

Crown Pastoral Land Tenure Review

Lease name: Mt NICHOLAS STATION

Lease number: PS 046

Due Diligence Report (including Status Report)

- Part 3

This report and attachments results from a pre-Tenure Review assessment of the pastoral lease for the purpose of confirming land available for Tenure Review and any issues, rights or obligations attaching to it. The information is gathered from files and other sources available to the LINZ contractor.

Part of the information relates to research on the status of the land, resulting in a Status Report that is signed off by a LINZ approving officer. The remainder of the information is not analysed for relevancy or possible action until required, and LINZ does not guarantee its accuracy or completeness as presented.

The report attached is released under the Official Information Act 1982.

June 09

"RELEASED UNDER THE OFFICIAL INFORMATION ACT" RELEASED UNDER THE OFFICIAL INFORMATION ACT Mortgage 158118 of severing 3500 State Advances Corporation 3500 5.8.1958 at 2.30 o'c. to The ew Zealand 8.3.1985 at 9.10 a.m.

Mortgage 158306 of S Æillespie 14.8.4 'Caveat 224412 agair Advances Corporation of at 2.20 o'ckilling and 18.12.1967 2314107 Certificate by Commissioner of

Crown Lands incorporating part Run 568 Blks XII & XIII Von District and Blk IV Mavora Survey District shown on Plan 2 hereon in the within lease altering the annual rent to \$ 204,00 9.6.1969 at 11am.

Variation of Mortgage 158118. 24.6. at 11 a.m.

Variation of Mortgage 158306 at 11 a.m. of Run StarAB 2347.96 Mortgage Corporation of A 23479 7 Mar tras 6.1969 at 11 a.m.

249038 Certificate redefining the boundary of the within lease with Pastoral Lease 206/47. 10.2.1971 at 1.45pm,

A.L.R. The Part Run 568 herein is now known as Run 614 Mayora District See Appellation 253753-20.8.1971.

024869.1 Mortgage to Rural Banking and Finance Corporation 993 New Zealand 7.6.1977 at 2.29 p.m.

066000.1 Variation of Mortgage 024869.1 5.2.1981 at 9.42 a.m.

A.L.R.

A.L.R.

074262.1 Variation of mortgage 024869. 16.9.1981 at 10.13 a.m.

077194.1 Variation of Mortgage 024869.1 30.11.1981 at 9.54 a.m.

_155:236<u>-1</u> A.L.R. 083105.1 Mortgage to Rural Banking and Finance Corporation of New Zeos 10185.5.1982 at 9.12 a.m.

116270.1 Transfer of a one half share to Mary Metherell of Elfin Bay Married Woman

JOISSS: A.Lim. DISCHARGED 155236.2 Mortgage to Rural Banking and Finance Corpogen 1992 of New Zealand - 12.9.1988 at 9.07/3/m

Ø.L.R.

174304.1 MortDSCHARGED Rural Banking and Finance Corporation of New Zealand Limited 1990 at 5 a.m.

174304.2 Memorandum of Priority making Mortgages 174304.1 and 155236.2 fourth and fifth mortgages respectively at 9.05 a.m.

200400.1 Majesty the 1/28 a.m. 0. L.R.

201555.2 Certificate vesting mortgage 234796 in Rural Banking and Finance Corporation of New Zealand Limited -4.9.1992 at 11.45 a.m.

201555.4 Certificate vesting mortgage 158118 in Rural Banking and Finance Corporation of New Zealand Limited -4.9.1992 at 11.45 a.m.

192820.1 Change of Name of the mortgagee in mortgages 234796, 158118, 024869.1, 155236.2 and 174304.1 to the Rural Bank Limited = 21.12.1990 at 11.29 a.m.

201555.9 Transfer to Her Majesty the Queen - 4.9.1992 at 11.45 a.m.

258221.1 Surrender of the within Lease - 9.6.1998 at 9.00

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LAND & DEEDS

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"RELEASED UNDER THE OFFICIAL INFOR	RMATION ACTE
ALTERATION OF APPELLATION	
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District and Sections	
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Assessment Reference:	(5.0.10906)
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Section 2, Blk VIII, Von Survey District 630 singulation Blk VIII, Von Survey District.	formerly Pt Run Avea = 13.78001
Section 4 Blk XV Mid-Wakatipu Suns Pt Run 630 situated in BlkXV Mid-Makatipu Surve Section 5 Blk XV Mid Wakatipu Surve Pt Run 630 situated in BlkV Mid Wakatipu S	way District formerly
Reason and Authority for Alteration	
Reason and Authority for Alteration Area to be surrended from mt Nicholas E RR 206/147	2-n 630 (so e413)
	J 13 No
Prepared by: 1 MGreg / 1/10/86 Checked	by: KKINKOV / MC186./
ACTION REQUIRED: LEASES SEC.: G. 13 C.L. Regr. Expiry Book: Interest Review ACCOUNTS DIV.: Ledgers: C./register: Insurance: Land A/c. Index: A/cle Check:	C.: RECORDS SEC.:
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ORDER FOR NEW CERTIFICATE OF TITLE

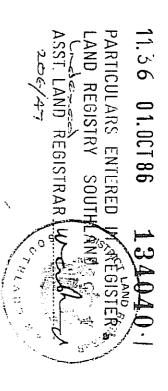
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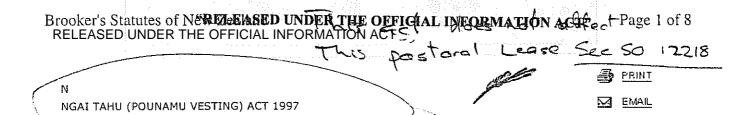
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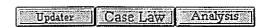
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3. Ownership by Ngai Tahu of certain minerals—

3. Ownership by Ngai Tahu of certain minerals-



BOOKMARK

Notwithstanding any other enactment, all pounamu occurring in its natural condition in-

- (a) The Takiwa of Ngai Tahu Whanui; and
- (b) Those parts of the territorial sea of New Zealand (as defined by <u>section 3</u> of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977) that are adjacent to the Takiwa of Ngai Tahu Whanui and the seabed and subsoil beneath those parts of the territorial sea—

that, immediately before the commencement of this Act, is the property of the Crown, ceases, on the commencement of this Act, to be the property of the Crown and vests in and becomes the property of Te Runanga o Ngai Tahu.

4. Existing privileges for pounamu—

	Case Law	
LEGACE I DOUTE PROCEED		

- (1) Nothing in <u>section 3</u> affects an existing privilege or the rights or obligations of any holder of an existing privilege and Part II of the Crown Minerals Act 1991 continues to apply in relation to that privilege as if this Act had not been passed.
- (2) Notwithstanding anything in the Crown Minerals Act 1991, all royalties paid to the Crown after the commencement of this Act by the holder of any existing privilege in respect of pounamumust be paid by the Crown to Te Runanga o Ngai Tahu.
- 5. Applications for mining privileges and permits for pounamu—



Notwithstanding anything in the Crown Minerals Act 1991, the Minister of Energy must not grant any—

- (a) Permit pursuant to an application made under <u>section 23</u> of that Act before the commencement of this Act; or
- (b) Mining privilege pursuant to an application to which section 112 of that Act applies—

in respect of any pounamu to which section 3 applies.

SCHEDULE



Section 2

DESCRIPTION OF LAND IN WHICH SERPENTINE INCLUDED

The areas marked ``A" and ``B" respectively on Survey Office Plan 12458 lodged in the office of the Chief Surveyor of the Westland Land District which plan is also lodged in the office of the Chief Surveyor of the Otago Land District as Survey Office Plan 24619 and in the office of the Chief Surveyor of the Southland Land District as Survey Office Plan 12218.

The area marked ``C" on Survey Office Plan 12457 lodged in the office of the Chief Surveyor of the Westland Land District.

This Act is administered in the Ministry of Commerce

NGAI TAHU (TUTAEPATU LAGOON VESTING) ACT 1998

Updater

1998 No 16

An Act to give effect to certain provisions of the Deed of `On Account' Settlement, signed on 14 June 1996 by the Crown and by Te Runanga o Ngai/Tahu as representative of Ngai Tahu,—

- (a) By vesting Tutaepatu Lagoon in Te Rymanga o Ngai Tahu; and
- (b) By providing for the establishment of a recreation reserve at Woodend

[14 May 1998

ANALYSIS (List of Sections)

- 1. Short Title and commencement
- 2. Prefiminary
- 3. Act to bind the Crown

Tutaepatu Lagoon

- 4. Reservation of Tutaepatu Lagoon as reserve revoked
- 5. Declaration of Tutaepatu/Lagoon as wildlife refuge revoked
- 6. Vesting of Tutaepatu Lagoon in Te Runanga o Ngai Tahu
- 7. Management of Tutaepatu Lagoon
- 8. Tutaepatu Lagoøn subject to walkway
- 9. Issue of certificate of title for Tutaepatu Lagoon

Establishment of Trust

10. Establishment of trust

New Reserve

11/Declaration of recreation reserve

ATTACHMENT 10.5 DEED OF COVENANT TO PROTECT BEECH FOREST REMNANTS Clause 10.5.1(d))

Date:

BETWEEN

- (1) TE RUNANGA O NGAI TAHU (the Landholder)
- (2) THE MINISTER OF CONSERVATION (the Minister)

BACKGROUND

A The Landholder and the Crown are parties to a Deed of Settlement dated []

B Pursuant to that Deed, the Crown agreed to transfer to the Landholder certain land including the Land, such transfer to be subject to the Landholder entering into a deed of covenant with the Minister providing for certain measures to protect the Beech Forest Remnants.

C Under section [] of the Ngai Tahu Claims Settlement Act 1997, this covenant is deemed to have been entered into by the Minister pursuant to section 77 of the Reserves Act 1977, and therefore binds future owners of the Land.

NOW THEREFORE the parties agree as follows:

1 DEFINITIONS AND INTERPRETATION

1.1 In this deed, unless the context otherwise requires:

Beech Forest Remnants means the areas of beech forest on any part of the Land which are 5 hectares or more in area at the date of this Deed which are identified as "Bush Remnant Areas" on the plans attached as an Appendix to this Deed;

Crown means Her Majesty the Queen in right of New Zealand;

Land means [legal description of Elfin Bay lake face, Greenstone lake face and Routeburn Dart faces to be inserted].

- 1.2 In the interpretation of this Deed, unless the context otherwise requires:
- 1.2.1 headings appear as a matter of convenience and are not to affect the interpretation of this Deed;
- 1.2.2 the singular includes the plural and vice versa, and words importing one gender include the other genders;
- 1.2.3 a reference to an enactment or any regulations is a reference to that enactment or those regulations as amended, or to any enactment or regulations substituted for that enactment or those regulations but this provision shall be read subject to clause 1.3;
- 1.2.4 a reference to a party to this Deed or any other document or agreement includes that party's successors, heirs, executors and assigns;
- 1.2.5 a reference to the Minister includes any officer or duly authorised agent of the Minister; and

Legend

Bush Remnant Area

Scale of Original 150000

Southland & Otago Land Districts

Territorial Authority: Queenstown Lakes Dist

Terralink NZ Ltd

Survey Services Invercorgill

Bush Remnants - Elfin Bay Station

Areas referred to in the Deed of Settlement for the Ngai Tahu Claim

RELEASED UNDER THE OFFICIAL INFORMATION ACT"

on behalf of the Crown

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0.00 acres

Mt Nicholas Area Calc

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Primary Contact	Mr Robin Whelan		
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Town	Dunedin		
Country	New Zealand		
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PRODUCED by the

STATE ADVANCES CORPORATION NEW ZEALAND

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PLEASE RETURN to Corporation after such registration or if documents not lodged by 7/3/197/

> mounting La For the STATE ADVANCES CORPORATION

c. s. w. Lrp 6424n 15m-10/69

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PIFICATE OF REDEFINITION

In the Matter of the Land Act 1948

and

In the Matter of a pastoral lease from Her Majesty the Queen to Mount Nicholas Station Limited registered in Volume 206 folio 47 Southland Land Registry

and

In the Matter of a pastoral lease from Her Majesty the Queen to Robert James Metherell of Elfin Bay, sheep farmer, registered as B3/614 Southland Land Registry

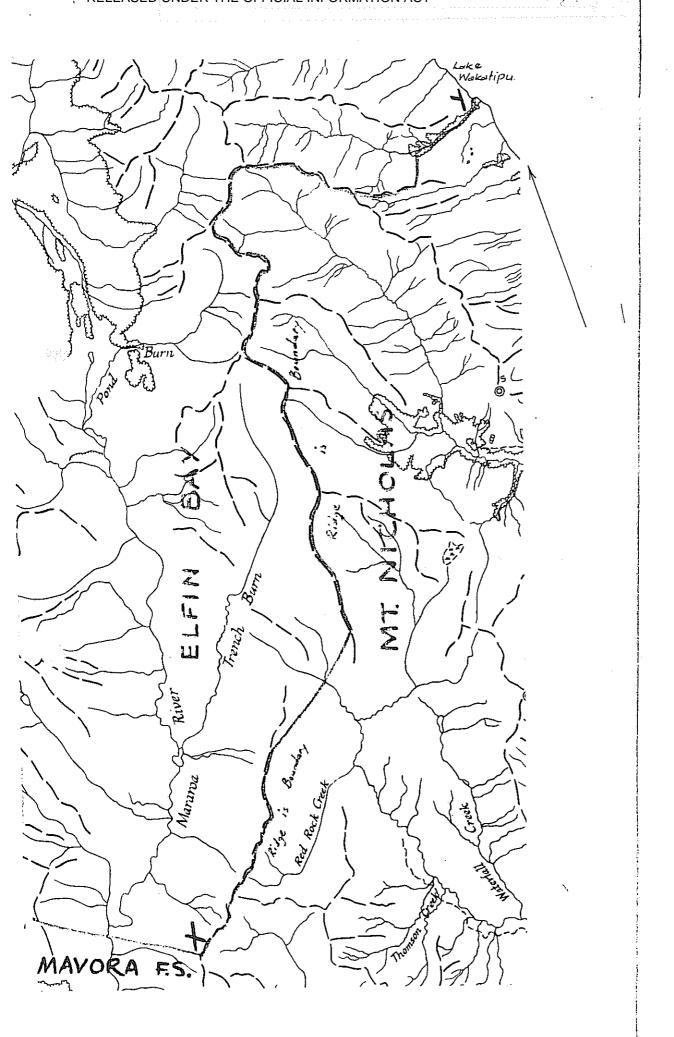
PLAN "A"

Redefinition survey of the Boundary Between Mount Nicholas and Elfin Bay Stations

This is to certify that the boundary redefinition shown on Plan "A" endorsed hereon has been obtained from topographical surveys made by radial line plots during 1969 by the Department of Lands and Survey from aerial photographs taken in 1967.

This plan represents the most accurate planimetric definition available at this date of the boundary (bordered green and marked X - Y on the said plan) shown in Registers Volume 206 folio 47 and B3/614.

As witness my hand this 15-73



"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

CERTIFICATE OF REDEFINITION.

Particulars entered in the Register-book.

Vol. 206 folio 47,83/614

the 10 day of February 19 71

1.45 o'clock

District Land Registrar, SOUTHLAND

Note Registered under Land Transfer 83.

1 OFEB 1971

"RELEASED UNDER THE OFFICIAL INFORMATION ACT" RELEASED UNDER THE OFFICIAL INFORMATION ACT Department of Lands & Survey

TELEGRAPHIC ADDRESS: 'LANDS'

FOR VERBAL INQUIRIES
PLEASE ASK FOR MR Freeman

TELEPHONE No. 87-334



OUR REFERENCE: 3/156/2 YOUR REFERENCE:

DISTRICT OFFICE, P.O. BOX 826, INVERCARGILL

15 December 1970

District Land Registrar, Land Registry, INVERCARGILL.

Redefinition of Boundaries Mount Nicholas Station and Elfin Bay Station

I enclose herewith a Certificate of Redefinition signed by the Chief Surveyor.

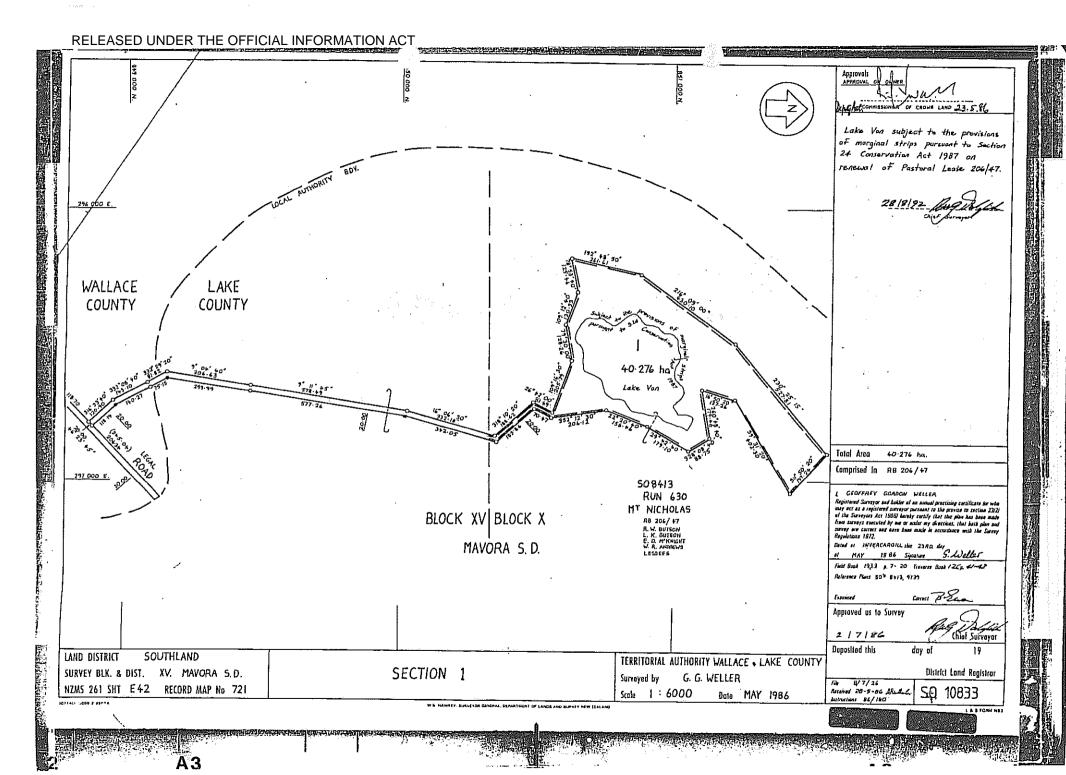
The boundary line X - Y has been agreed and a copy of the plan initialled by both the lessees and in addition I have obtained the consent of Wright Stephenson Farmers Finance and Investment Company Limited as to 8.T. 206/47 and the State Advances Corporation of New Zealand and James Gillespie as to C.T. B3/614 respectively.

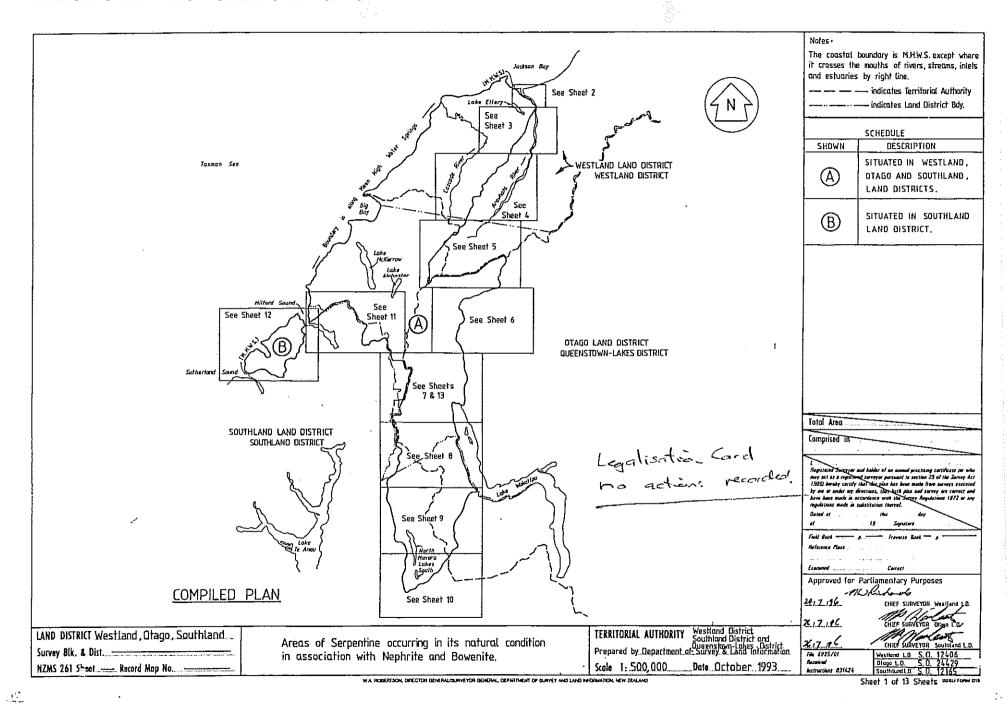
Please register the Certificate of Redefinition.

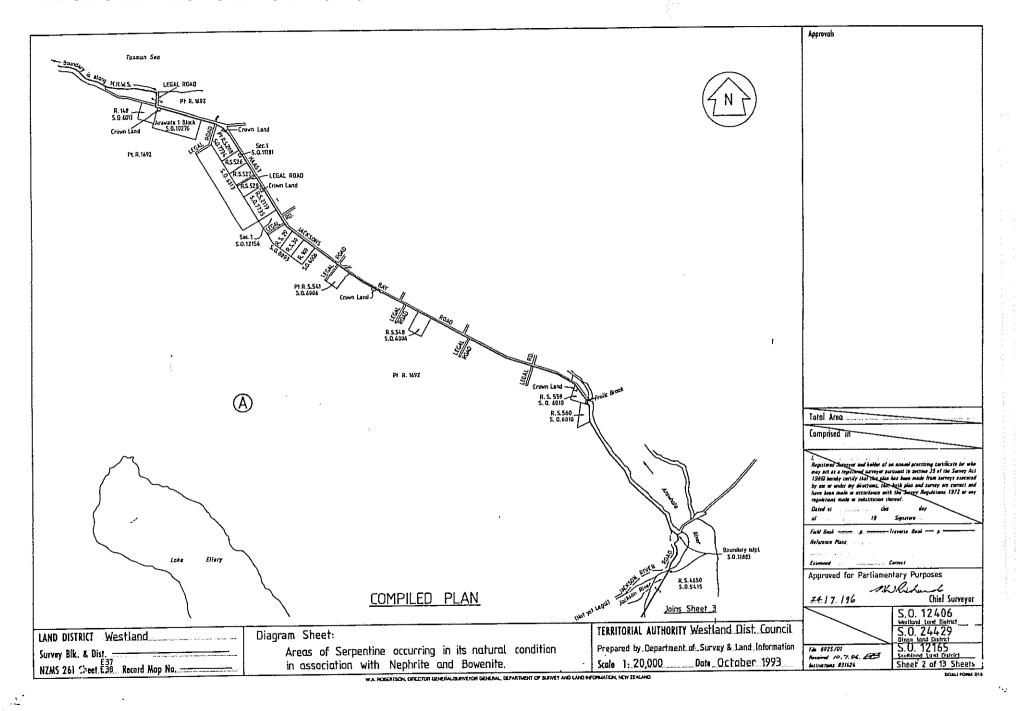
SHAW Asst Commissioner of Crown Lands

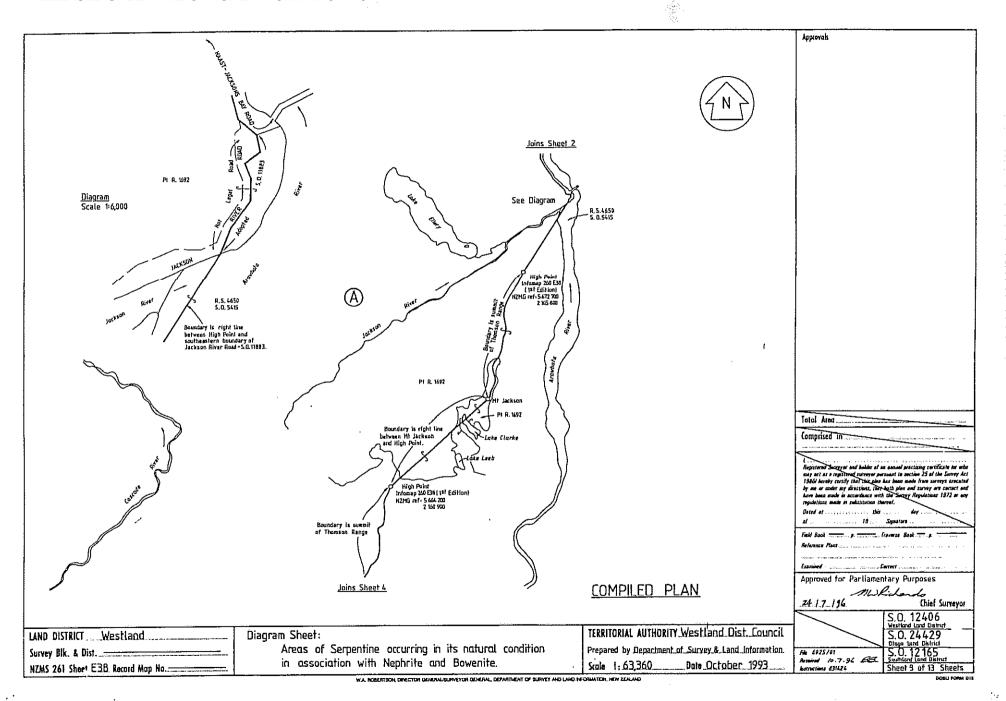
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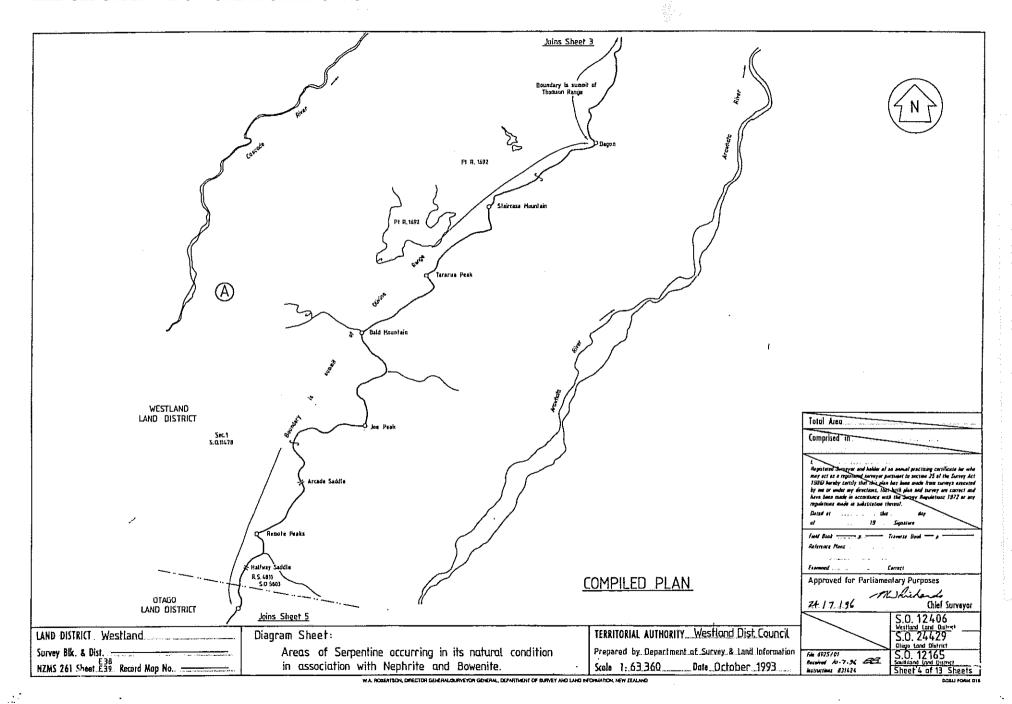
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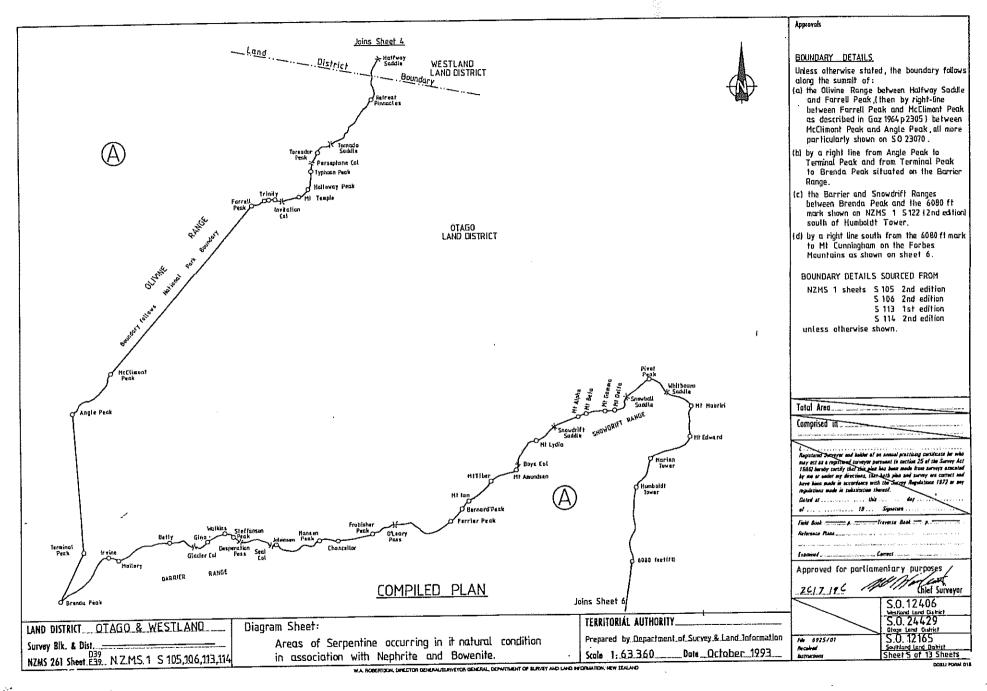


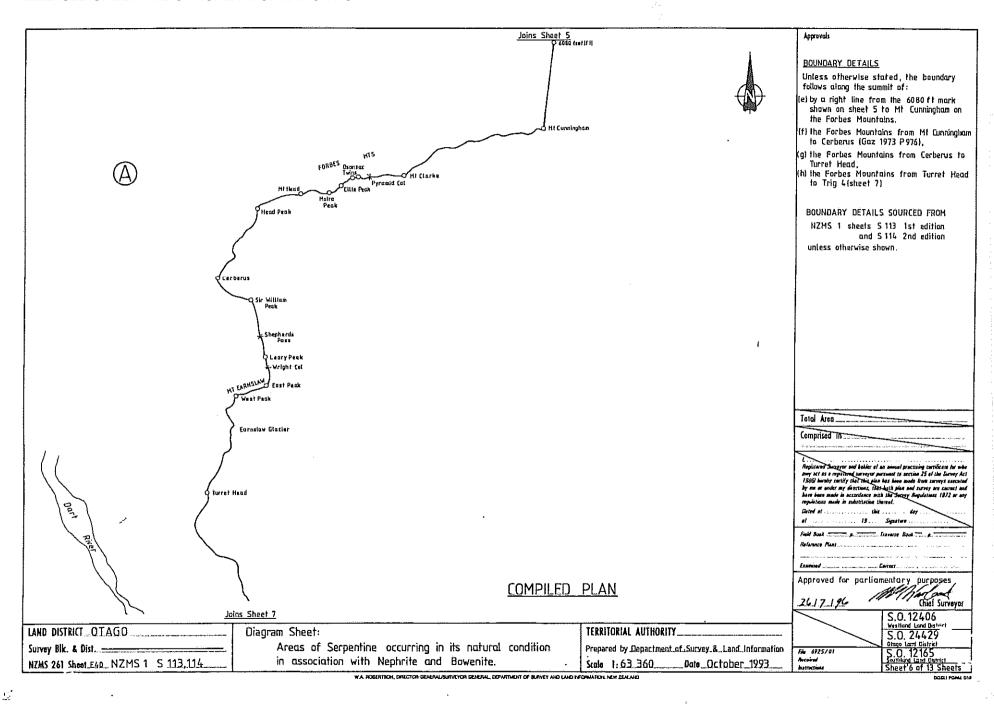


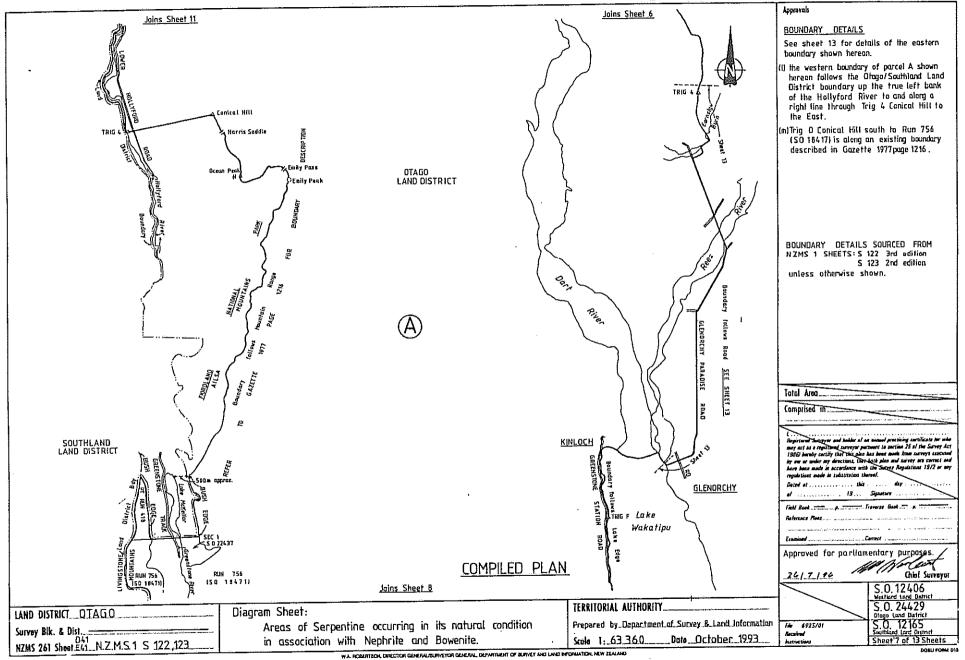


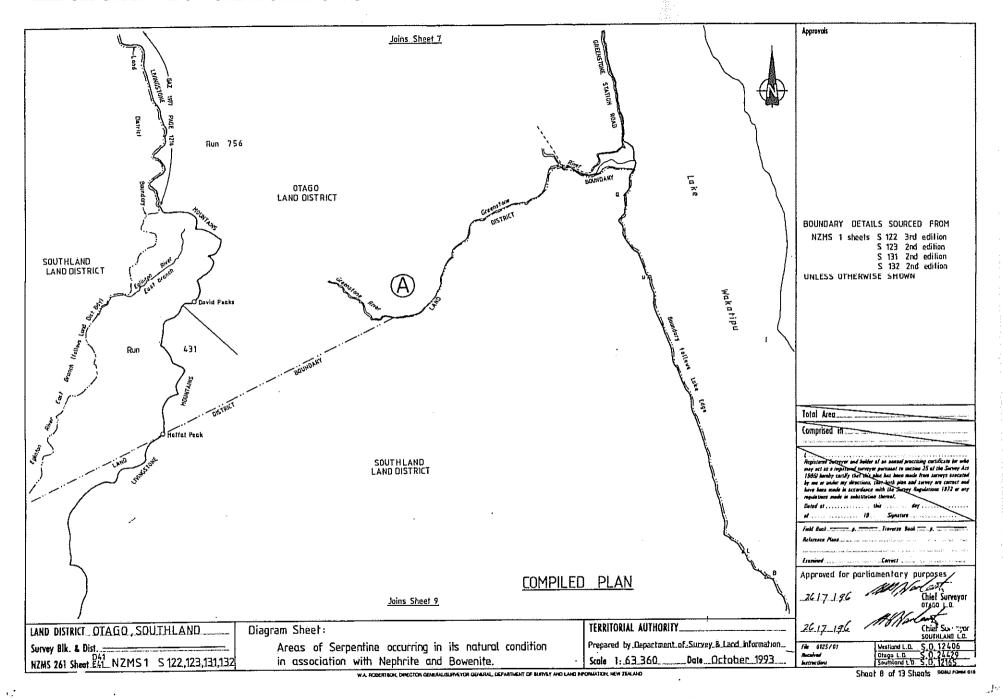


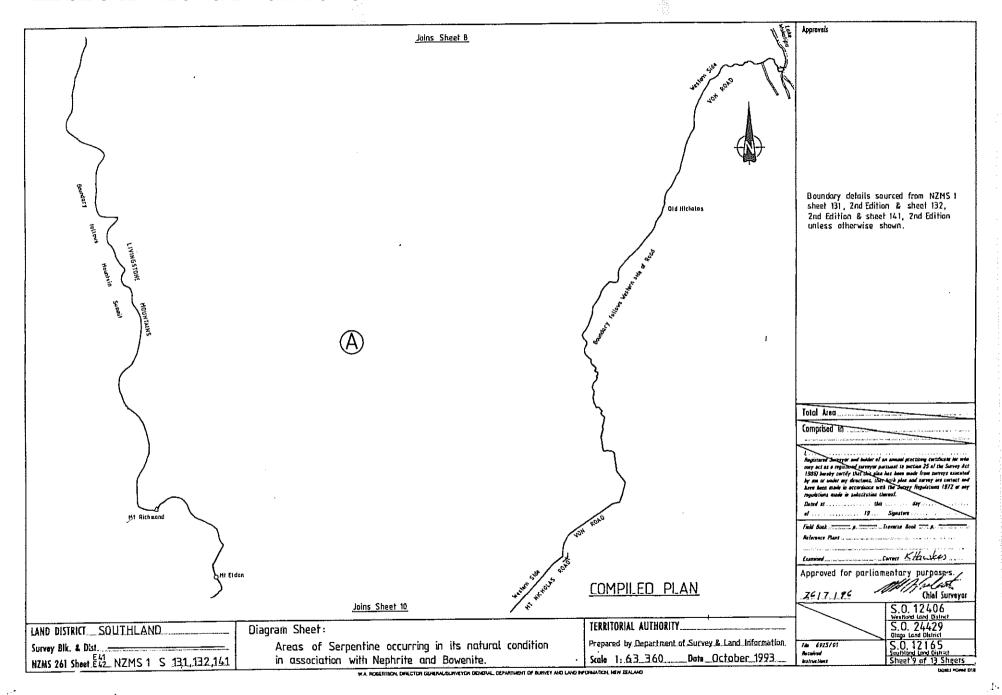


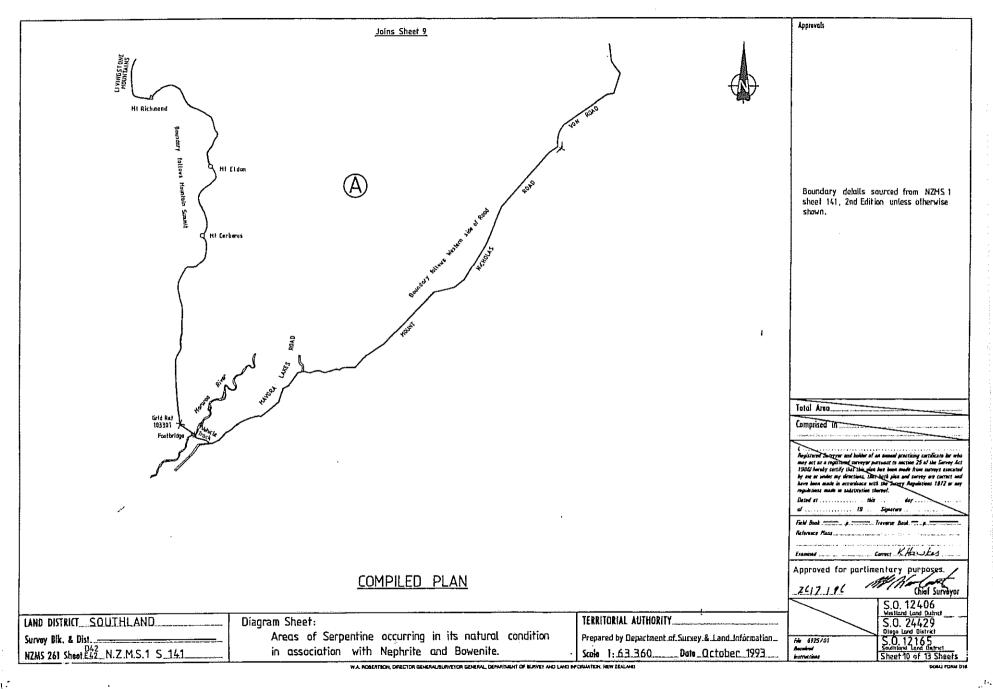




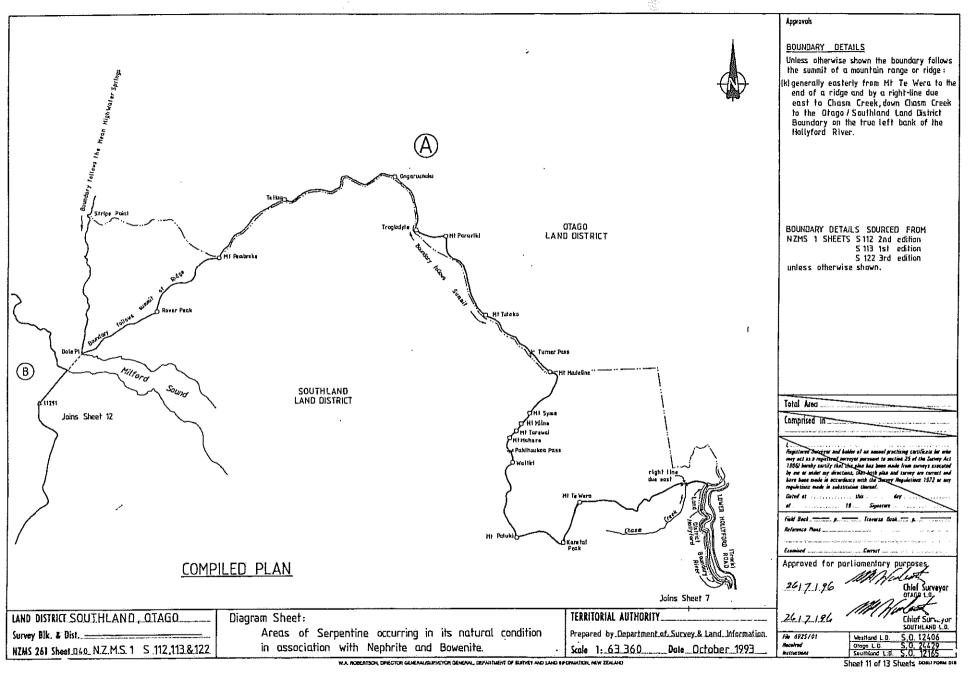




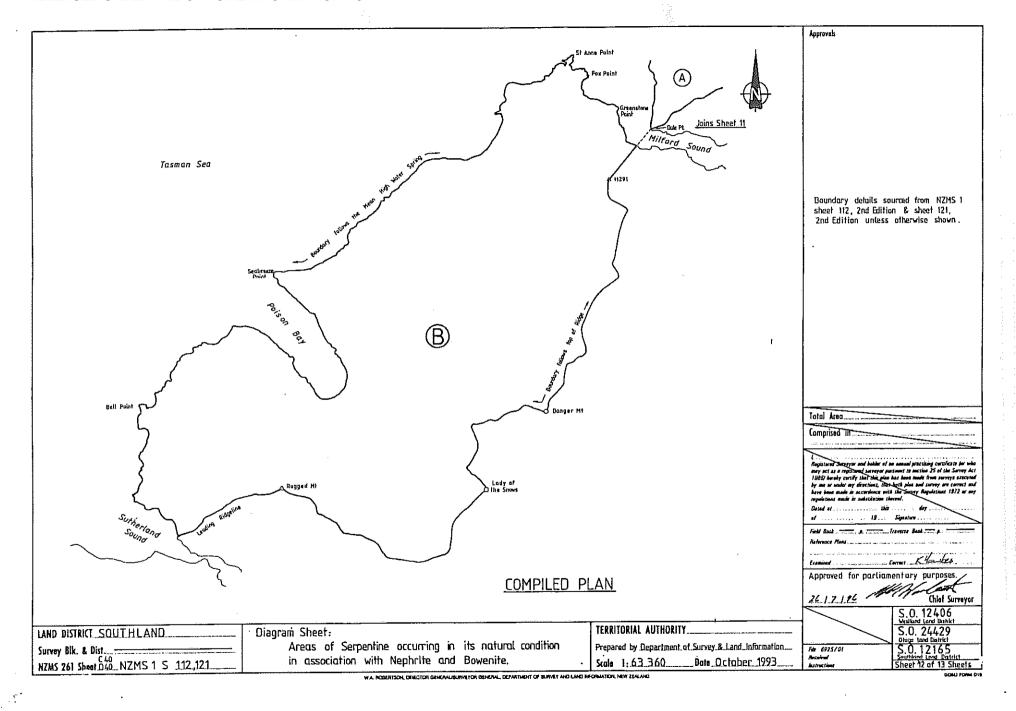


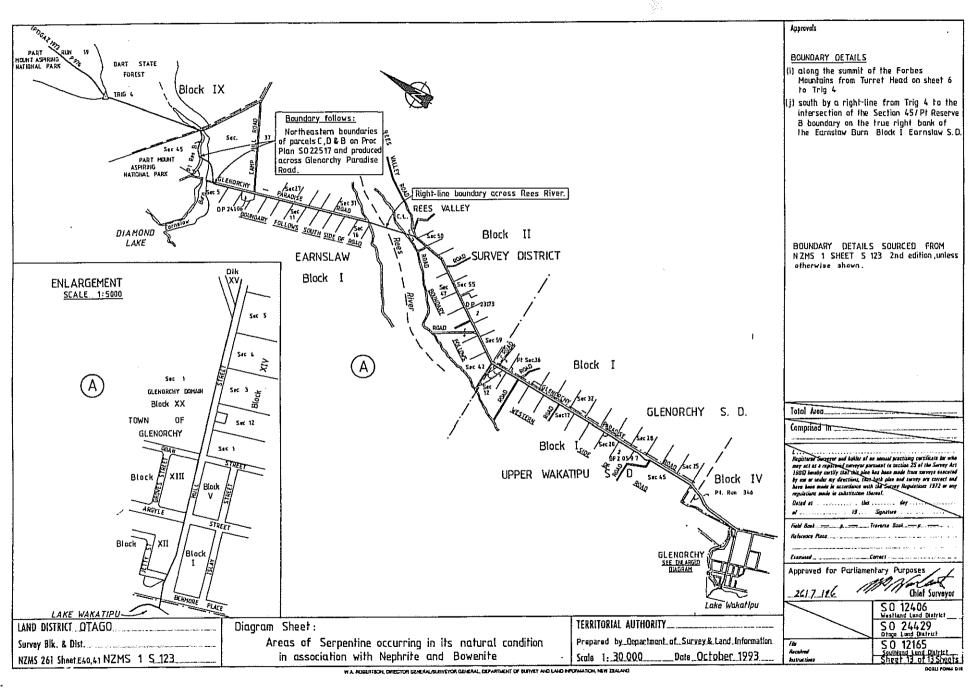


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LAND DESCRIPTION

EXPLORATION PERMIT APPLICATION 40287

Applicant: Southern Lakes Holdings Ltd

All that area of land situated in Blocks X and XV, Mid Wakatipu Survey District containing approximately 300 hectares being bounded by a line

commencing at Trig L, Block XV, Mid Wakatipu Survey District;

thence southerly for 1820 metres approximately on a bearing of 180°00';

thence southeasterly for 1080 metres approximately on a bearing of 141°30' to the northwest corner of part Section 3. Block XV, Mid Wakatipu Survey District;

thence southeasterly along the western boundary of the said part Section 3 to its southwest corner;

thence by right line to Trig A, Blocks X and XV. Mid Wakatipu Survey District;

thence by right line to Trig I, Block X, Mid Wakatipu Survey District;

thence easterly for 450 metres approximately on a bearing of 79°28' to the shoreline of Lake Wakatipu:

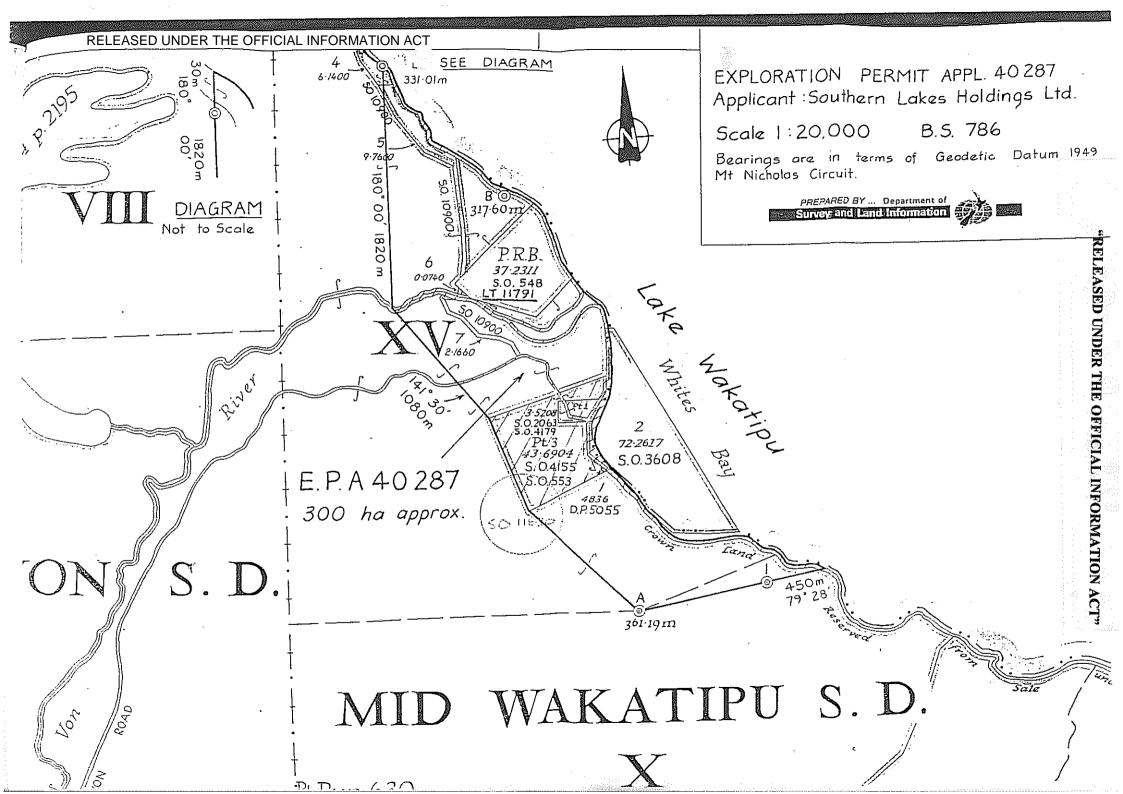
thence northwesterly along the shoreline of Lake Wakatipu (crossing the mouth of the Von River) to its intersection with a line running north on a bearing of 0°00 from Trig L aforesaid;

thence southerly for 30 metres approximately on a bearing of 180°00' to Trig L aforesaid being the point of commencement;

and excluding part sections 1, 2 and 3, Block XV, Mid Wakatipu Survey District, Lot 1, DP 5055 and all Crown Land Reserved from Sale and Legal Road and the physical bed of the Von River.

and being more particularly shown marked by a bold black line on the plan attached hereto.

Bearings are in terms of Geodetic Datum 1949. Mt Nicholas Circuit.



SECOND SCHEDULE CONDITIONS OF EXPLORATION PERMIT 40 287 SOUTHERN LAKES HOLDINGS LIMITED

Work Programme

- The permit holder shall make all reasonable efforts to systematically explore the permit's area in accordance with good exploration practice with the objective of identifying and delineating potential mineable reserves of gravel suitable for use as chip quality aggregate.
- 2 The permit holder shall carry out the following work programme:
 - Undertake a programme of geological mapping and hand sampling;
 - ii Undertake a programme of pit bulk sample testing of approximately 6 sites or more. Pit and bulk sample size are not to exceed 20 cubic metres per site;
 - iii Conduct resource and reserve calculations;
 - iv Provide a plan showing the geology and the location of bulk sample sites and reserve blocks;
 - V Undertake geotechnical and mining feasibility studies as appropriate.

Expenditure

3 The permit holder shall spend in

Year 1 a minimum of \$5,000 (FIVE THOUSAND DOLLARS)
Year 2 a minimum of \$5,000 (FIVE THOUSAND DOLLARS)
Year 3 a minimum of \$5,000 (FIVE THOUSAND DOLLARS)

on exploration work unless otherwise approved in writing by the Secretary of Commerce.

Relevant Minerals Programme

4 The minerals programme in respect of the minerals to which this permit is granted which is first issued after the commencement date of this permit, shall apply to this permit ('the relevant minerals programme').

Rovalties - One Year After Minerals Programme in Effect

The permit holder shall forward a royalty return and shall pay to the Crown, in respect of all gravel taken under this permit, a royalty calculated in accordance with the provisions of the relevant minerals programme.

- b The royalty return and any royalties payable shall be forwarded to the Secretary within 90 days of the completion of the relevant reporting period.
- The reporting period for this permit shall be the financial reporting year of the permit holder.
- d Clauses 5(a) to 5(d) shall not come into force until one year after the minerals programme (referred to in clause 4) comes into effect.

Amendments to the Permit

- The Minister may, at any time or times during the currency of the permit, on such conditions as he or she thinks fit, amend the conditions of the permit by giving the permit holder written notice pursuant to this clause that the permit conditions are to be amended.
- b The notice referred to in clause 6(a) shall specify the amendments that are to be made to the permit, and shall specify the date on which such amendments are to take effect.
- The power to amend this permit in the manner provided in clause 6(a) shall be exercised only for the purpose of ensuring that the royalty provisions of this permit are in accordance with and give effect to the royalty regime outlined in the relevant minerals programme.
- d Amendments made to the permit pursuant to clause 6(a) shall take effect at least 20 working days after the service of the notice on the permit holder.

Reports

V. (1.1)

- 7a The permit holder shall provide such periodic reports and returns of production as may be required pursuant to the Crown Minerals Act 1991 and relevant regulations prescribed thereunder.
- b The permit holder shall within sixty days following the anniversary of the date of the granting of the permit, submit to the Secretary of Commerce, one copy of each technical report including map plans completed during the preceding twelve months.

Notifications Required

- 8a The permit holder will notify the Inspector of Mines and appropriate local authorities when operations are due to commence.
- b Prior to the commencement of any drilling or underground development the permit holder shall notify the Secretary, in writing, giving details of proposed activities and commencement date.

THE CROWN MINERALS ACT 1991

EXPLORATION PERMIT No. 40 287

Minister of Energy

TO

SOUTHERN LAKES HOLDINGS LIMITED

Area: 300 hectares

MEMORIALS

243971.1 Surrendered as to CT A3/362 - 29.8.1996 at 9.50 a.m.

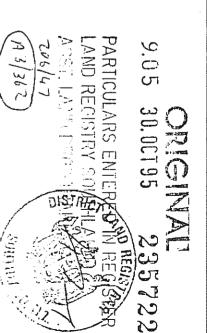


MWP_0015870

Particulars entered in the Register shown in the First Schedule herein on the data and the time stamped below.

District/Asst Land Registra

Registry Office Use Only



Document Type	Falidment 🔻 🗸	Request Id	45405
Reference Number	270215	User Id	ikirkdu
Land District	Southland 💌	Reguest Date	08/03/2002 15:15:02
Method of Delivery	Fax 💌	Client Reference	6NLITR.02/526YD
Requested By	JOHN KIRK	Status	Pending
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– Delivery Details – Firm	MT NICHOLAS - CHANGE OF SL206/47] Opus International Consultants		P (NOT ABLE TO READ ON
— Delivery Details — Firm Primary Contact	MT NICHOLAS - CHANGE OF SL206/47] Opus International Consultants Mr Robin Whelan		P (NOT ABLE TO READ ON
– Delivery Details – Firm Primary Contact Street	MT NICHOLAS - CHANGE OF SL206/47] Opus International Consultants Mr Robin Whelan Private Bag 1913		P (NOT ABLE TO READ ON
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- Delivery Details Firm Primary Contact Street Town	MT NICHOLAS - CHANGE OF SL206/47] Opus International Consultants Mr Robin Whelan Private Bag 1913 Dunedin		P (NOT ABLE TO READ ON

Department of Lands & Survey

TELEGRAPHIC ADDRESS: 'LANDS'

FOR VERBAL INQUIRIES PLEASE ASK FOR MR

TELEPHONE No. 87-334



OUR REFERENCE: P 46

YOUR REFERENCE:

DISTRICT OFFICE,

P.O. BOX 826,

INVERCARGILL.

31st may 1973

The District Land Registrar, Lands and Deeds Office, Private Bag, INVERCARGILL.

> New Appellation Subdivision of Crown Land

A copy of S.O. \$4/3, showing new appellation is enclosed herewith.

Please quote references

on abstract.

M.W. ARMSTRONG Chief Surveyor

Encl. Photostat copy

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New appellation

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(2) 206/47.

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and District	Southland 🔻	Request Date	08/03/2002 14:56:49
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equested By	JOHN KIRK	Status	Pending
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"RELEASED UNDER THE OFFICIAL INFORMATION ACT"
RELEASED UNDER THE OFFICIAL INFORMATION ACT
ORDER FOR NEW CERTIFICATE
OF TITLE REFERENCE: Referred to Draughtsman, 19 Returned from Draughtsman,

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Reference Number	256343	UserId	ikirkdu
Land District	Southland 🛫	Request Date	08/03/2002 15:13:05
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Comments	MT NICHOLAS - CERT OF INC	CORPORATION	
– Delivery Details Firm	MT NICHOLAS - CERT OF INC		
– Delivery Details Firm Primary Contact	MT NICHOLAS - CERT OF INC		
– Delivery Details Firm Primary Contact Street	MT NICHOLAS - CERT OF INC Opus International Consultants Mr Robin Whelan Private Bag 1913		
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L. & S.-B. 6

Maria

CERTIFICATE OF ALTERATION UNDER SECTION 113, LAND ACT 1948

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

and

IN THE MATTER of lease (Hicence) from HER MAJESTY THE QUEEN to HOURT HIGHEIAS STATION LIMITED

registered in

, folio 57 Coutbland Vol. 206 Land

Registry.

This is to certify that on the first day of July 1971, the area of land included in the abovementioned lease was altered by the incorporation therein of the land described in the First Schedule and the exclusion therefrom of the land described in the Second Schedule hereto without alteration of the annual rental and stock limitation in the lease.

> FIRST SCHEDULE (Description and Flan of land incorporated)

Run 6th, formerly part Run 568, situated in Blocks III, IV, V, VI, XI, XII, XIII and XIV, Marora Survey District and Part Run 558, Von, Black Bill, Eyre North, Eyreside, Marora, Liecoln and Pid Wakatipu Survey Districts and containing 14,028 acres more or less as shown edged red on Survey Office Plan number 8128 (L) a copy of which is filed on Appellation Document No. 252753 Southland Land Registry

SECOND SCHEDULE (Description and Flan of land excluded)

Part Run 558, Blocks I, II, VII, and VIII, Black Hill Survey District and containing 1,340 acres more or less AND ALSO Part Run 558, Blocks II, III and VI, Black Hill Survey District and containing 600 acres more or less as shown respectively red in outline on the plan drawn hereon

VII ۷I Pt Pt Run 558 Run 558 690ac. 1340ac 11 Scale: 1 mile to an inch SQ.8146 - 1355 day of

†⊓ Commissioner of Crown Lands.

19 77

RELEASED UNDER THE OFFICIAL INFORMATION ACT

RELEASED UNDER THE OFFICIAL INFORMATION ACT

CERTIFICATE OF ALTERATION

(100 Majesty The Queen { Lessor. Licensor. Licensor. Licensor. Licensee, Licens

. PARTICULARS entered in the Register-book,

Volume 206, folio 17, ,

correct or; morting 78470

the 29 day of November 197,

at 2.40 o'clock.

SOUTHLAND, WA

Assistant Land Registrar of the

District of Southland

MWP_8815863

WRIGHT STEPHENSON FARMERS' FINANCE AND INVEST-MENT COMPANY LIMITED as Mortgagee under and by virtue of Memorandum of Mortgage No. 78470 over the land contained in P.R.L. 521 recorded at Register Book Volume 206 folio 47 (Southland Registry) DOTH HEREBY CONSENT to the within written Certificate of Alteration.

DATED at Wellington this /eV day of Delaks

THE COMMON SEAL of WRIGHT
STEPHENSON FARMERS' FINANCE
AND INVESTMENT COMPANY LIMITED was hereunto affixed in
the presence of

the presence of.

Phlorae

Secretary

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