renewing term for a further 33 years, commencing on 1 July 1996 and fixing (*for first 11 years*) the annual rent at \$750, calculated on a rental value of \$50,000.

920608/1                  Variation of the within lease (*26 November 1996*).

920608/2                  Records the surrender of Section 3, SO 23793 (*393.5 ha*) to DoC (*26 November 1996*).

920608/3                  Certificate incorporating Section 1, SO 23791 (*603.2 ha*) into the lease (*26 November 1996*).

These last three entries record the land transfers that occurred as a result of PNA implementation on this property.

**Area adjustments:**

Original lease area = 1948 acres (*estimated*). As a result of subsequent survey and land exchanges during the life of this lease, extra land has been incorporated into the lease, and some land has been surrendered, to allow practical boundary fencelines.

A full reconciliation sheet is attached to the Status Check (*Attachment 2*).

The area on the lease document (*1019.0713 ha*) differs from the *Reconciliation of Area in Lease*, derived from the Status Check (*see Attachments 2 and 3*).

**Registered Interests:**

*Mortgages:*

840912/2                  Mortgage to Trust Bank Otago Limited , 20 October 1993.

**Other Interests:**

No electricity agreement is registered on the lease.



No mining or prospecting licence or permit is registered.

No Section 417 Certificates under the Resource Management Act are registered.

No recreation permits are issued affecting this lease.

**(4) Summarise any Government programmes for the lease:**

No Catchment Board Run Plan ever undertaken on this lease.

No other Government programmes have been implemented on this property.

**(5) Summary of Land Status Report:**

Copy attached as Schedule A.

**5.1 The Pastoral Lease:**

The Land Status Report confirms the Crown Land Status under the Land Act 1948 subject to pastoral lease registered as OT2C/604.

The area of the lease is confirmed as 1032.800 ha which **differs** from that shown on the lease document. A full reconciliation sheet is included (*Attachment 2*).

The Land Status Report records that the lease is subject to only one encumbrance, Part IVA of the Conservation Act 1987.

This is in agreement with the lease details section of this report to 25 February 2002.

The legal description is confirmed as that being used in this Due Diligence Report.

The Crown retains mineral ownership.

The Land Status Report confirms that no conservation land exists within the Mount Hope lease boundary, but identifies adjoining conservation land (*Section 3, SO 23973*). This agrees with the findings of this Due Diligence Report.

No UCL land is identified within the lease.

Marginal strips are identified on the Pomahaka River and the Little Pomahaka River (*SO 23791 and SO 23792*).

Pomahaka Road and legal road are defined on SO 15989.

The Status Check confirms there are no recreation permits, DoC concessions or mining interests on the lease.

***The Status Check identifies three other matters possibly requiring investigation being:***

- (1) Error in legal description recorded on title, CT OT2C/604.

Correct legal description is Section 1 SO Plan 23791 and Section 2 SO Plan 23792.

- (2) Area is not correct on lease document. A full reconciliation is provided (*Attachment 2*), the correct area is 1032.800 ha, not 1019.0713 ha as on the lease document map or 1412.5713 ha as of front page of lease document.
- (3) The Certificate of Incorporation No 920608/3 is registered and noted on the historic search copy of CT 2C/604, but it is *not* noted on the current search copy of 2C/604.

No other issues arising from the report were identified.

**5.2 Other Land:**

No other land is covered in the Status Check.

**(6) Review of topographical and Cadastral data:**

***Topographical Map:***

The topographical map shows the Little Pomahaka River running lengthwise down the property to its junction with the Pomahaka River, which then exits the property on the south-western boundary.

Old gold workings are shown on the banks of the Pomahaka River, these lie within a marginal strip.

A track is shown leading to the south-eastern boundary, and then proceeding through the lease to the old gold workings. This track provides access to a hut (*1/3 lease, 2/3 DoC*) ownership, and also access to Bain's Block (*DoC*).

***Cadastral Map:***

The Cadastral map shows Pomahaka Road providing access to this property from State Highway 8. This is a legal road, but only 4WD access. This "road" branches at the south eastern boundary and runs through the property in two places.

A trig station is shown just outside the boundary, approximately where the road branches as it enters the property.

Marginal strips follow both the Little Pomahaka River and subsequently the Pomahaka River as they run through this property.

**(7) Details of neighbouring Crown or Conservation land:**

A major conservation area known as “Bain’s Block”, adjoins the whole western boundary of the property, while the northern boundary is a nature reserve (*RAP UMB 15*). The south-eastern boundary is Crown land (*P302 – Grafton Hills*) while the southern boundary is Po314 Moa Hills.

**(8) Summary of uncompleted actions or potential liabilities:**

**8.1** The area is incorrectly recorded in CT OT2C/604.

Correct area is 1032.8000 ha, not 1019.0713 ha as recorded in CT OT2C/604 (*see Attachment 3*).

**8.2** The legal description is incorrectly recorded. The correct legal description is Section 1, SO Plan 23791 and Section 2, SO Plan 23792.

***The following is noted for your information only:***

- The Certificate of Incorporation No 920608/3 is registered and noted on the historic search copy of CT 2C/604.

This Certificate is not noted on the current search copy of CT 2C/604.

**ATTACHMENTS:**

- |              |   |   |
|--------------|---|---|
| Schedule A   | - | Status Check.                           |
| Attachment 1 | - | Recent copy of lease document OT2C/604. |
| Attachment 2 | - | Reconciliation of area in lease.        |
| Attachment 3 | - | Area as recorded in lease.              |

**KNIGHT FRANK (NZ) LIMITED**

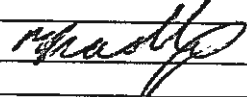
**Appendix A**

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for MOUNT HOPE</b>				<i>[LIPS ref.12564]</i>
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

<b>Land District</b>	Otago
<b>Legal Description</b>	Section 1 SO Plan 23791 and Section 2 SO Plan 23792.
<b>Area</b>	1,032.8000 hectares.
<b>Status</b>	Crown land subject to The Land Act 1948.
<b>Instrument of lease</b>	All CIR OT 2C/604.
<b>Encumbrances</b>	Subject to Part IVA of Conservation Act 1987.
<b>Mineral Ownership</b>	Minerals remain with the Crown as the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).
<b>Statute</b>	Land Act 1948 & Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	25 February 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley 
<b>Crown Accredited Agent</b>	Knight Frank (NZ) Limited

**KNIGHT FRANK (NZ) LIMITED**

**Appendix B**

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for MOUNT HOPE</b>				[LIPS ref. 12564]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

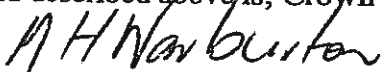
<b>Land District</b>	Otago
<b>Legal Description</b>	Section 1 SO Plan 23791 and Section 2 SO Plan 23792.
<b>Area</b>	1032.8000 hectares.
<b>Status</b>	Crown Land subject to The Land Act 1948.
<b>Instrument of lease</b>	All CIR OT 2C/604.
<b>Encumbrances</b>	Subject to Part IVA of Conservation Act 1987.
<b>Statute</b>	Land Act 1948 & Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	25 February 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley	
<b>Crown Accredited Agent</b>	Knight Frank (NZ) Limited	

**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 subject to the Land Act 1948.



Date 16 / 4 / 2002

Max Warburton, Chief Surveyor  
 Land Information New Zealand, Dunedin

**MOUNT HOPE RESEARCH - Property 1 of 1**

<p><b>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</b></p>	<p>(i) We note that the legal description and area are recorded incorrectly in CT OT 2C/604. The correct area is 1032.8000 hectares, not 1412.5713 hectares as recorded in CT OT 2C/604. See the attached Reconciliation Sheet. The correct legal description is Section 1 SO Plan 23791 and Section 2 SO Plan 23792.</p> <p>(ii) We note that Certificate of Incorporation No. 920608/3 is registered and noted on the historic search copy of CT 2C/604. This certificate is not noted on the current search copy of 2C/604.</p>
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**LAND STATUS REPORT for MOUNT HOPE** [LIPS ref. 12563]

**Property 1 of 1**

**Research Data: *Some Items may be not applicable***

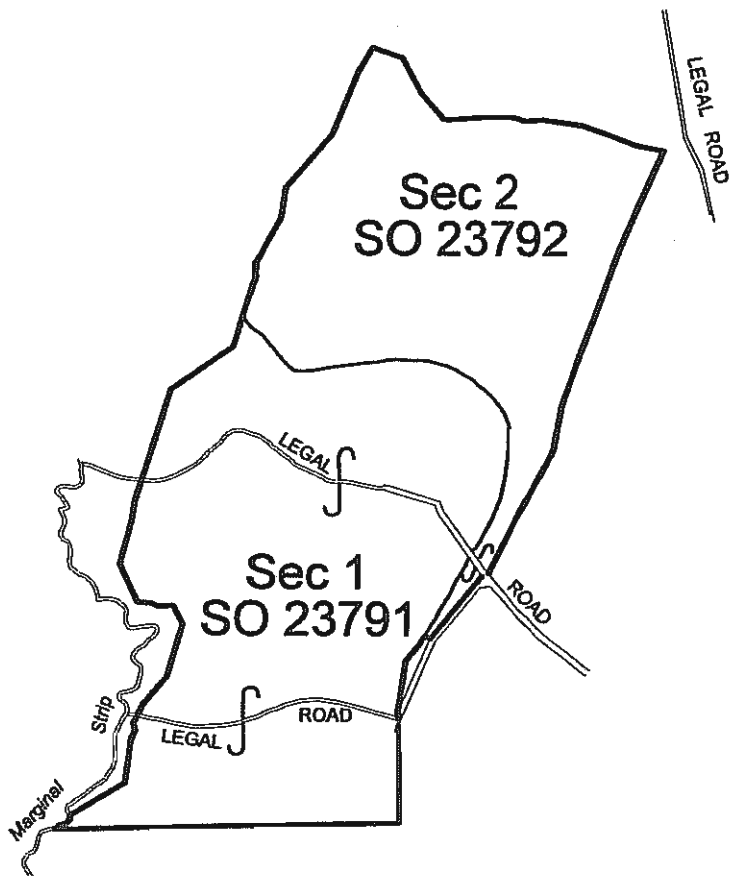
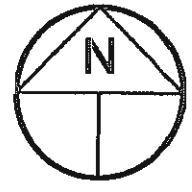
**Property 1 of 1**

SDI Print Obtained	Yes
NZMS 261 Ref	G43.
Local Authority	Central Otago District Council.
Crown Acquisition Map	Kemp Deed of Purchase.
SO Plan	SO 15989 - (1967) - Defines Run 759 SO 23791 - (1992) - Defines Section 1. SO 23792 - (1992) - Defines Section 2. SO 23793 - (1992) - Defines Section 3..
Relevant Gazette Notices	N/A
CT Ref / Lease Ref	All CIR 2C/604.
Legalisation Cards	SO 15989. The legalisation card records that this plan refers to Run 758 only. SO 23791 The legalisation card records that Section 1 was declared Crown land under Gazette Notice 1992/3466. SO 23792 - The legalisation card records that Section 2 is subject to the provisions of marginal strips pursuant to Section 24 of the Conservation Act 1987. SO 23793 - The legalisation card records that Section 3 was taken for conservation purposes under Gazette Notice 1998/4351.
CLR	The Crown land register records that Run 519 is now part of Run 759. Run 759 was previously part of Run 691 and Run 425C is now part of Run 759.
Allocation Maps (if applicable)	A check of the SOE/DOC/UCL Allocation Maps revealed no allocations within the boundaries of the pastoral lease.
VNZ Ref - if known	28472 - 29300.
Crown Grant Maps	The Crown Grant Map for the Teviot Survey District identifies Run 519.
<b>If Subject land Marginal Strip:</b>	
a) Type [Sec 24(9) or Sec 58]	(a) Subject to Section 24(9) of The Conservation Act 1987. (Lease renewed for a further term of 33 years from 1 July 1996).
b) Date Created	(b) 1 July 1996.
c) Plan Reference	(c) SO 23791.

<b>LAND STATUS REPORT for MOUNT HOPE</b>				[LIPS ref.12563]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

**Research – continued**

<b>Property</b>	<b>1</b>	<b>Of</b>	<b>1</b>	
<b>If Crown land - Check Irrigation Maps.</b>				N/A
<b>Mining Maps</b>				There are no mining interests recorded within the boundaries of the pastoral lease.
<b>If Road</b>				
<b>a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989</b>				(a) Pomahaka Road and Legal Road are defined on SO 15989.
<b>b) By Proc</b>				(b) N/A
<b>c) Plan No</b>				SO 15989.
<b>Other Relevant Information</b>				
<b>a) Concessions - Advice from DOC or Knight Frank.</b>				NIL.
<b>b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.</b>				Subject to Part 9 of The Ngai Tahu Claims Settlement Act 1998.
<b>c) Mineral Ownership</b>				Mines and minerals are owned by the Crown because the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).  Contained in (provide evidence):  CT No's 337/38 and 337/143 being the earliest leases issued after the establishment of Runs in the Otago Land District.
<b>(d) Other Information</b>				NIL.



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

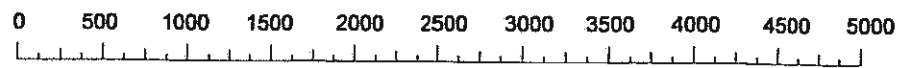
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Otago Land District Topographic Map 260 - G43			Sheet 1 of 1 Date 27/03/02		



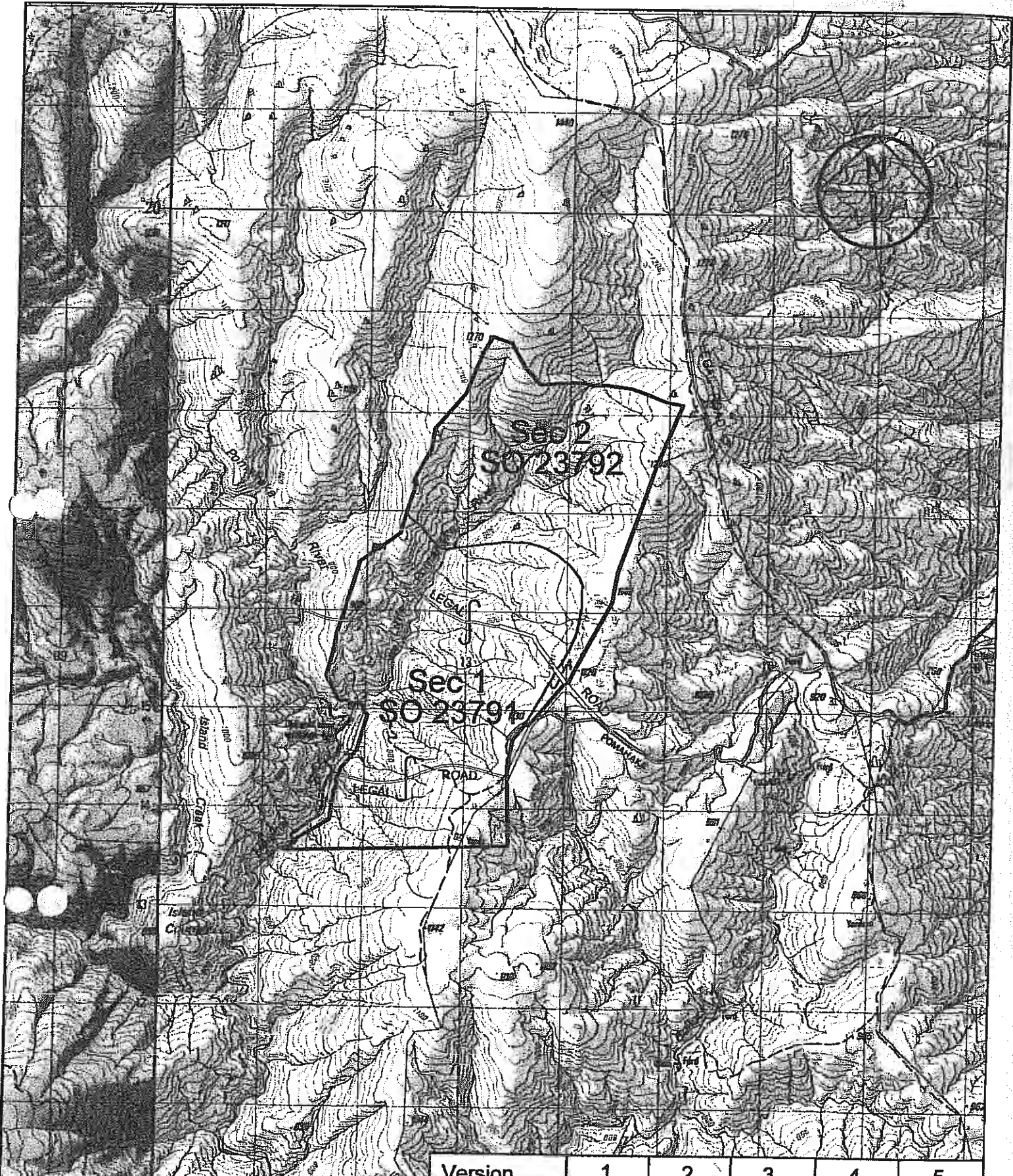
# Mount Hope

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PO Box 13-343  
Christchurch  
Ph: 03 379 9901







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

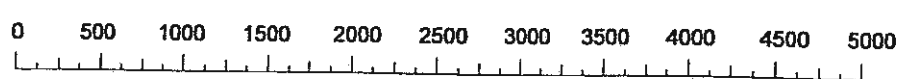
Version	1	2	3	4	5
Otago Land District Topographic Map 260 - G43	Sheet 1 of 1 Date 27/03/02				

  
**ANDERSEN & ASSOCIATES**  
 REGISTERED SURVEYORS

PO Box 13-343  
 Christchurch  
 Ph: 03 379 5901

# Mount Hope

Scale 1:50000



**ATTACHMENT 1:**

Recent copy of lease document OT2C/604.



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



Search Copy

R. W. Muir  
Registrar-General  
of Land

**Identifier** OT2C/604  
**Land Registration District** Otago  
**Date Registered** 02 December 1965 02:14 pm

**Part-Cancelled**

**Prior References**  
OT337/43 OT338/78

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<b>Type</b>	Lease under s83 Land Act 1948		
<b>Area</b>	1412.5713 hectares more or less	<b>Term</b>	33 years commencing on the 1st day of July 1963 and renewed for a further 33 years commencing on 1.7.1996

**Legal Description** Run 759, Section 3 Survey Office Plan 23793, Section 2 Survey Office Plan 23792 and Section 1 Survey Office Plan 23791

**Proprietors**  
Alexander Raymond Gunn

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**Interests**

- 840912.2 Mortgage to Trust Bank Otago Limited - 20.10.1993 at 9.22 am
- 908427 Memorandum renewing the term of the within lease for a further term of 33 years commencing on 1.7.1996 and fixing (for the first 11 years) the annual rent at \$750.00 calculated on a rental value of \$50,000.00 - 22.5.1996 at 3.07 pm
- 920608.1 Variation of the within Lease - 26.11.1996 at 2.23 pm
- 920608.2 Surrendered as to Section 3 Survey Office Plan 23793 (393.5ha) - 26.11.1996 at 2.23 pm

Identifier

OT2C/604

WHITECOOMB S. D.

S. D.

Sec 3/  
 S O 23793  
 TEVIOT  
 920608/2

Pt. Run 519  
 1696 acs

Pt.  
 Run  
 425 c.  
 252 acs

Sec 1  
 S O 23791  
 920608/3

EQUIVALENT METRIC  
 AREA IS  $\frac{809 \cdot 3713}{138 \cdot 2276}$   
 - 920608/2 393 · 5 ha  
 + 920608/3 603 · 2 ha  
 $\frac{998 \cdot 0276}{1019 \cdot 0713}$

Scale : 50 chains to an inch.  
 L.L.S.



# COMPUTER INTEREST REGISTER UNDER LAND TRANSFER ACT 1952



Historical Search Copy

*R.W. Muir*  
Registrar-General  
of Land

Identifier **OT2C/604**  
Land Registration District **Otago**  
Date Registered **02 December 1965 02:14 pm**

## Part-Cancelled

Prior References  
OT337/43 ✓

**OT338/78** ✓

Type **Lease under s83 Land Act 1948**  
Area **1412.5713 hectares more or less**

Term **33 years commencing on the 1st day of July 1963 and renewed for a further 33 years commencing on 1.7.1996**

Legal Description **Run 759, Section 3 Survey Office Plan 23793, Section 2 Survey Office Plan 23792 and Section 1 Survey Office Plan 23791**

Original Proprietors  
**Alexander Raymond Gunn**

### Interests

- 840912.2 Mortgage to Trust Bank Otago Limited - 20.10.1993 at 9.22 am
- 908427 Memorandum renewing the term of the within lease for a further term of 33 years commencing on 1.7.1996 and fixing (for the first 11 years) the annual rent at \$750.00 calculated on a rental value of \$50,000.00 - 22.5.1996 at 3.07 pm
- 920608.1 Variation of the within Lease - 26.11.1996 at 2.23 pm
- 920608.2 Surrendered as to Section 3 Survey Office Plan 23793 (393.5ha) - 26.11.1996 at 2.23 pm

L. & S.—B. 4

Former Ref. Vol. <sup>338</sup> Pt. <sup>78</sup> 337 fol. <sup>43</sup> J

L. & S. Ref. No. P.307

# REGISTER

NEW ZEALAND

Entered in the Register-book, the  
2nd day of December

1965, at 2.14 o'clock.

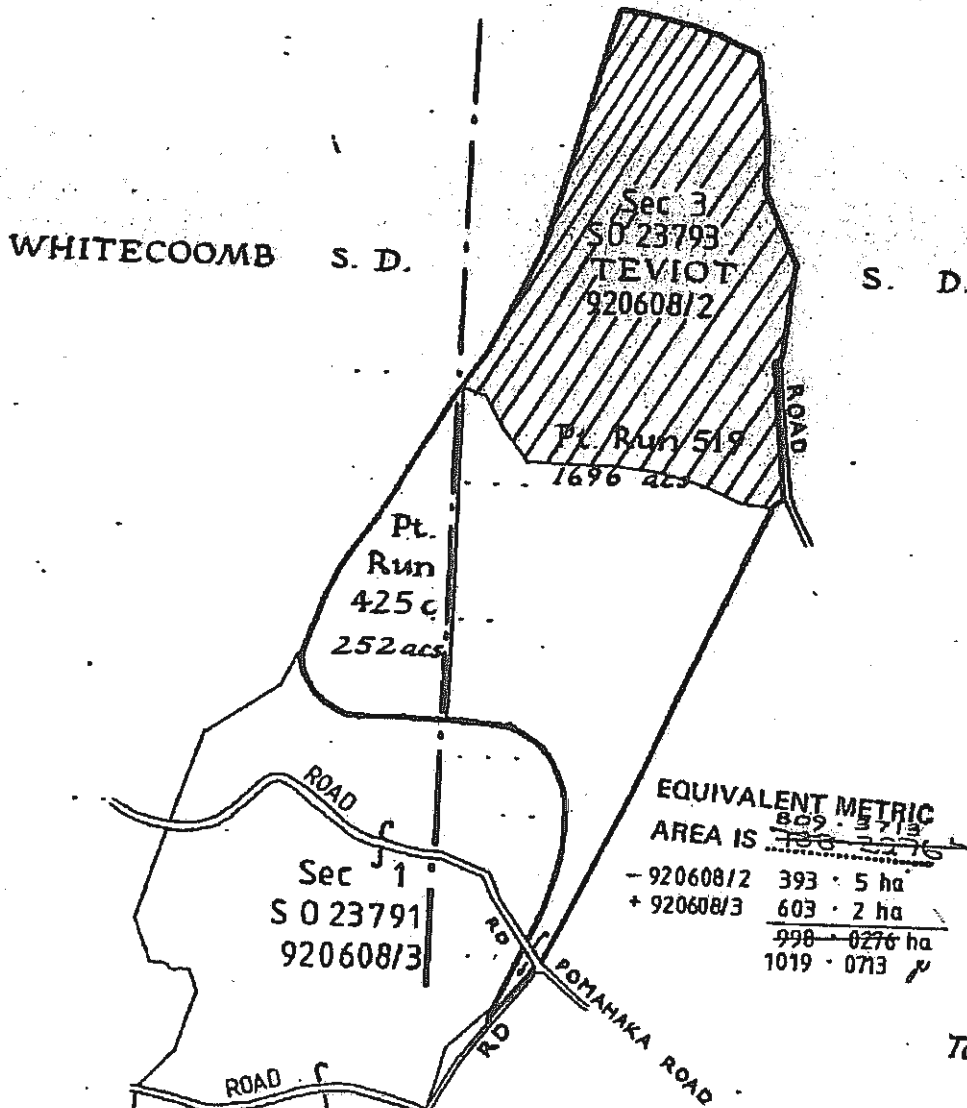


*W. J. McKnight*  
Assistant District Land Registrar

## Pastoral Lease under the Land Act 1948

This Deed, made the 1st day of March 1963 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and DAVID STANLEY McKNIGHT of ATHOL, Farmer as executor

(hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the lessee, all that parcel of land containing by estimation 1,948 acres more or less, situated in the Land District of Otago, and being Part Runs 425C and 519 Teviot and Whitecomb Survey Districts as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,



EQUIVALENT METRIC  
AREA IS ~~183 2276~~ <sup>802 3713</sup>

- 920608/2	393 · 5 ha
+ 920608/3	603 · 2 ha
	<u>998 · 0276 ha</u>
	1019 · 0713 <i>f</i>

Total Area ~~1948 acs.~~  
311450 2000 *f*

Scale: 50 chains to an inch.

No. 1004

easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised  
unto the Lessee for the term of 33 years, commencing on the 1st day of July 1963, together  
with the period between the date of this lease and the aforesaid 1st day of July 1963, YIELDING  
and paying therefor, unto the Department of Lands and Survey at Dunedin the annual  
rent of £35. - - payable without demand by equal half-yearly payments in advance on the 1st day of  
January and the 1st day of July in each and every year during the said term. AND also paying in respect of the  
improvements specified in the Schedule hereto the sum of £ - by a deposit of £ -  
~~(which has already been paid) and thereafter by half-yearly instalments of £ - on the 1st~~  
~~day of January and the 1st day of July in each and every year.~~

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

1. THAT without derogating from or restricting the covenants contained and implied in this lease and on the  
part of the Lessee to be performed or complied with the Lessee will not at any time during the said term de-  
pasture on the land hereby demised more than 2,100 sheep which number shall not include more than 1,000  
breeding ewes nor more than ~~-----~~ cattle which number shall not include more than ~~-----~~ breeding  
cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board  
carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the  
right of the Land Settlement Board to revoke or vary such consent at any time.

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

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

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

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

\* for 3 1/2 months from the end of December to the beginning of April.

Special Condition: Notwithstanding anything herein contained or implied it is here-  
by expressly agreed and declared by and between the parties hereto that the lessee is  
the executor of the Estate of L. McKnight late of Coal Creek Flat and this demise  
is granted to the lessee solely in his capacity as executor of the said Estate and  
notwithstanding the proper exercise by the lessor of her rights of distress, re-entry  
or in respect of the breach, non-observance or non-performance of the covenants, con-  
ditions and agreements on the lessee's part herein contained or implied this demise  
shall bind the lessee only to the extent of the assets of the said estate in his hands

~~SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN~~  
in the ordinary course of administration, provided however that this present agree-  
ment shall not enure for the benefit of any assignee or sublessee in respect of this  
demise.

SCHEDULE OF IMPROVEMENTS BELONGING TO THE CROWN

Assistant Nil.

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

Signed by the Assistant Commissioner on behalf of the Lessor, in the  
presence of -

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

Assistant Commissioner of Crown Lands.

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

Witness: [Signature] J.P.  
Occupation: Retired  
Address: 10 Abbotsford St. Rosburgh

[Signature]  
Lessee.

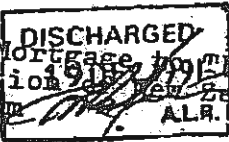


297506 Transfer to Evelyn Priscilla Mcknight  
of Roxburgh, Widow - 11.3.1966 at 11 am.  
*SE Hayes*  
C.T. 2C/604  
A.L.R.

327384 Notice of Marriage of Evelyn  
Priscilla McKnight to George Philp  
Ogilvie of Cromwell, Police Constable  
entered 28.5.1968 at 11.20 am  
*Stewart*  
A.L.R.

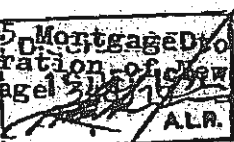
348118 Transfer to Alexander Raymond  
Gunn of Coal Creek near Roxburgh,  
Farmer - 11.11.1969 at 2.20pm  
*Stewart*  
A.L.R.

348119 Mortgage to The State Advances  
Corporation of New Zealand - 11.11.1969  
at 2.22pm  
*Stewart*  
A.L.R.

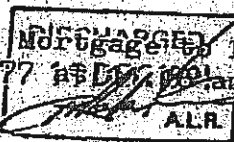


Variation of Mortgage 348119 - 25.2.1972 at  
11.39 am  
*Stewart*  
A.L.R.

402095 Mortgage to The State Advances  
Corporation of New Zealand varying  
Mortgage 348119 - 7.4.1973 at 2.29 pm  
*Stewart*  
A.L.R.



478949 Mortgage to Bank of New Zealand -  
2.6.1977 at 11.00 am  
*Stewart*  
A.L.R.

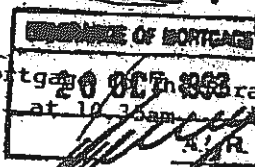


538491/1 Certificate vesting Mortgage 348119  
and 402095 in the Rural Banking and Finance  
Corporation of New Zealand - 22.7.1980 at  
12.22 pm  
*Stewart*  
A.L.R.

538491/2 Variation of Mortgage 402095 -  
22 1980 at 12.22 pm  
*Stewart*  
A.L.R.

570086 Variation of Mortgage 402095 -  
3.2.1982 at 2.40 pm  
*Stewart*  
A.L.R.

The within land is now known as Run 759 Blocks V,  
IX, X Teviot S.D. and VI and IX Whitecomb S.D.  
(area 2,000 acres) - 3.3.1967 at 1.46 pm  
See Reappellation 511450  
*Stewart*  
A.L.R.



795215/5 Mortgage to Bank Limited  
- 19.12.1991 at 10.30am  
*Stewart*  
A.L.R.

Part Run 759 Blocks V & IX Teviot S.D. and  
Block VI Whitecomb S.D. herein is now  
known as Section 3 SO Plan 23793 (393.5ha)  
- 30.7.1992 at 10.12am  
See New Appellation 810972 ✓  
*Stewart*  
A.L.R.

Part Run 759 Blocks IX & X Teviot S.D. and  
Blocks VI & IX Whitecomb S.D. herein is  
now known as Section 2 SO Plan 23792  
(429.6ha) - 30.7.1992 at 10.17am  
See New Appellation 810973 ✓  
*Stewart*  
A.L.R.

840912/2 Mortgage to Trust Bank Otago  
Limited - 20.10.1993 at 9.22am  
*Stewart*  
A.L.R.

908427 Memorandum regarding the term of the  
within lease for a further term of 33 years  
commencing on 1.7.1996 and fixing (for the  
first 11 years) the annual rent at \$750.00  
calculated on a rental value of \$50,000.00  
- 22.5.1996 at 3.07pm  
*Stewart*  
A.L.R.

920608/1 Variation of the within  
lease - 26.11.1996 at 2.23 pm  
*Stewart*  
A.L.R.

920608/2 Surrendered as to Section 3  
SO Plan 23793 (393.5ha) - 26.11.1996  
at 2.23 pm  
*Stewart*  
A.L.R.

920608/3 Certificate incorporating  
Section 1 SO Plan 23791 (603.2ha) in  
the within lease - 26.11.1996 at  
2.23 pm  
*Stewart*  
A.L.R.



**ATTACHMENT 2:**

Reconciliation of area in lease.

## MOUNT HOPE PASTORAL LEASE RECONCILIATION OF AREA IN LEASE

Part Run 519	CT 337/43	(1.3.1928)	2,310 acres	934.8238 ha
Less, Transferred to 2C/891			10 acres	4.0467 ha
			<hr/>	<hr/>
			<b>2,300 Acres</b>	<b>930.7771 Ha</b>
Plus Part Run 425C (Transferred from CT 337/38)	CT 338/78	(1.7.1954)	252 acres	101.9768 ha
			<hr/>	<hr/>
			<b>2,552 Acres</b>	<b>1,032.7539 Ha</b>
CT No. 2C/604 issued for Part Runs 245C and 519 Teviot and Whitecoomb Survey Districts (1.3.1963)			1,948 acres	778.3267 ha
Redefined as Run 759 on SO 15989 (1.2.1967)			2,000 acres	809.3713 ha
Reappellation 311450 – The land in CT NO. 2C/604 is now known as Run 759 Blocks V, IX, X, Teviot S.D. and VI and IX Whitecoomb S.D.			2,000 acres	809.3713 ha
New Appellation 810972 – Part Run 759 Blocks V and IX Teviot S.D. and Block VI Whitecoomb S.D. is now known as Section 3 SO 23973 (393.5ha).			393.5 ha	
New Appellation 810973 – Part Run 759 Blocks IX and X S.D. Teviot S.D. and Blocks VI and IX Whitecoomb S.D. is now known as Section 2 SO 23792			<u>429.6</u> ha	823.1000 ha
No part of Run 759 left. Legal Description Now Section 2 SO 23792 and Section 3 SO 23793.				
Less, surrendered as to Section 3 SO 23973 (920608/3).				393.5 ha
				<hr/>
				429.6000 ha
Plus, Certificate incorporating Section 1 SO 23791				603.2000 ha
				<hr/>
				<b>1,032.8000 Ha</b>

**Correct Legal Description: Section 1 SO Plan 23791 and Section 2 SO Plan 23792.  
 Correct Area: 1032.8000 Hectares.**

**ATTACHMENT 3:**

Area as recorded in lease.

## AREA AS RECORDED IN LEASE

Run 759, Section 3 SO 23793, Section 2 SO 23792 Section 1 SO 23791

CT No. 2C/604

(2.12.1965)

Area recorded on CT 2C/604

**1.412.5713 Ha**

The correct legal description and area for the above CT should be as follows:

823.1000 ha (being both Section 2 SO 23792 and Section 3 SO 23793).

- 393.5000 ha (920608/2) being Section 3 SO 23793  
 +603.2000 ha (920608/3) being Section 1 SO 23791  
 = **1032.80 Ha (= balance area)**

The appellation numbers 810972 and 810973 effectively redefined the whole of Run 759 as Section 2 SO 23791 and Section 3 SO 23793 and the area increased from 809.3713 hectares to 823.1000 hectares made up as follows:

810973	Part Run 759	-	Section 2 SO 23792	Area:	429.6000 Ha
810972	Part Run 759	-	Section 3 SO 23793	Area:	393.5000 Ha
			<b>Total Area</b>		<b>823.1000 Hectares</b>
920608/2	Less Section 3		SO Plan 23793		393.5000 Ha
					<b>429.6000 Hectares</b>
920608/3	Plus Section 1		SO Plan 23791		603.2000 Ha
			<b>Present Area In Lease</b>		<b>1032.8000 Hectares</b>

3



OUR REF: Po 307 & Po 274 (1218 let)  
YOUR REF: 1006 & 1009  
TELEPHONE: +64-03-379-9787  
FASCIMILE: +64-03-379-8440  
EMAIL: joanne.hantz@dtz.co.nz

18 April 2002

DTZ New Zealand Limited  
PO Box 142  
CHRISTCHURCH

Attention: Murray Bradley

RE: STATUS INVESTIGATION – PASTORAL TENURE REVIEW  
CONTRACT 50268 – MOUNT HOPE & MINARET

I acknowledge receipt of the status check report, and plans for Mount Hope and Minaret pastoral leases.

Yours sincerely  
DTZ NEW ZEALAND LIMITED

A handwritten signature in black ink, appearing to read 'Joanne Hantz'. The signature is stylized and cursive.

JOANNE HANTZ

1



Noted	2039
Action	GM
Record	
Date	
File No.	

New Zealand Ltd.  
18 APR 2002

Our Ref : Contract 50268 Our File Ref: 1006 & 1009

Your Ref: P 307 & 274 (LIPS 12564 & 12545)

18 April 2002.

DTZ New Zealand  
Land Resources Division  
P O Box 142  
CHRISTCHURCH

Attention : Mr G Holgate

Dear Sir

**STATUS INVESTIGATIONS – PASTORAL TENURE REVIEW. CONTRACT 50268**

As required in terms of Crown Pastoral Standard 6, please find attached the approved Status Report for the following pastoral LeaseS on contract 50268 being :

MOUNT HOPE( P 307).  
MINARET ( P 274)

Attached for these leases are :

- Status Check Report
- One colour photocopy of the Topo Plan.
- One copy of a Cadastral Plan.

Please acknowledge receipt, of the Status Reports and plans, to my attention at this office. Thank you.

Yours faithfully  
DTZ New Zealand

Murray Bradley  
Manager Public Sector/Crown Accredited Supplier.



Our Ref: Contract c 50268 (File Ref: 1006 & 1009)

Your Ref: P 274 & P 307

Date: 17 April 2002.

The Conservator,  
Department of Conservation,  
P.O. Box 5244,  
DUNEDIN.

Attention : Mr Tony Perrett

Dear Sir

**STATUS INVESTIGATIONS – PASTORAL TENURE REVIEW, CONTRACT 50268**

As required in terms of Crown Pastoral Standard 6, please find attached the approved Status Reports for the following Pastoral Leases on contract 50268 being :


MINARET ( P 274 ).  
MOUNT HOPE ( P 307 )

Attached for these leases are :

- Status Check Report
- One colour photocopy of the Topo Plan
- One Cadastral Plan.

Please acknowledge receipt, of these Status Reports and plans, to my attention at this office. Thank you.

Yours faithfully  
DTZ New Zealand

  
**Murray Bradley**  
Manager Public Sector/Crown Accredited Supplier

DTZ New Zealand Limited MREINZ, Level 4, 76 Cashel Street, Christchurch, PO Box 142, Christchurch, New Zealand  
Telephone +64 3 379 9787 Fax +64 3 379 8440 Email christchurch@dtz.co.nz Website www.dtz.co.nz

DTZ New Zealand is within the DTZ Debenham Tie Leung group of companies. This group is in international alliance with AEW  
and has a combined turnover of over \$1.5 billion. DTZ has over 6,500 staff in 33 countries and 125 offices.



Our Ref : Contract 50268 Our File Ref: 1006 & 1009

Your Ref: P 274 & P 307 (LIPS 12545 & 12564)

17 April 2002.

Crown Property Management  
Land Information New Zealand  
Private Bag 4721  
**CHRISTCHURCH**

Attention : Mr G Webley

Dear Sir

**STATUS INVESTIGATIONS – PASTORAL TENURE REVIEW, CONTRACT 50268**

As required in terms of Crown Pastoral Standard 6, please find attached the approved Status Reports for the following pastoral leases on contract 50268 being :

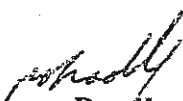
MINARET ( P 274).  
MOUNT HOPE ( P 307 )

Attached for these leases are :

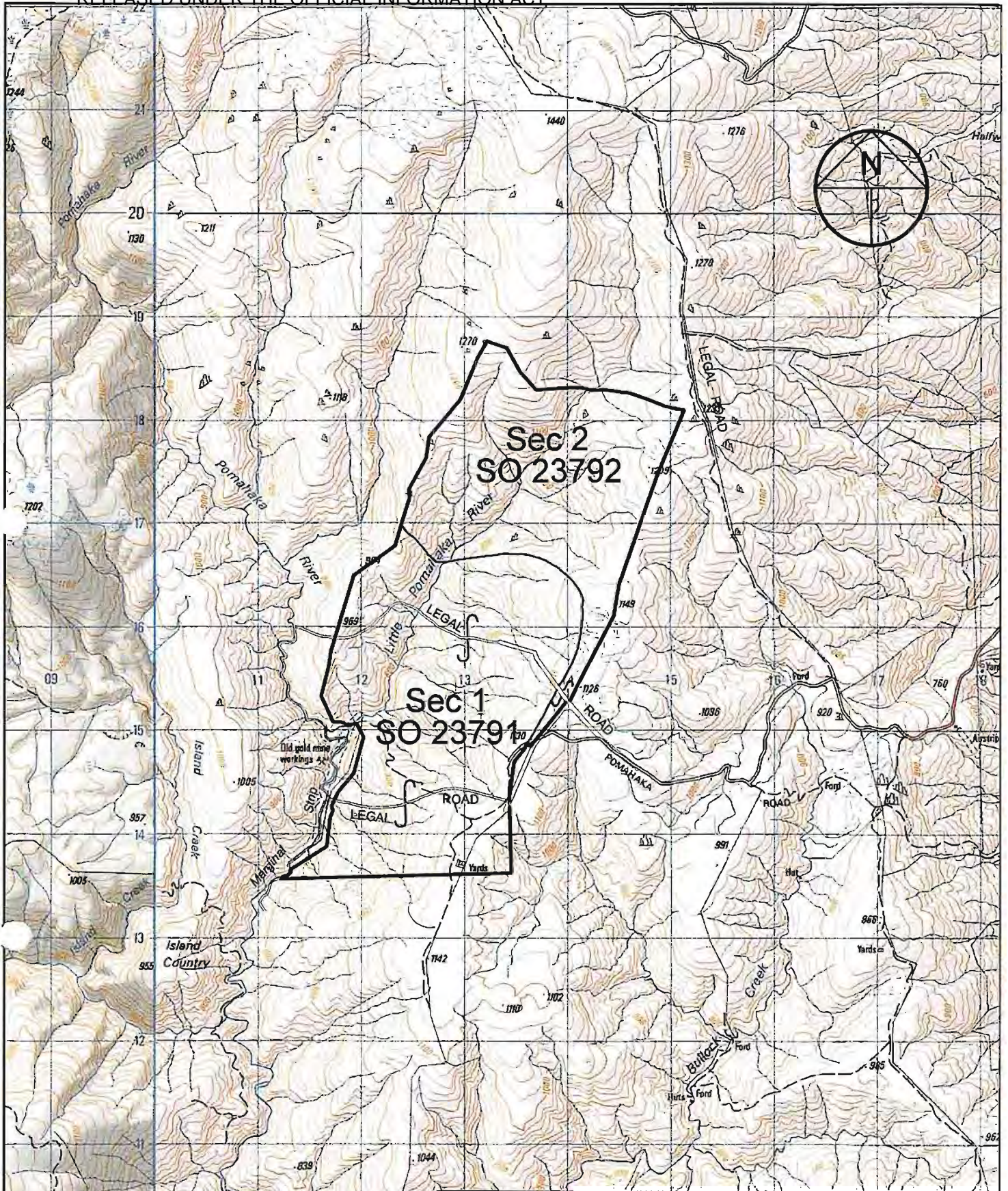
- Status Check Report
- One colour photocopy of the Topo Plan.
- One copy of a Cadastral Plan

Please acknowledge receipt, of the Status Reports and plans to my attention at this office. Thank you.

Yours faithfully  
DTZ New Zealand

  
**Murray Bradley**  
Manager Public Sector/Crown Accredited Supplier.





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

Version	1	2	3	4	5
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Otago Land District  
 Topographic Map 260 - G43

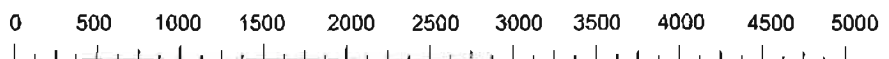
Sheet 1 of 1  
 Date 27/03/02



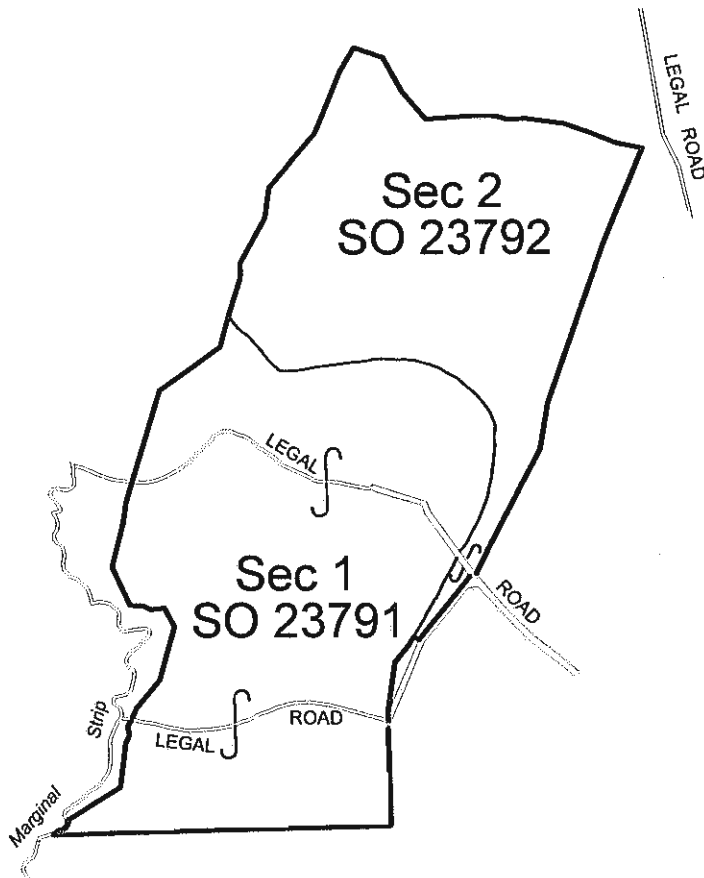
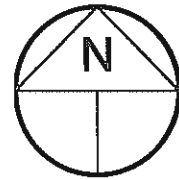
PO Box 13-343  
 Christchurch  
 Ph: 03 379 9901

# Mount Hope

Scale 1:50000







Version	1	2	3	4	5
Otago Land District			Sheet 1 of 1		
Topographic Map 260 - G43			Date 27/03/02		

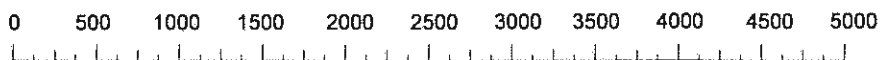
Marginal Strip Subject to Sec 24(9)  
Conservation Act 1987 -----



PO Box 13-343  
Christchurch  
Ph: 03 379 9901

# Mount Hope

Scale 1:50000





Our Ref : 1006 Your Ref: LIPS 12563 – P 307

4 March 2002.

REQUEST 44161 CERTIFIED DATA  
CPV-01/01.PG5-008.05/03/02.10:24



DocID: 110296575

Chief Surveyor  
Land Information New Zealand  
Private Bag 1929  
**DUNEDIN**

Attention : Mr Max Warburton

Dear Sir

Level 4, Knight Frank House  
76 Cashel Street  
PO Box 142  
Christchurch  
+64 (0) 3 379 9787  
+64 (0) 3 379 8440 fax

christchurch@knightfrank.co.nz  
www.knightfrank.co.nz

**RE : MOUNT HOPE ( P307 ) - STATUS REPORT**

Please find attached a status report on Crown Pastoral Lease, Mount Hope– P 307 for your certification please.

Our Certificate of Authorisation is attached.

Would please charge your Certification Fee to our Account No A 00077.

Yours faithfully

  
**Murray Bradley**  
Manager  
Public Sector Services  
Crown Accredited Supplier / Nominated Person

Date : 4/3/2002



File reference : LINZ (LIPS 12563) P307.



## CERTIFICATE OF AUTHORISATION

### PROPERTY ADDRESS:

MOUNT HOPE PASTORAL LEASE – P107 – STATUS REPORT.

### ASSURANCE

Knight Frank (NZ) Limited gives an assurance that the document attached to this certificate is in order for signature.

The decision when made will comply with the following statutory requirements :

- The New Standards & Guidelines Manuals Chief Crown Property Officer; Legalisation /Roading;OSG Standard 1995/05.
- Land Act 1948
- Crown Pastoral Land Act 1998

In giving this assurance **Knight Frank (NZ) Limited** undertakes that all relevant policy instructions, legal requirements, court judgements and any other matters have been taken into account and applied where appropriate.

  
**Murray Bradley**  
Crown Accredited Supplier / Nominated Person

Date : 28/2/2002

**KNIGHT FRANK (NZ) LIMITED**

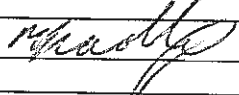
**Appendix A**

This report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for MOUNT HOPE</b>				[LIPS ref.12564]
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

<b>Land District</b>	<b>Otago</b>
<b>Legal Description</b>	Section 1 SO Plan 23791 and Section 2 SO Plan 23792.
<b>Area</b>	1,032.8000 hectares.
<b>Status</b>	Crown land subject to The Land Act 1948.
<b>Instrument of lease</b>	All CIR OT 2C/604.
<b>Encumbrances</b>	Subject to Part IVA of Conservation Act 1987.
<b>Mineral Ownership</b>	Minerals remain with the Crown as the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).
<b>Statute</b>	<b>Land Act 1948 &amp; Crown Pastoral Land Act 1998.</b>

<b>Data Correct as at</b>	25 February 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley 
<b>Crown Accredited Agent</b>	<b>Knight Frank (NZ) Limited</b>

**KNIGHT FRANK (NZ) LIMITED**

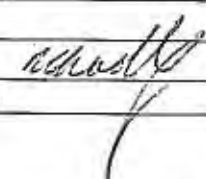
**Appendix B**

This land status report has been prepared on the instruction of Land Information New Zealand in terms of the contract number 50268 dated September 2001 and is undertaken for the purposes of the Crown Pastoral Leases Act 1998.

<b>LAND STATUS REPORT for MOUNT HOPE</b>				<i>[LIPS ref. 12564]</i>
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

<b>Land District</b>	Otago
<b>Legal Description</b>	Section 1 SO Plan 23791 and Section 2 SO Plan 23792.
<b>Area</b>	1032.8000 hectares,
<b>Status</b>	Crown Land subject to The Land Act 1948.
<b>Instrument of lease</b>	All CIR OT 2C/604.
<b>Encumbrances</b>	Subject to Part IVA of Conservation Act 1987.
<b>Statute</b>	Land Act 1948 & Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	25 February 2002
<b>[Certification Attached]</b>	Yes

<b>Prepared by</b>	Murray Bradley 
<b>Crown Accredited Agent</b>	Knight Frank (NZ) Limited

**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 subject to the Land Act 1948.

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

Date *16* / *4* / 2002

**MOUNT HOPE RESEARCH - Property 1 of 1**

<p><b>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</b></p>	<p>(i) We note that the legal description and area are recorded incorrectly in CT OT 2C/604. The correct area is 1032.8000 hectares, not 1412.5713 hectares as recorded in CT OT 2C/604. See the attached Reconciliation Sheet. The correct legal description is Section 1 SO Plan 23791 and Section 2 SO Plan 23792.</p> <p>(ii) We note that Certificate of Incorporation No. 920608/3 is registered and noted on the historic search copy of CT 2C/604. This certificate is not noted on the current search copy of 2C/604.</p>
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**LAND STATUS REPORT for MOUNT HOPE** [LIPS ref.12563]

**Property 1 of 1**

**Research Data: *Some Items may be not applicable***

**Property 1 of 1**

SDI Print Obtained	Yes
NZMS 261 Ref	G43.
Local Authority	Central Otago District Council.
Crown Acquisition Map	Kemp Deed of Purchase.
SO Plan	SO 15989 - (1967) - Defines Run 759 SO 23791 - (1992) - Defines Section 1. SO 23792 - (1992) - Defines Section 2. SO 23793 - (1992) - Defines Section 3..
Relevant Gazette Notices	N/A
CT Ref / Lease Ref	All CIR 2C/604.
Legalisation Cards	SO 15989. The legalisation card records that this plan refers to Run 758 only. SO 23791 The legalisation card records that Section 1 was declared Crown land under Gazette Notice 1992/3466. SO 23792 - The legalisation card records that Section 2 is subject to the provisions of marginal strips pursuant to Section 24 of the Conservation Act 1987. SO 23793 - The legalisation card records that Section 3 was taken for conservation purposes under Gazette Notice 1998/4351.
CLR	The Crown land register records that Run 519 is now part of Run 759. Run 759 was previously part of Run 691 and Run 425C is now part of Run 759.
Allocation Maps (if applicable)	A check of the SOE/DOC/UCL Allocation Maps revealed no allocations within the boundaries of the pastoral lease.
VNZ Ref - if known	28472 - 29300.
Crown Grant Maps	The Crown Grant Map for the Teviot Survey District identifies Run 519.
<b>If Subject land Marginal Strip:</b>	
a) Type [Sec 24(9) or Sec 58]	(a) Subject to Section 24(9) of The Conservation Act 1987. (Lease renewed for a further term of 33 years from 1 July 1996).
b) Date Created	(b) 1 July 1996.
c) Plan Reference	(c) SO 23791.

<b>LAND STATUS REPORT for MOUNT HOPE</b>				<i>[LIPS ref. 12563]</i>
<b>Property</b>	<b>1</b>	<b>of</b>	<b>1</b>	

**Research – continued**

Property	1	Of	1	
If Crown land - Check Irrigation Maps.				N/A
Mining Maps				There are no mining interests recorded within the boundaries of the pastoral lease.
<b>If Road</b>				
a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989				(a) Pomahaka Road and Legal Road are defined on SO 15989.
b) By Proc				(b) N/A
c) Plan No				SO 15989.
Other Relevant Information				
a) Concessions - Advice from DOC or Knight Frank.				NIL.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998.				Subject to Part 9 of The Ngai Tahu Claims Settlement Act 1998.
c) Mineral Ownership				Mines and minerals are owned by the Crown because the land has never been alienated since its acquisition for settlement purposes from the former Maori owners under the Kemp Deed of Purchase (1848).  Contained in (provide evidence):  CT No's 337/38 and 337/143 being the earliest leases issued after the establishment of Runs in the Otago Land District.
(d) Other Information				NIL.



**MOUNT HOPE PASTORAL LEASE**  
**RECONCILIATION OF AREA IN LEASE**

Part Run 519	CT 337/43	(1.3.1928)	2,310 acres	934.8238 ha
Less, Transferred to 2C/891			10 acres	4.0467 ha
			<hr/>	<hr/>
			<b>2,300 Acres</b>	<b>930.7771 Ha</b>
Plus Part Run 425C (Transferred from CT 337/38)	CT 338/78	(1.7.1954)	252 acres	101.9768 ha
			<hr/>	<hr/>
			<b>2,552 Acres</b>	<b>1,032.7539 Ha</b>
CT No. 2C/604 issued for Part Runs 245C and 519 Teviot and Whitecoomb Survey Districts (1.3.1963)			1,948 acres	778.3267 ha
Redefined as Run 759 on SO 15989 (1.2.1967)			2,000 acres	809.3713 ha
Reappellation 311450 – The land in CT NO. 2C/604 is now known as Run 759 Blocks V, IX, X, Treviot S.D. and VI and IX Whitecoomb S.D.			2,000 acres	809.3713 ha
New Appellation 810972 – Part Run 759 Blocks V and IX Teviot S.D. and Block VI Whitecoomb S.D. is now known as Section 3 SO 23973 (393.5ha).			393.5 ha	
New Appellation 810973 – Part Run 759 Blocks IX and X S.D. Teviot S.D. and Blocks VI and IX Whitecoomb S.D. is now known as Section 2 SO 23792			<u>429.6 ha</u>	823.1000 ha
No part of Run 759 left. Legal Description Now Section 2 SO 23792 and Section 3 SO 23793.				
Less, surrendered as to Section 3 SO 23973 (920608/3).				393.5 ha
				<hr/>
				429.6000 ha
Plus, Certificate incorporating Section 1 SO 23791				603.2000 ha
				<hr/>
				<b>1,032.8000 Ha</b>

**Correct Legal Description: Section 1 SO Plan 23791 and Section 2 SO Plan 23792.  
 Correct Area: 1032.8000 Hectares.**

## AREA AS RECORDED IN LEASE

Run 759, Section 3 SO 23793, Section 2 SO 23792 Section 1 SO 23791

CT No. 2C/604 (2.12.1965)

Area recorded on CT 2C/604 **1.412.5713 Ha**

The correct legal description and area for the above CT should be as follows:

823.1000 ha (being both Section 2 SO 23792 and Section 3 SO 23793).

- 393.5000 ha (920608/2) being Section 3 SO 23793  
 +603.2000 ha (920608/3) being Section 1 SO 23791  
**= 1032.80 Ha (= balance area)**

The appellation numbers 810972 and 810973 effectively redefined the whole of Run 759 as Section 2 SO 23791 and Section 3 SO 23793 and the area increased from 809.3713 hectares to 823.1000 hectares made up as follows:

810973	Part Run 759	-	Section 2 SO 23792	Area: 429.6000 Ha
810972	Part Run 759	-	Section 3 SO 23793	Area: 393.5000 Ha
			<b>Total Area</b>	<b>823.1000 Hectares</b>
920608/2	Less Section 3		SO Plan 23793	393.5000 Ha
				<b>429.6000 Hectares</b>
920608/3	Plus Section 1		SO Plan 23791	603.2000 Ha
			<b>Present Area In Lease</b>	<b>1032.8000 Hectares</b>



