

Crown Pastoral Land Tenure Review

Lease name : Mt NICHOLAS STATION

Lease number : PS 046

Due Diligence Report (including Status Report) - Part 4

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

MEMORANDUM OF PARTIAL SURRENDER

IN THE MATTER of the Land Transfer Act 1952

AND

IN THE MATTER of the Land Act 1948 and its Amendments

AND

IN THE MATTER of Pastoral Lease No. P.46 under the Land Act 1948 of ALL that piece of land situated in the Southland Land District, containing 104,600 acres 0 roods 0 perches, more or less, being Run 558 Von, Mid Wakatipu, Mavora, Eyre, North Blackhill, Lincoln and Eyreside Survey Districts, and being the whole of land comprised and described in the aforesaid Pastoral Lease recorded in Register book, Vol. 206 Folio 47.

MOUNT NICHOLAS STATION LIMITED, a duly incorporated company having its registered office at Dunedin, the Lessee under the abovementioned lease does HEREBY SURRENDER in terms of Section 145 of the Land Act 1948, all its estate and interest as such lessee in all that piece of land containing 17,700 acres more or less being Part of Run 558, Black Hill, Eyreside and Lincoln Survey Districts ^{and edged red on the plan attached hereto} in consideration of the Annual Rent and Rental Value remaining unchanged. AND I AGREE AND DECLARE THAT all and singular the covenants conditions and agreements of the said recited lease expressed and/or implied shall continue in force in respect of the residue of the land henceforth comprised therein as fully and effectually as if such residue of the said land above had originally been comprised therein. AND I HEREBY FURTHER AGREE AND DECLARE that the said surrender shall take effect from the 7th day of March, 1961.

The official Seal of the
MOUNT NICHOLAS STATION LIMITED
was hereto affixed this 28th day of July 1961

In the presence of:

Witness: _____
Occupation: _____
Address: _____



..... *[Signature]* Director
..... *[Signature]* Director

[Handwritten mark]

179507

Not Registered under Land Transfer Act—Registered under Section 93, Land Act, 1949

SURRENDER ACCEPTED for and on behalf of Her Majesty the Queen as

Lessor:
Deputy
SIGNED by the Commissioner of Crown

W. H. Keenan
DEPUTY Commissioner of Crown Lands

Lands for the Southland Land
District in the presence of:

Witness: *C. Wood*
Occupation: *Land office Clerk*
Address: *Queen's Hill*

The WRIGHT STEPHENSON FARMERS FINANCE AND INVESTMENT COMPANY LIMITED as
Mortgagee under and by virtue of Memorandum of Mortgage No. 78470 does HEREBY CONSENT
to the aforesaid surrender BUT WITHOUT PREJUDICE to its rights powers and remedies
otherwise under or in respect of the said Mortgage or the remainder of the land
therein described.

SIGNED by the said WRIGHT STEPHENSON FARMERS
FINANCE AND INVESTMENT COMPANY LIMITED as
Mortgagee, in the presence of:

By its authorized
Deputy Manager

Mortgagee

Witness: _____
Occupation: _____
Address: _____



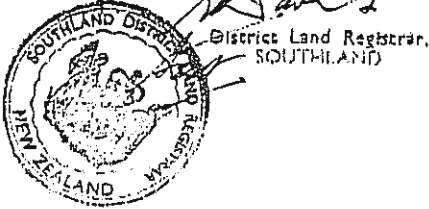
W. H. Keenan
Secretary

THE COMMON SEAL OF THE WRIGHT STEPHENSON
FARMERS' FINANCE & INVESTMENT CO. LTD.
WAS INVENTARIO AVAILADO IN THE PRESENCE OF:

CORRECT for the purposes of the Land Transfer Act.

Part Surrender
Particulars entered in the Register-book,
Vol. 206, folio 47

the 11 OCT day 1961, 19
at 3 o'clock.



W. H. Keenan
DEPUTY Commissioner of Crown Lands

W. H. Keenan
C. C. H.
3
10/10/61



Land Information Property System (LIPS)

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

Interest - 12420 - MT NICHOLAS STATION

Interests (Leases, Easements etc)		Down Forest Licenses	
Identifiers	12420/01	Rental	\$27,000.00
Other Party	R W BUTSON AND OTHERS	Address	Mt Nicholas Station P O Box 255, Queenstown
Type / Purpose	Pastoral Lease	Phone	
Term	33 YEARS	Fax	
Commencement Date	01/07/1992		
Expiry Date	30/06/2025	Yes <input type="checkbox"/> Is the Interest current	
Contingent Events		Add a new Event e.g. Fee Review, Interest Renewal <input type="button" value="New Event"/>	
Conditions			
Notes	KF File Ref: P: 046		

Save Close

The unique identification number. If no number is allocated use the property ID number eg. 13766/1

Start GroupWise - Mailbox LAPastoralTenue... Land Information... Microsoft Word - Da... 09:29

Land Information Property System (LIPS)

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

Property Details - Property 12420-MT NICHOLAS STATION

General More Contracts Valuation Accounting Liability Risk Disposal Interest Photo Events

Identifier	Type	Other Party	Commencement Date	Expiry Date	Rental/Fees	
12420/01	Pastoral	R.W.BUTSON AND	01/07/1992	30/06/2025	\$27,000.00	Add
12420/02	Recreation	R W Butson &	01/07/1989	30/06/2001	\$500.00	Change
12568/04	Recreation	Tim Coddington	01/09/2001	31/12/2001		
REC/02/1	Recreation	Southern Lakes	01/01/1995	31/12/1999	\$4,000.00	Delete
REC/02/1	Recreation	RW BUTSON &	01/07/1989	01/10/1999		

Save Print Budget New Project Disposal Details Acquisition Details Close

Leased properties

Start GroupWise - Mailbox L:\Pastoral\Tenu... Land Information... Microsoft Word - Da... 09:29

Land Information Property System (LIPS)

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

Home A D [Icons] ?

Interest: 12420 - MT NICHOLAS STATION

Interests (Leases, Easements etc)		Crown Forest Licences	
Identifier	12420/06	Rental	\$500.00
Other Party	R W Bulson & Others	Address	Mt Nicholas Str
Type / Purpose	Recreation		PO Box 255, QUEENSTOWN
Term		Phone	
Commencement Date	01/07/1985	Fax	
Expiry Date	30/06/2001	No [v] Is the Interest current	
Contingent Events		Add a new Event e.g. Fee Review, Interest Renewal <input type="button" value="New Event"/>	
Conditions			
Notes	KF File ref: RPo 016. This permit thought to be expired and thus excluded from Contract 50213. Permit actually expired 30.6.01 and invoice for fees owing for period 1.7.00 - 30.6.01 generated December 2001.		

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

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Land Information Property System (LIPS)

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

A D [Icons]

Interest - 12420 - MT NICHOLAS STATION

Interests (Leases, Easements etc)		Down Forest Licenses	
Identifier	REP02411/2700	Rental	\$4,000.00
Other Party	Southern Lakes Heiski Ltd	Address	P O Box 426
Type / Purpose	Recreation		Wakatipu
Term	5.0 years	Phone	
Commencement Date	01/01/1995	Fax	
Expiry Date	31/12/1999	Is the Interest current <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Contingent Events		Add a new Event e.g. Fee <input type="button" value="New Event"/> Review, Interest Renewal <input type="button" value="Review, Interest Renewal"/>	
Conditions			
Notes	Recreation permit over Mt Nicholas (12420), Mt Creighton (12459), Wyuna (12559), Woodbine (12575). Total rental \$4000. RPo 013.		

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

Start GroupWise - Mailbox L:\Pastoral\Tenure... Land Information... Microsoft Word - Do... 09:30

Land Information Property System (LIPS)

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

Desktop

Interest - 12420 - MT NICHOLAS STATION

Interests (Leases, Easements etc)		Crown Forest Licenses	
Identifier	REC/02/12/7	Rental	
Other Party	RW BUTSON & OTHERS	Address	Mt Nicholas Station P O Box 255, Queenstown
Type / Purpose	Recreation	Phone	
Term	12 YEARS	Fax	
Commencement Date	01/07/1989	Is the Interest current	
Expiry Date	01/10/1999	No	
Contingent Events		Add a new Event a.g. Fee Review, Interest Renewal: New Event	
Conditions			
Notes	NO CHANGE AT RENTAL REVIEW AT 30/06/94. LANDCORP FILE IS RPe016. No current file in the REC/02/12/7 series open as at 2/12/99. Previous file LANDS/11/5/13-LNO. No longer operative (KF update 17/3/00). Rental was \$500.		

Save Close

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

Start GroupWise - Mailbox L:\Pastora\Avenue... Land Information... Microsoft Word - Da... 09:30

REFERENCE

- Land District Boundary
- Survey District Boundary
- Survey Districts' Crown Boundary
- Functional Circuit Boundary
- Road
- Railway
- Ventulum
- Triangulation Station
- Subdivision Boundary
- Original Subdivision Boundary
- Subdivision Section Number
- Subdivision Lot Number
- Subdivision area in hectares
- Registration District & Block Block Names
- Granted Areas: National Park, Forest Park, Reserve, State Forest, Special Area, etc.
- County, City or Borough Boundary
- Registration District Boundary

DESCRIPTIVE NOTES

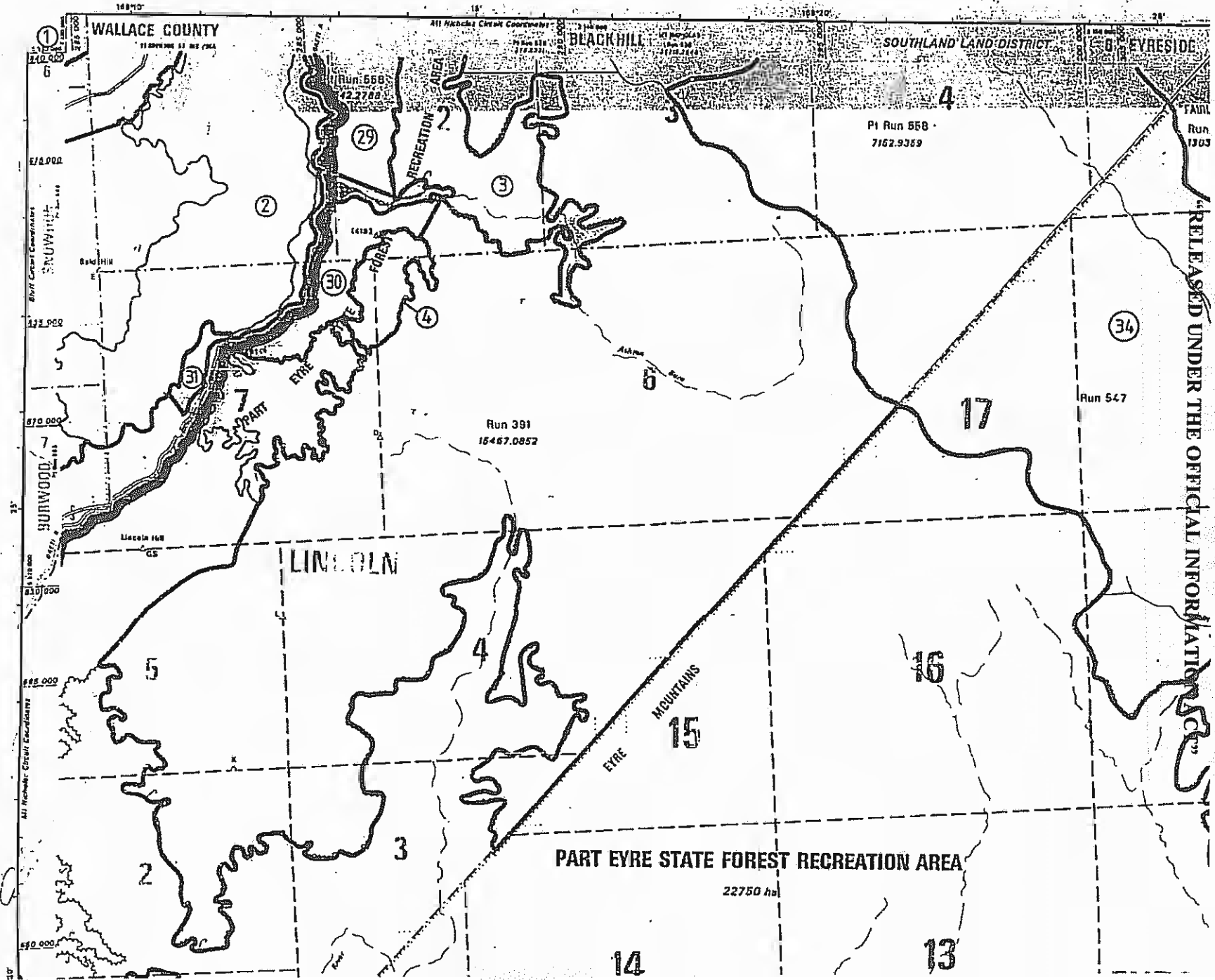
- DF Deposited Plan
- LT Land Transfer Plan
- CR Closed Roadway
- CL Crown Land
- SF State Forest

GRID INFORMATION
NEW ZEALAND MAP GRID
 The map is on a planar projection with scale constant not exceeding 0.9999. The more short lines are on the New Zealand Map Grid (NZMG) which has a True Origin at latitude 41°S and longitude 173°E with coordinates 6 033 150 metres north, and 7 519 010 metres east. The grid and scale are in terms of Centre Datum 1918 based on the horizontal spheroid spheroid.

MERIDIONAL CIRCUIT GRID
 The meridional circuit grid cuts shown at the east lines of this map are in metres.
 The true origin is the 1841 station of the meridional circuit concerned and the coordinates of this point are 700 000 metres north and 300 000 metres east.
 Meridional Circuits on this map are:
 Circuit Isolated Station
 Bluff C.S.
 Mt Nicholas Mt Nicholas

INDEX TO SURVEY DISTRICTS AND ADJOINING SHEETS

D42	E42	F42
SD 12	SD 13	SD 14
SD 17	SD 21	SD 18
SD 20	E43	F43
SD 22	SD 22	SD 23
SD 29		
D44	E44	F44
SD 12	Knowles S.D.	



SO 11169
 E 43
 PACIFIC

RELEASED UNDER THE OFFICIAL INFORMATION ACT

S.O. 11169
 Sheet 4 of 4

NZMS 261
 Sheet E43

SCHEDULE PURSUANT TO SEC 62
 CONSERVATION ACT 1987

No.	DESCRIPTION	AREA	DEEMED OWNER	CATEGORY	AGREEMENT or COVENANT	CASE
30	Part run 391 situated in Blocks I & II, Blackhill and Block VII, Lincoln Survey districts.	305ha	DOC	9	Ex L.C. E43/3 - reallocation by Cabinet committee - file LAN 12/1 folio 34.	
31	Part run 568 situated in Block VII, Lincoln Survey District.	73ha	DOC	9	Ex L.C. Pt E43/4 - reallocation by cabinet committee - see file LAN 12/1 folio 34.	
32	Part Run 589 situated in Blocks V and VII, Eyre Survey District.	1060.2763 ha	DOC	18		
33	Refer to 9 on Sheet E42					
34	Run 547 and Pt Runs 352A, 352B, 527 and 558 situated in Blocks XVI, XVII, XVIII, XIX, XX, XXII, XXV Eyre, VI Lincoln, III, IV, V, VI, Blackhill and VI, Eyreside Survey Districts.	11690ha	DOC	15		

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

CATEGORIES
 1 NOT USED

CERTIFIED CORRECT

CHIEF SURVEYOR *[Signature]* 19.10.8

4 Crown land and State Forest land allocation approved by the Special Ministerial Coordinating Committee on 21 January 1987.

6 State Forest land allocations approved by Cabinet following the Blakely report on West Coast Forests.

S.O. 11169
Sheet 1 of 4

NZMS 261
Sheet E43

SCHEDULE PURSUANT TO SECTION 62
CONSERVATION ACT 1987

Paul J. Duggan 28.4

No.	DESCRIPTION	AREA	DEEMED OWNER	CATEGORY	AGREEMENT or COVENANT	CASE
1	See 5 on Sheet D42					
2	Part Snowdon State Forest Recreation Area situated in Block I, Blackhill Survey District, Block VII, Lincoln Survey District, Block I, Snowdon Survey District and Block VII, Burwood Survey District; Part Run 568 situated in Blocks I, II, and VIII, Blackhill Survey District, Blocks VII, and VIII, Burwood Survey District, Block I, Snowdon Survey District, and Block VII, Lincoln Survey District; Part Run 558, situated in Blocks I, VII, and VIII; and Part Run 630 situated in Block VIII, Blackhill Survey District.	5055ha	DOC	7, 8		
3	Part Eyre State Forest Recreation Area situated in Blocks II, III, VI, and VII, Blackhill Survey District and Blocks VI, Lincoln Survey District.	1072ha	DOC	3, 7		
4	Part Eyre State Forest Recreation Reserve situated in Block II, Blackhill Survey District, and Blocks VI, and VII, Lincoln Survey District.	215ha	DOC	7		
5	Part Eyre State Forest Recreation Area situated in Blocks I, II, III, IV, V, VI, and VII, Lincoln Survey District, Blocks XII, XIII, XIV, XV, XVI, XVII, XVIII, XXX, XXXI, XXXII, XXXIII and XXXIV Eyre Survey District; Part Run 592, and Part West Dome State Forest situated in Blocks XXXI, XXXII, XXXV, and XXXVI, Eyre Survey District; and Part Run 391 situated in Blocks	24000	DOC	7	Pt Lot 1 DP 11201 removed See Lan 12/4/15 f12	

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

CATEGORIES CERTIFIED CORRECT CHIEF SURVEYOR *Paul J. Duggan* 2A.4.87

1 NOT USED

2 State Forest land allocation approved by Special Ministerial Coordinating Committee on 16 November 1984

3 NOT USED 8. Crown land subject to Sections 66A, 67, 68 and 163 Land Act 1948 and Unalienated Crown land not previously accounted for, approved in accordance with the Special Ministerial Coordinating Committee decision of 23 March 1987.

4 Crown land and State Forest land allocation approved by the Special Ministerial Coordinating Committee on 21 January 1987.

5 NOT USED 8. Crown land subject to Sections 66A, 67, 68 and 163 Land Act 1948 and Unalienated Crown land not previously accounted for, approved in accordance with the Special Ministerial Coordinating Committee decision of 23 March 1987.

6 State Forest land allocations approved by Cabinet following the Blakeley report on West Coast Forests.

7 Crown land and State Forest land allocation approved by the Special Ministerial Coordinating Committee 11 March 1987.



View Statutory Action

Parcel Part Run 630
Current Purpose Police and Public Safety Communications Purposes

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
New Zealand Gazette 2000 p 431	Gazette Notice	30/10/2000	Create	Current

Statute
Purpose Police and Public Safety Communications Purposes
Name
Comments

*** End of Report ***



View Statutory Action

Parcel State Forest Block VIII Von Survey District
Current Purpose State Forest

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
New Zealand Gazette 1934 p 2195	Gazette Notice	30/10/2000	Create	Current

Statute
Purpose State Forest
Name
Comments

*** End of Report ***



View Statutory Action

Parcel Part Run 630
Current Purpose Subject to the provision of Marginal Strips

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 24 Conservation Act 1987	Other Statutory actions	30/10/2000	Create	Current

Statute
Purpose Subject to the provision of Marginal Strips
Name
Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block X Mavora Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute
Purpose Crown Land Reserved from Sale (Marginal Strip)
Name
Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block XIV Mavora Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute
 Purpose Crown Land Reserved from Sale (Marginal Strip)
 Name
 Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block XV Mavora Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute

Purpose Crown Land Reserved from Sale (Marginal Strip)

Name

Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block XV Mid Wakatipu Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute
Purpose Crown Land Reserved from Sale (Marginal Strip)
Name
Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block XV Von Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute
Purpose Crown Land Reserved from Sale (Marginal Strip)
Name
Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block VII Mavora Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute

Purpose Crown Land Reserved from Sale (Marginal Strip)

Name

Comments

*** End of Report ***



View Statutory Action

Parcel Crown Land Block V Mavora Survey District
Current Purpose Crown Land Reserved from Sale (Marginal Strip)

Parcel Status Current

Statutory Action	Type	Recorded	Action	Status
Sec 58 Land Act 1948	Other Statutory actions	30/10/2000	Create	Current

Statute

Purpose Crown Land Reserved from Sale (Marginal Strip)

Name

Comments

*** End of Report ***



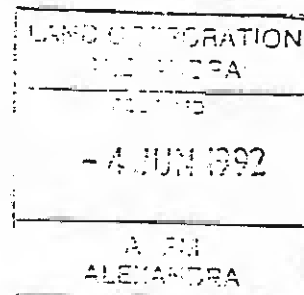
Your Reference

Our Reference 5200/01

Henderson House
93 Kelvin Street
PO Box 826
Invercargill
New Zealand
Phone 0-3-218 7334
Fax 0-3-214 4763

2 June, 1992

K R Taylor
Manager
Landcorp Management Services Ltd
Box 27
ALEXANDRA.



Dear Sir

PASTORAL LEASE MARGINAL STRIP INVESTIGATIONS

Marginal strip investigations have been completed for the following stations: The Jollies, Mt Nicholas, Kingston, Lorne Peak, Glenfellen, Halfway Bay, Allandale and Greenvale. Details are as follows:

Mt. Nicholas: 92	See attached print of SO 8431.	13
The Jollies: 72	No strips required.	
Kingston: 91	See attached print of SO 4726.	
Lorne Peak: 91	See attached print of SO 4721.	
Glenfellen: 91	No strips required.	
Halfway Bay: 91	See attached print of SO 8415.	
Allandale: 91	See attached print of SO 7402.	
Greenvale: 91	See attached print of SO 7402.	

The marginal strips have been highlighted in blue on the enclosed prints. Each plan has been certified correct by the Chief Surveyor and will be sent away for remicrofilming. The plans showing marginal strips will also be recorded in the margin of the relevant cadastral record sheets which are held as a permanent record.

Yours faithfully

D Manson
for District Manager/Chief Surveyor
DM3

OTAGO L.D.

Upper Wakatipu SD

Lake Wakatipu

SOUTHLAND L.D.

CLASS C SURVEY

Sheet 1 of 11

Sections 1 - 12

LAND DISTRICT SOUTHLAND
Survey Blk. & Dist. Refer face of plan
NZMS 261 Sheets D41, E41 & 42

TERRITORIAL AUTHORITY
Queenstown - Lakes
& Southland Districts
Surveyed by D.B. Manson
Scale 1 : 75000
Date Feb-June 1993
Dec 1997; April 1999

- Notes
1. Section boundaries extend to the banks of the rivers shown and do not include the river beds.
 2. Sections 1 - 12 are subject to Sec 24 of the Conservation Act 1987 (Marginal Strips) upon disposition.
 3. Boundaries shown to the nearest metre are calculated from photogrammetrically derived digital data.

Schedule of Easements in Grass (Optional)

Shown	Purpose	Servient Tenement	Grantee
(A)	Right of Way	Sec 12	The Department of Conservation
(B)	Right of Way	Sec 12	
(D)	Right of Way	Sec 12	
(F)	Right of Way	Sec 7	

Schedule of Easements (Optional)

Shown	Purpose	Grantor	Dominant Tenement
(C)	Right of Way	The Department of Conservation	Sec 12
(E)	Right of Way		Sec 12
(G)	Right of Way		Sec 7
(H)	Right of Way		Sec 2
(I)	Right of Way		Sec 10
(M)	Right of Way		Sec 12

(J) (K) & (L) are Conservation Covenants (Bush Remnants)

ROW's (B) - (C) are centreline easements 10.00 wide and follow existing tracks.

Total Area 18557.3 ha

Comprised in Crown Land

I David Brian Manson
Registered Surveyor and holder of an annual practicing certificate (for who may act as a registered surveyor pursuant to section 25 of the Survey Act 1985) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at Queenstown this 31st day of July 1999

[Signature]

Field Books 210, 219 & 212 Traversa Book 147 p. B5 - B9
Reference Plans Southland SDs 549, 3710, 6811, 11855 & 11910
Otago SDs 21530 & 21604

Examined Correct *K. Hawley*

Approved as to Survey *[Signature]*
Deputy Chief Surveyor

File Received 19.10.99 K17
Instructions 180395 & 980397

SO 12351

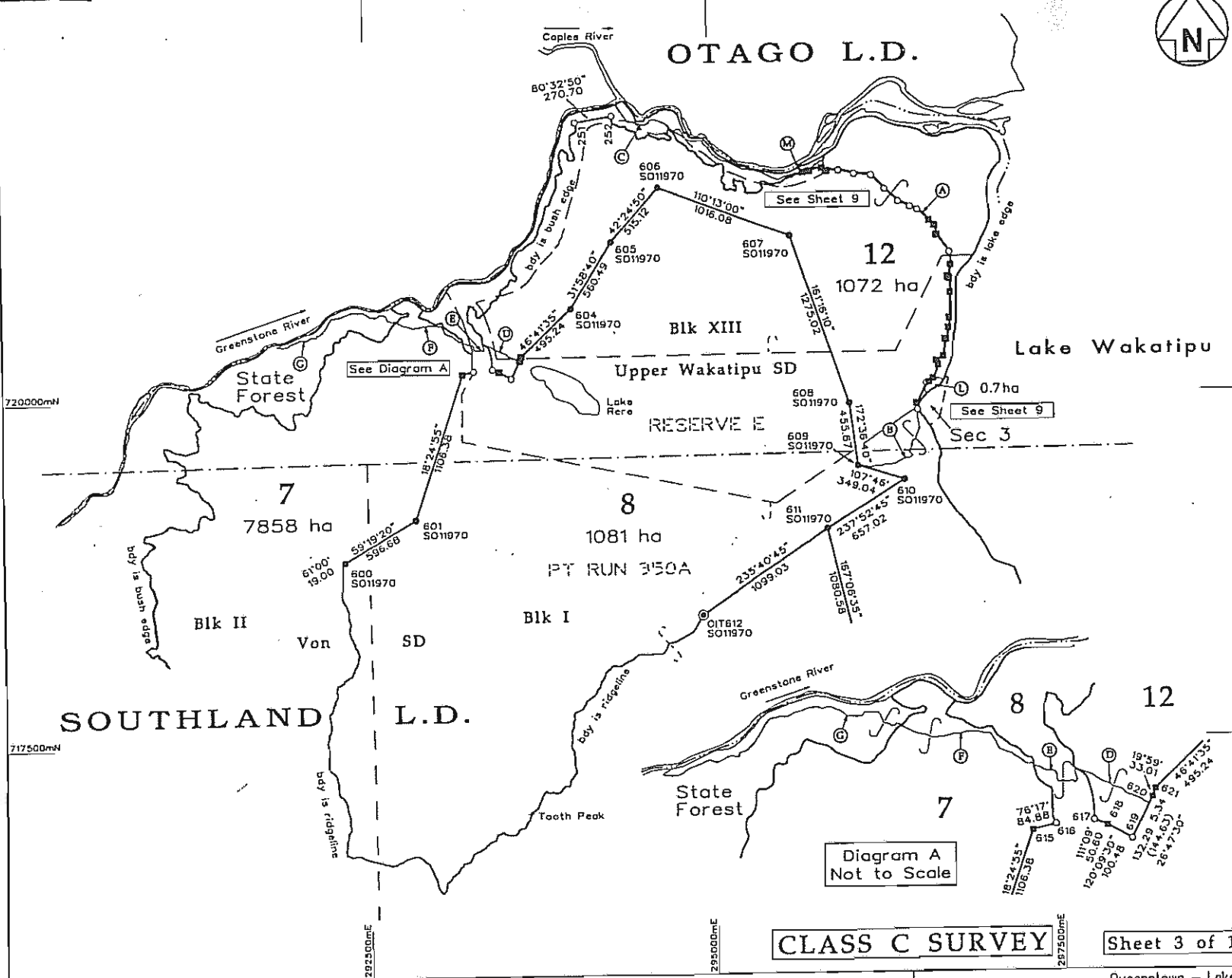


Diagram A
Not to Scale

CLASS C SURVEY

Sheet 3 of 11

LAND DISTRICT SOUTHLAND
Survey Blk. & Dist. Refer face of plan
NZMS 261 Sheet D41, E41 & 42

Diagram Sheet

TERRITORIAL AUTHORITY
Queenstown - Lakes & Southland Districts
Surveyed by D.B. Manson
Scale 1:20000
Date Feb-June 1993
Dec 1997; April 1999

I David Brian Manson Registered Surveyor and holder of an annual practising certificate (or who may act as a registered surveyor pursuant to section 25 of the Survey Act 1988) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.	
Date of Interception this 31st day of July 1999	Signature <i>[Signature]</i>
Field Books 218, 219 & 220	Inverse Book P4-7p. B5-89
Reference Plans Southland SOs 549, 3770, 6811, 11858 & 11970	Otago SOs 21530 & 22004
Examined	Correct <i>[Signature]</i>
Approved as to Survey	<i>[Signature]</i>
024 / .11 / 99	Deputy Chief Surveyor
File Received 19.10.99 Instructions 160393 & 160397	SO 12351

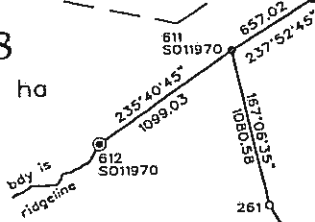


Blk XIII
Upper Wakatipu SD
RESERVE IE

See Sheet 9

0.7 ha
Sec 3

8
1081 ha



810
SO11970

717500mN

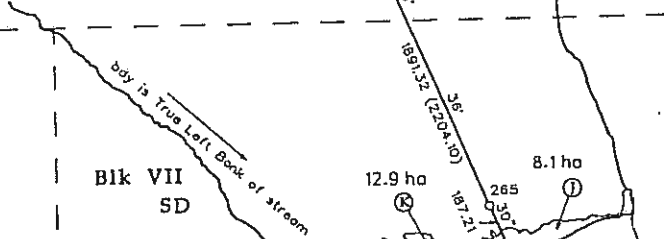
Lake Wakatipu

7
7858 ha
Blk I
Von SD

12
1072 ha

Pt Run 350A

715000mN



Blk VI
Von

Blk VII
SD

12.9 ha

8.1 ha

Black Gorge

Pt Run 630

287500mE

300000mE

CLASS C SURVEY

Sheet 7 of 11

LAND DISTRICT SOUTHLAND
Survey Blk. & Dist. Refer face of plan
NZMS 261 Sheet D41, E41 & 42

Diagram Sheet

TERRITORIAL AUTHORITY
Surveyed by D.B Manson
Scale 1 : 25000

Queenstown - Lakes
& Southland Districts
Date Feb-June 1993
Dec 1997; April 1999

I David Brian Manson
Registered Surveyor and holder of an annual practising certificate (or who
may act as a registered surveyor pursuant to section 25 of the Survey Act
1958) hereby certify that this plan has been made from surveys executed
by me or under my directions, that both plan and survey are correct and
have been made in accordance with the Survey Regulations 1972 or any
regulations made in substitution thereof.

Dated at Invercargill this 21st day
of July 1993

Signature *David Manson*

Field Books 2118, 2119 & 2120 Traverse Book 147p. B5-B7
Reference Plans Southland SDs 549, 3770, 6411, 11859 & 11970
Otago SDs 24530 & 22004

Examined Correct *K. Hickey*

Approved as to Survey

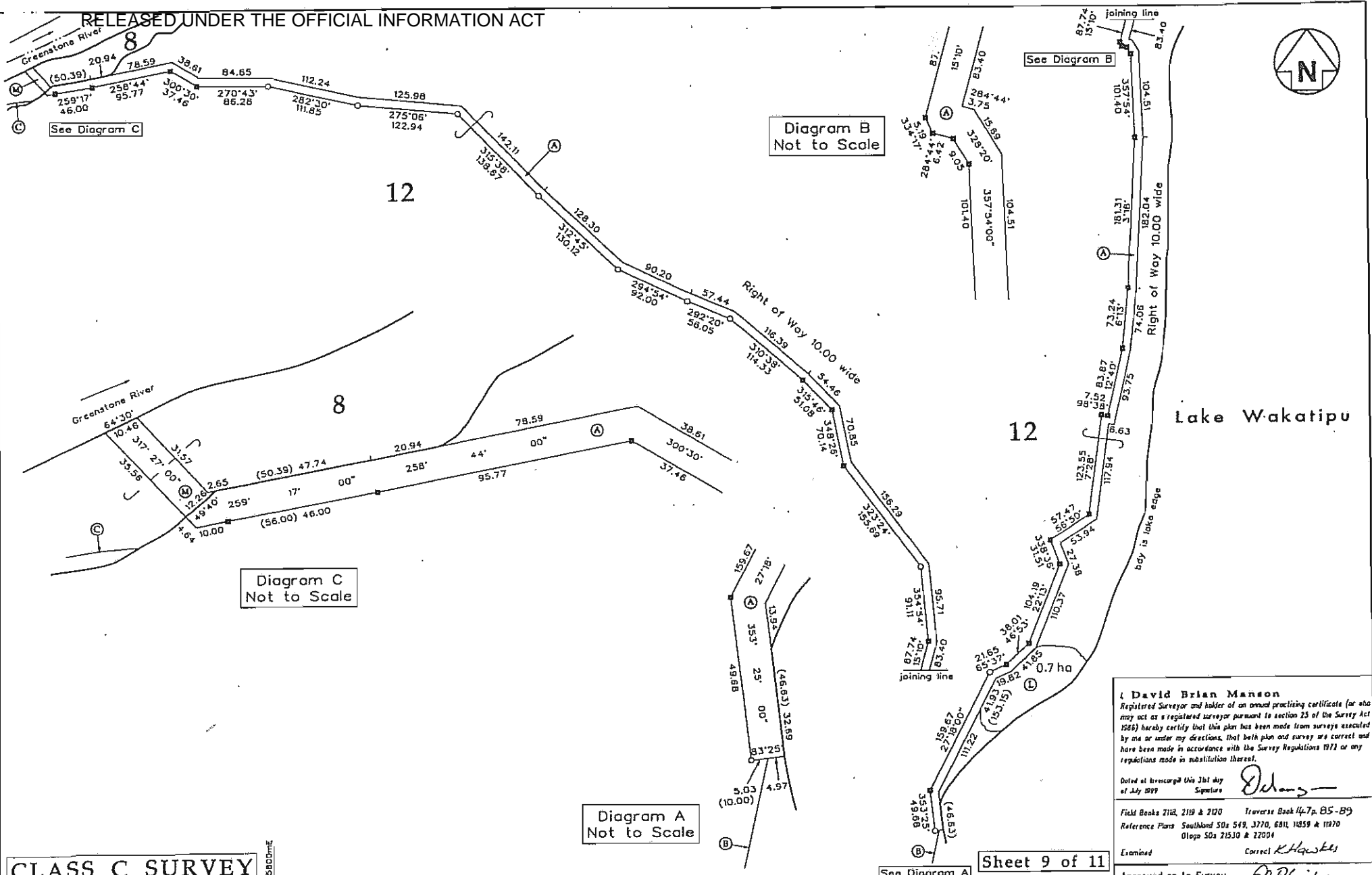
D. Blackie

04 / 11 / 99

Deputy Chief Surveyor

File
Received 19.10.99 KH
Instructions 950395 & 950397

SO 12351



CLASS C SURVEY

LAND DISTRICT SOUTHLAND
 Survey Blk. & Dist. See Sheet 1
 NZMS 261 Sheet D41, E41 & 42

Diagram Sheet

TERRITORIAL AUTHORITY
 Surveyed by D.B Manson
 Not to Scale

Queenstown - Lakes
 & Southland Districts
 Date Feb-June 1993
 Dec 1997, April 1999

Sheet 9 of 11

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

Dated at Invercargill this 31st day
 of July 1999 Signature *[Signature]*

Field Books 2118, 2119 & 2120 Traverse Book 147p. B5-B9
 Reference Plans Southland SOs 549, 3770, 6811, 1859 & 1870
 Otago SOs 21530 & 22004

Examined Correct *[Signature]*

Approved as to Survey *[Signature]*
 Deputy Chief Surveyor

File
 Received 19.10.99 KH
 Instructions 960393 & 960397

SO 12351

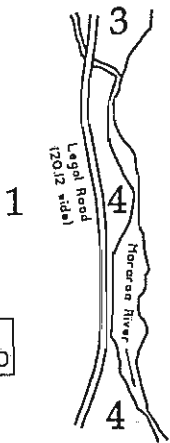


Diagram A
Scale 1:10000

708000mE

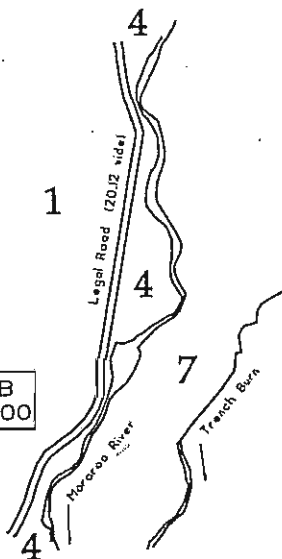
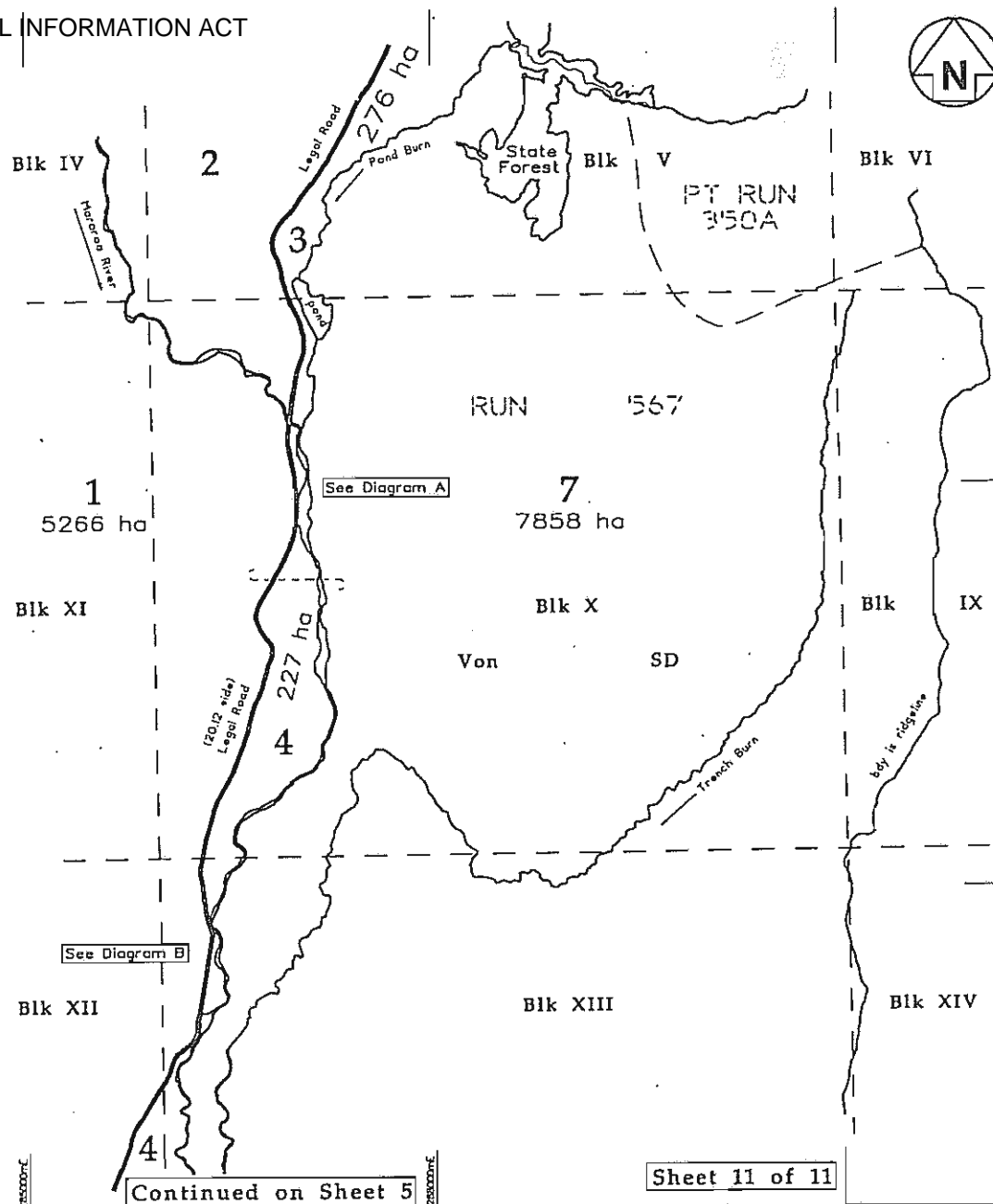


Diagram B
Scale 1:10000

705000mE



CLASS C SURVEY

Continued on Sheet 5

Sheet 11 of 11

LAND DISTRICT SOUTHLAND
Survey Blk. & Dist. Refer face of plan
NZMS 261 Sheet D41, E41 & 42

Diagram Sheet

TERRITORIAL AUTHORITY Queenstown - Lakes & Southland Districts
Surveyed by D.B Manson
Scale 1:25000
Date Feb-June 1993
Dec 1997; April 1999

I David Brian Manson
Registered Surveyor and holder of an annual practicing certificate for who may act as a registered surveyor pursuant to section 25 of the Survey Act 1956) hereby certify that this plan has been made from surveys executed by me or under my directions, that both plan and survey are correct and have been made in accordance with the Survey Regulations 1972 or any regulations made in substitution thereof.

Dated at Invercargill this 31st day of July 1999
Signature *David Manson*

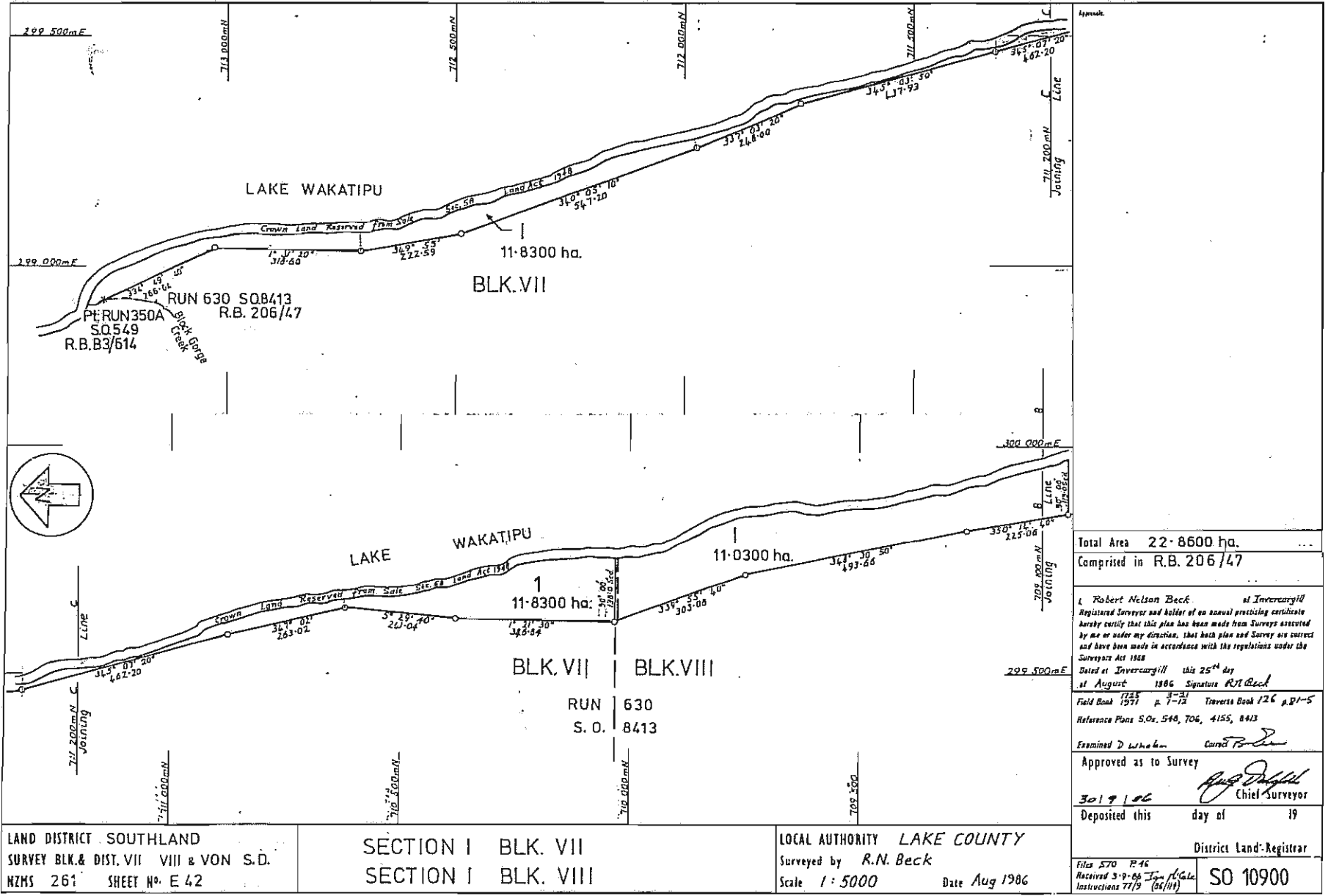
Field Books 2118, 2119 & 2120 Traverse Book 14-7 p.85-89
Reference Plans Southland SOs 545, 3770, 6811, 10559 & 11970
Otago SOs 21530 & 22004

Examined Correct *K.H. Hobbs*

Approved as to Survey *D. Blaikie*
Date 04 / 11 / 99 Deputy Chief Surveyor

File Received 19. 10. 99 KJH
Instructions 160195 & 980397

SO 12351

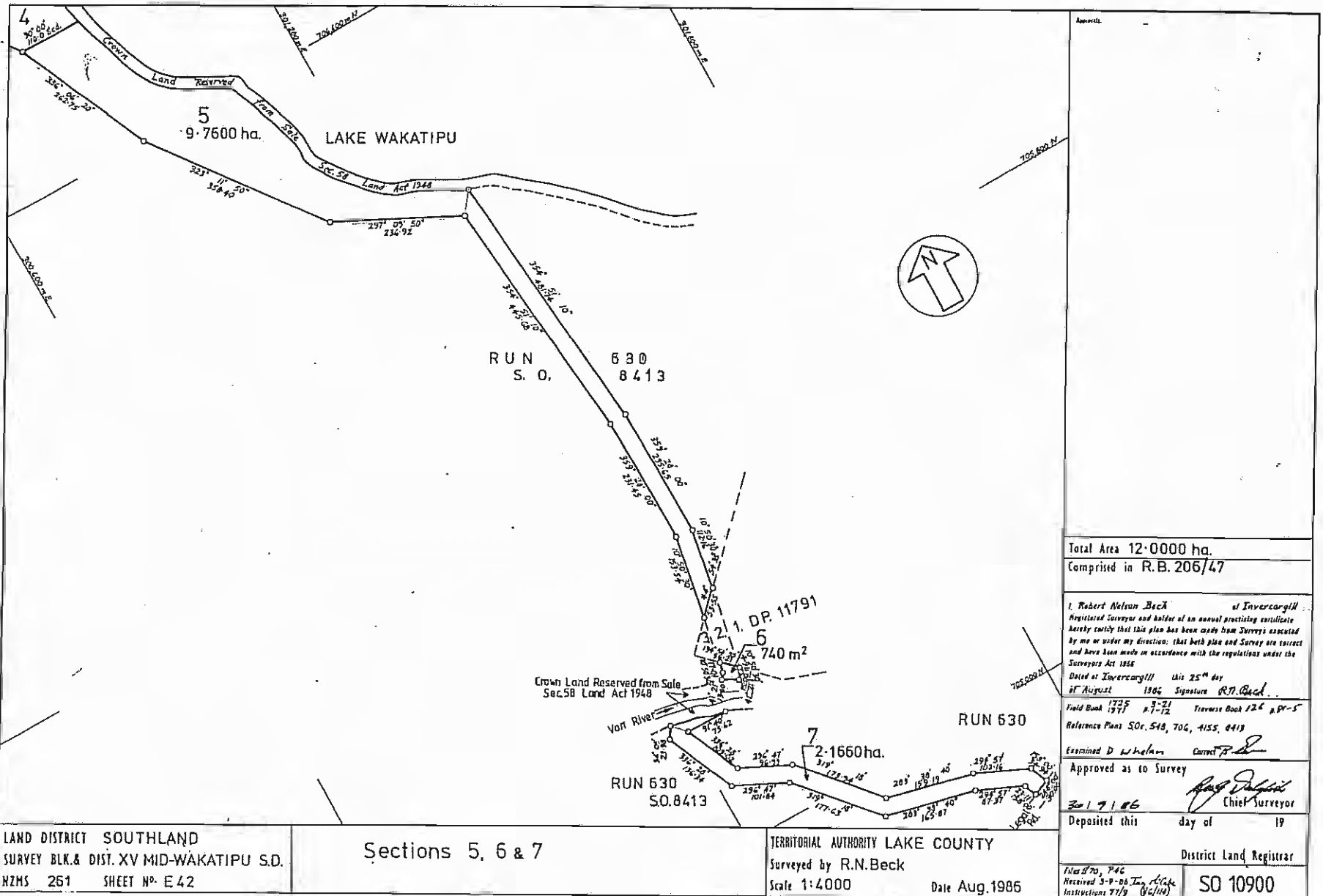


"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

LAND DISTRICT SOUTHLAND
SURVEY BLK. & DIST. VII VIII & VON S.D.
NZMS 261 SHEET No. E 42

SECTION I BLK. VII
SECTION I BLK. VIII

LOCAL AUTHORITY LAKE COUNTY
Surveyed by R.N. Beck
Scale 1:5000 Date Aug 1986



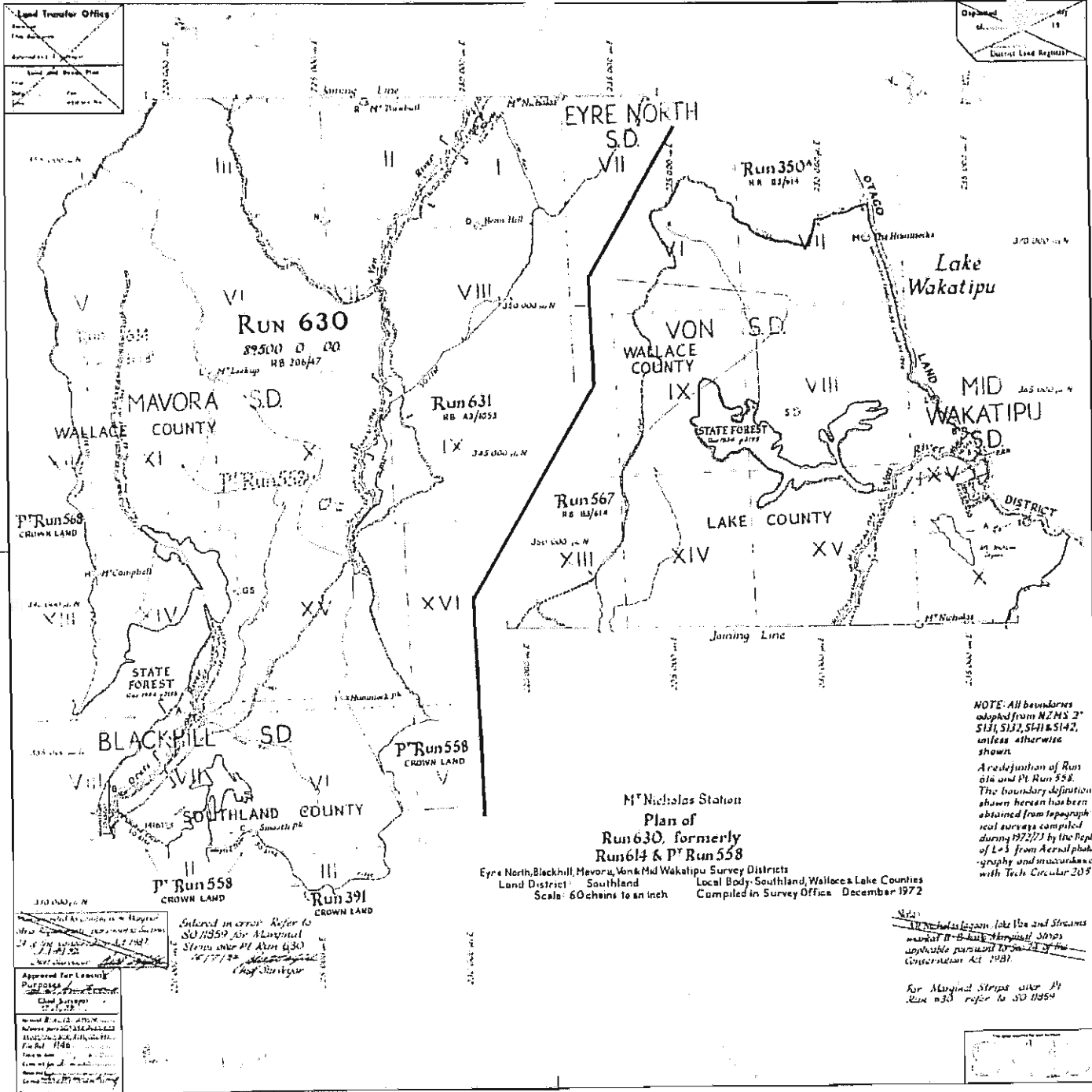
Total Area 12.0000 ha. Comprised in R.B. 206/47	
I, Robert Nelson Beck of Invercargill Registered Surveyor and holder of an annual practicing certificate hereby certify that this plan has been made from surveys executed by me or under my direction; that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act 1956	
Dated at Invercargill this 25 th day of August 1986 Signature <i>R.N. Beck</i>	
Field Book 1725 3-21 1727 17-22	Traverse Book 126 p. 87-5
Reference Plans S.O. 548, 706, 4155, 6419	
Examined D. Williams Correct <i>[Signature]</i>	
Approved as to Survey <i>[Signature]</i> 30/9/86 Chief Surveyor	
Deposited this	day of 19
District Land Registrar	
Files B70, P4C Received 3-9-86 In R. Beck Instructions 7/9 (12/10)	SO 10900

LAND DISTRICT SOUTHLAND
SURVEY BLK. & DIST. XV MID-WAKATIPU S.D.
NZMS 261 SHEET NO. E 42

Sections 5, 6 & 7

TERRITORIAL AUTHORITY LAKE COUNTY
Surveyed by R.N. Beck
Scale 1:4000 Date Aug. 1986

RELEASED UNDER THE OFFICIAL INFORMATION ACT



NOTE: All boundaries adopted from NZMS 21 5131, 5132, 5141 & 5142, unless otherwise shown.

Redefinition of Run 616 and Pt Run 558. The boundary definition shown herein has been obtained from topographical surveys compiled during 1972/73 by the Dept of L+S from Aerial photography and measurements with Tech. Circular 209.

M'Nicholas Station
 Plan of
 Run 630, formerly
 Run 614 & P' Run 558
 Eyre North, Blackhill, Mavora, Von & Mid Wakatipu Survey Districts
 Land District: Southland
 Scale: 60 chains to an inch
 Local Body: Southland, Wallace & Lake Counties
 Compiled in Survey Office, December 1972

For Marginal Strips over Pt Run 630 refer to SO 10559

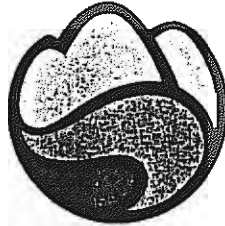
Land Transfer Office
 Approved for Lease
 Land and Water Plan
 Fee
 Date

Diagonal
 of
 District Land Register

Entered in error. Refer to SO 10559 for Marginal Strips over Pt Run 630

Approved for Lease
 Puffness
 Date
 Class
 Fee
 Date

CDE S15 - Request Manual Copy			
Document Type	Instrument	Request Id	45392
Reference Number	200463.1	User Id	jkirkdu
Land District	Southland	Request Date	08/03/2002 15:03:22
Method of Delivery	Fax	Client Reference	6NLITR.02/526YD
Requested By	JOHN KIRK	Status	Pending
<input type="checkbox"/> Certified Copy			
Comments	MT NICHOLAS - OPEN SPACE COVENANT QEII NATIONAL TRUST		
Delivery Details			
Firm	Opus International Consultants Ltd (Dunedin)		
Primary Contact	Mr Robin Whelan		
Street	Private Bag 1913		
Town	Dunedin		
Country	New Zealand		
Postcode			
Fax Number	03 474 8995		
Fees...	OK	Cancel	



Queen Elizabeth II

National Trust

For open space in New Zealand

OPEN SPACE COVENANT

COVENANTOR(S): E. D. McKNIGHT

W. R. ANDREWS

R. W. BUTSON

L. K. BUTSON

OPEN SPACE COVENANT

(Pursuant to Section 22 of the Queen Elizabeth the Second National Trust Act 1977)

WHEREAS ERIC DOUGLAS McKNIGHT of ATHOL, Farmer and WILLIAM RUSSELL ANDREWS of FIVE RIVERS, Farmer (as to a 1/2 share), ROBERT WILLIAM BUTSON of MOUNT NICHOLAS STATION, Farmer (as to a 1/2 share), and LINDA KATHLEEN BUTSON of MOUNT NICHOLAS STATION, Married woman (as to a 1/2 share).

(hereinafter called "the Covenantor") is/are registered as Lessees of an estate as set out in the Schedule of land hereto (hereinafter called "the land")

AND WHEREAS the QUEEN ELIZABETH THE SECOND NATIONAL TRUST established by the Queen Elizabeth the Second National Trust Act 1977 (hereinafter called "the Trust") is authorised by that Act to obtain open space covenants over any private land or any land under Crown Lease

AND WHEREAS the Covenantor has agreed to enter into an open space covenant with the Trust for the purpose set forth in the First Schedule hereto

NOW THEREFORE in consideration of the covenants and conditions hereinafter contained THESE PRESENTS WITNESS that in pursuance of the said agreement and by virtue of Section 22 of the Act the Covenantor and the Trust with the intent and so as to bind the land into whosoever hands the same may come MUTUALLY COVENANT at all times to observe and perform the respective duties and obligations imposed by the restrictions, stipulations and agreements contained in the SECOND Schedules hereto to the end and intent that the same shall bind the land in perpetuity or for the unexpired term thereof of the Covenantor's lease of the land and any renewal thereof as the case may be.

FIRST SCHEDULE

The Purpose of the within written open space covenant is to achieve the following open space objectives of the Covenantor and the Trust:

- (a) To protect and maintain open space values of the land.
(b) To protect and maintain the wetland ecosystem and its associated area as a habitat for wildlife.
(c) To protect natural scenic values.

SECOND SCHEDULE

Interpretations, restrictions, stipulations and agreements

1. In the Deed unless the context otherwise requires:-

- "Act" means the Queen Elizabeth the Second National Trust Act 1977.
"Board" means the Board of Directors of the Queen Elizabeth the Second National Trust.
"Covenantor" means the Owner who entered into this covenant with the Trust.
"Executive Officer" means the person appointed under Section 18 (1) of the Act.
"Owner" means the person or persons who from time to time are registered as the proprietors of "the land". "the land" means the property or part thereof defined as subject to this covenant and as shown on the plan annexed to this Deed.

2. No act or thing shall be done or placed or permitted to be done or remain upon the land which in the opinion of the Board materially alters the actual appearance or condition of the land or is prejudicial to the land as an area of open space as defined in the Act. or as outlined in the approved Management Plan. In particular, on and in respect of the land, except with the prior written consent of the Board, the Owner shall not:

- (a) Fell, remove, burn or take any native trees, shrubs or plants of any kind.
(b) Plant, sow or scatter any trees, shrubs or plants or the seed of any trees, shrubs or plants other than local native flora, or introduce any substance injurious to plant life except in the control of noxious plants, and as set out in the management plan.
(c) Mark, paint, deface, blast, move or remove any rock or stone or in any way disturb the ground.
(d) Construct, erect or allow to be erected, any new buildings or make exterior alterations to existing buildings.
(e) Erect, display or permit to be erected or displayed, any sign, notice, hoarding or advertising matter of any kind.
(f) Carry out any exploration for, or mining or quarrying of any minerals, petroleum, or other substance or deposit.
(g) Dump, pile or otherwise store any rubbish or other materials, except in the course of maintenance of approved construction, provided however that after the completion of any such work all rubbish and materials not wanted for the time being are removed and the land left in a clean and tidy condition.
(h) Effect a subdivision as defined in the Local Government Act 1974.

(i) Allow cattle, sheep, horses or other livestock to enter, graze, feed or otherwise be present provided, however, that they may graze up to any approved fence-line on the perimeter of the land.

Handwritten signatures: M.R.A., C.W.M., K.B., M.B., J.C.B.

Management Plan

Handwritten signatures: M.R.A., C.W.M., K.B., M.B., J.C.B.

3. In considering any request by the Owner for an approval in terms of Clause 2 hereof, the Board will not unreasonably withhold its consent if it is satisfied that the proposed work is in accordance with the aim and purpose of the covenant as contained in the First Schedule.
4. Except with the prior written consent of the Board, no action shall be taken or thing done, either on the land or elsewhere, which will in any way cause deterioration in the natural flow, supply, quantity, or quality of any river, stream, lake, pond, marsh, or any other water resource affecting the land., however*
5. The Owner shall notify the Trust of any advice received from any power authority, mining company, or other body or person of the intention to erect utility transmission lines or carry out any mining or quarrying on the land and shall not signify any concurrence in relation to the proposed work without the written permission of the Board.
- 6(i) The Owner shall continue to comply with the provisions of the Noxious Plants Act 1978 and the Agricultural Pests Destruction Act 1967 and all amendments thereto provided, however, that the Owner may request assistance from the Trust in carrying out the aforementioned responsibility.
- 6(ii) That in keeping with the aims and purposes of this covenant the Owner shall continue to comply with the Wild Animal Control Act 1977 and shall take reasonable measures for the control of wild animals as defined in the Act.
7. ~~The Owner shall keep all fences and gates on the boundary of the land in good order and condition and will accept responsibility for all minor repairs. Except as provided for in Clause 8 herein or in the Third Schedule hereto rebuilding or replacement of all such fences and gates will be the responsibility of the Owner.~~
8. The Trust shall repair and replace to its former condition any fence, gate or other improvement on the land which may have been damaged in the course of the Trust or any member of the public exercising any of the rights conferred by the covenant.
9. Subject to any conditions mutually agreed between the Trust and the Owner, members of the public shall have access to the land with the prior permission of the Owner.
10. The Owner may approve the use of firearms and traps by any person or persons for the eradication of noxious animals on the land.
11. The Trust, through its officers, agents or servants, may at all times enter upon the land for the purpose of viewing the state and condition thereof. In exercising this right, any officer, agent or servant of the Trust will notify the Owner in advance.
12. Any consent, approval, authorisation or notice to be given by the Trust shall be sufficient if given in writing signed by the Executive Officer of the Trust and delivered or sent by ordinary post to the last known residential or official address of the Owner or to the solicitor acting on behalf of the Owner.
13. The Owner or the Trust may at any time during the term of this covenant, by mutual agreement, carry out any works, improvements or take any action either jointly or individually or vary the terms of this covenant to ensure the more appropriate preservation of the land as an open space in terms of the Act provided, however, such agreement is not contrary to the aim and purpose of this covenant.
14. The Trust may, with the prior approval of the Minister of Lands, revoke this covenant if all the members of the Board are satisfied that by reason of any change in the character of the land or of any other circumstances which the Board may deem sufficiently material, this covenant ought to be deemed obsolete, or that the continued existence thereof would impede the reasonable use of the land without securing any practical benefit consistent with the purpose of the Act.
15. Nothing in these presents hereinbefore contained shall be deemed to render the Covenantor personally liable for any breach of these covenants and conditions committed after the Covenantor shall have ceased to be the Owner.
16. The Owner shall notify the Trust of any change of ownership or control of all or any part of the land, and shall supply the Trust with the name and address of the new owner or lessee.
17. If at any time prior to registration hereof by the District Land Registrar the Owner desires to sell or otherwise dispose of all or any part of the land such sale or disposition shall be made expressly subject to the restrictions, stipulations and agreements contained in the Second Schedule hereto.

* the Owner may continue to take water for private electricity generation.

L.L.K.B.
M.R.A.
C.O.M.
L.L.B.
M.R.A.
L.L.B.
M.R.A.

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, WARREN FRANCIS BROWN of INVERCARGILL
(full name) (Town/City)

in New Zealand BRANCH MANAGER **HEREBY CERTIFY:**
(Position in the Bank)

1. THAT by Deed dated the 13th day of October 1989 copies of which are deposited in the Land Transfer Offices at:

Auckland	as No.	CO56526.1F
Blenheim	as No.	149027
Christchurch	as No.	835092.1
Dunedin	as No.	740456
Gisborne	as No.	G 176546.1
Hamilton	as No.	H 910602
Hokitika	as No.	083778
Invercargill	as No.	167718.1
Napier	as No.	517938.1
Nelson	as No.	292639
New Plymouth	as No.	365386
Wellington	as No.	B 039320

The Rural Bank Limited (formerly Rural Banking and Finance Corporation of New Zealand Limited as is evidenced by No. 182820.1 (Southland Registry) an incorporated company having its registered office at Wellington (hereinafter called "the Bank") appointed me its Attorney with the powers and authorities specified in the said Deed.

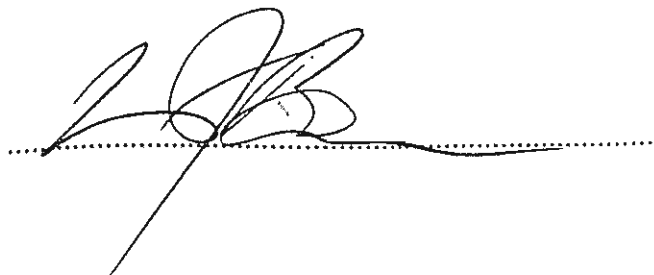
2. THAT at the date hereof I am BRANCH MANAGER
of the Bank. (Position in the Bank)

3. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the Bank or otherwise.

SIGNED at INVERCARGILL

this 9th day of Nov.

19 89



QUEEN ELIZABETH THE SECOND NATIONAL TRUST

OPEN SPACE COVENANT

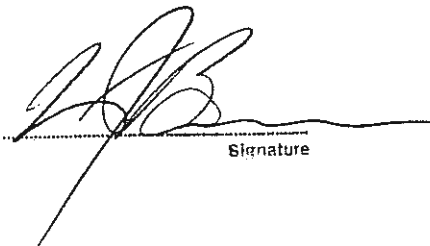
COVENANTORS: ROBERT WILLIAM BUTSON, LINDA KATHLEEN
BUTSON, ERIC DOUGLAS McKNIGHT &
WILLIAM RUSSELL ANDREWS

RURAL BANK LIMITED

as mortgagee only of the land under Mortgage No: 136371.2 hereby consents to the registration of the within-written covenant but without prejudice to its rights, powers and remedies under the said mortgage and without undertaking or acknowledging any of the within-written restrictions, stipulations and agreements to be observed or performed.

It is hereby certified that the said Mortgage(s)/ Instrument(s)/Debenture(s) has/have become vested in Rural Banking and Finance Corporation of New Zealand Limited by virtue of the provisions of the Rural Banking and Finance Corporation of New Zealand Act 1989.

Witnessed by The Rural Bank Limited
by its Attorney
Warren Francis Brown
(name in full)



Signature

in the presence of:

Witnessed by: [Handwritten Signature]
Witnessed by: [Handwritten Signature]
Witnessed by: [Handwritten Signature]

It is hereby certified that the (Mortgagee/ Grantee) has changed its name from Rural Banking and Finance Corporation of New Zealand Limited to The Rural Bank Limited (as is evidenced by No. 182820.1 (Southland Registry).

THIRD SCHEDULE

1. A Management Plan will be produced in conformity with the aims and objectives of the First Schedule and will include details on:
 - a) grazing to protect area surrounding the lagoon
 - b) monitoring of trends and conditions in the wetland
 - c) water fowl management, including banding, by DOC
 - d) public use and facilities
 - e) control of weeds and wild animals
 - f) any other relevant matters
 - g) a copy of the Management Plan will be held at the offices of the Trust.

2. Subject to necessary water rights the Owner may raise the lagoon a further 60cms if needed for hydroelectric power generation.

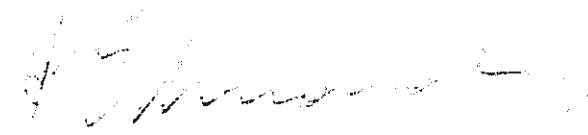
M.R.A.
(D) 101.
L.B. M.
P.L.C.B.
L.L.K.B.

h

Pursuant to Section 22(3) of the Queen Elizabeth the Second National Trust Act 1977 and to a delegation from the Minister of Lands dated the 14th day of May 1990, the Commissioner of Crown lands hereby consents to the execution of the within Open Space Covenant.

Dated the 30 day of June 1990

Signed by the
Commissioner of Crown Lands

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)