

Crown Pastoral Land Tenure Review

Lease name: Mt OAKDEN

Lease number: PC 072

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.

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DUE DILIGENCE REPORT CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:

Mt Oakden Station

File Ref: CON/50269/09/12767/A Report No: CH0113 Report Date: 8 February 2001

Office of Agent: Christchurch LINZ Case No: Date sent to LINZ: 8 February 2001

RECOMMENDATIONS

- 1. That the Commissioner of Crown Lands or his delegate **note** this Due Diligence Report which has been prepared in accordance with the Pre Tenure Review Assessment Standard;
- 2. That the Commissioner of Crown Lands or his delegate **note** the following incomplete actions which require action by the Manager Crown Property Contracts [or other party];
 - There is evidence of at least four unauthorised occupations on the lease in the form of bach, hut or boatshed sites. As it is not possible to determine the exact location of these sites from file records it is possible that they may in fact not be on the lease.

Signed by Opus:

Mike Todd

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

Name:
Date of decision: / /

1. Details of lease:

Lease Name: Mt Oakden
Location: Lake Coleridge

Lessee: Estate AD Robertson and NW Robertson

Tenure: Pastoral Lease

Term: 33 Years from 1 July 1990

Annual Rent: \$4,050.00
Rental Value: \$180,000.00
Date of Next Review: 1 July 2012
Land Registry Folio Ref: CB529/82

Legal Description: Run 281, situated in Blocks III, IV, VII, and IX,

Oakden Survey District.

Area: 3464.1091 hectares

2. File Search

Files held by Agent on behalf of LINZ:

File Reference	Volume	From	To
CON/50269/09/12767/A	1	22/08/2001	Present

Other relevant files held by LINZ:

File Reference	Volume	From	То
Pc/072/A-SCH-01 (plans only)	_	-	_
Pc/072-SCH-01	1	12/11/1947	30/07/1964
Pc/072-SCH-02	2	11/08/1964	28/05/1992
Pc/072-SCH-03	3	01/08/1993	30/06/2000
CON/50213/09/12767/A	1	01/07/2000	Present

3. Summary of lease document:

Terms of lease

Pastoral lease under the Land Act 1948 issued for 33 years from 1 July 1957. The lease has a base stock limit of 2805 sheep with the holders having a personal exemption of 3600 sheep (including not more than 2600 breeding ewes), 180 cattle (including not more than 155 breeding cows) and 50 deer.

The lease was renewed and varied by memorandum registered 21 December 1989. The renewal took effect from 1 July 1990 and the variation replaced the existing covenant to pay rent with a new clause.

Area adjustments

The area of this lease on the computer interest register is 3464.0091 hectares. This incorrect area is due to a miscalculation of the metric area when certificate of alteration 951202 was registered on 21 March 1974.

Registered interests

597020	Electricity Agreement registered 19 March 1963
	Agreement for the then holder to pay an annual charge for the supply of electricity to the power. Agreement is for a period of twenty years from the date of connection of supply.
782157.5	Mortgage of share of NW Robertson to AD Robertson registered 22 December 1988.
	First mortgage of his one half share NW Robertson to AD Robertson.
845456.1	Variation and Renewal of Lease registered 21 December 1989.
	Renewing the lease for a further period of 33 years and altering it by replacing the covenant to pay rent with a new clause.
960569.2	Mortgage to PGG Trust Limited registered 17 October 1991. First mortgage.
967656.1	Memorandum of Priority registered 29 November 1991.
	Giving priority of mortgage 960569.2 over mortgage 782157.5
A343952.2	Transfer of Easements registered 20 March 1998.
	Granting to Coleridge Power Ltd easements to store water over parts of the property.

Unregistered interests

There are apparently four bach's or huts on the property which are occupied by persons other than the holders. There is no record of any approval to the occupation of these sites or the erection of the buildings.

4. Summarise any Government programmes approved for the lease:

There are no approved programmes for this lease.

5. Summary of Land Status Report:

A Land Status Report was undertaken by Opus in December 2001. The following items were identified for consideration in the context of Due Diligence.

- Whakamatau (Lake Coleridge) which adjoins this lease is subject to a Statutory Acknowledgement in terms of the Ngai Tahu Claims Settlement Act 1998.
 - It is not considered that this has any impact on the tenure review of this lease.
- Memorandum of Transfer A343952.2 is a grant of easement (pursuant to section 60 Land Act 1948) for a right to store water and other ancillary rights over the subject land as shown 'U' and 'RR' on SO Plan 16796.
 - As this is a registered interest it is not considered that it will have any impact on the tenure review of the lease. It is noted that the easement would need to be bought down on any subsequent freehold title.
- There is a variance in the area of this land. The metric conversion of 8560 acres as defined on SO's 11026 and 11563 is 3464.1091 hectares. The certificate of alteration registered as 951202 altering the area of the lease shows the area as 3464.0091 hectares.
 - This is noted above.

6. Review of topographical and cadastral data:

There are two instances where the formation of the Mt Algidus Road through the property does not follow its legal alignment.

7. Details of any neighbouring Crown or conservation land

Other than the Wilberforce and Harper Rivers to the west and north and Lake Coleridge to the east, none of which are suitable for inclusion in a tenure review, there is no adjoining Crown or conservation land.

8. Summarise any uncompleted actions or potential liabilities:

There is evidence of at least four unauthorised occupations on the lease in the form of bach, hut or boatshed sites. As it is not possible to determine the exact location of these sites from file records it is possible that they may in fact not be on the lease.

Appendices

Appendix 1 – Status Check and Plan

Appendix 2 – Folios relating to Unauthorised Occupation of Lease

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Appendix 1 – Status Check and Plan

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OPUS INTERNATIONAL CONSULTANTS LIMITED APPENDIX A DUNEDIN OFFICE

Project Number 6NLITR.02/156YC



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

LAND S	STA	ATUS REPORT for Mount Oakden	LIPS Ref 12767
Property	1	of 1	

Land District	Canterbury	
Legal Description	Run 281 situated in Blocks III, IV, VII, VIII and IX Oakden Survey District.	
Area	3464.1091 hectares	
Status	Crown Land subject to Pastoral Lease P.72	
Instrument of title / lease	Pastoral Lease CB529/82 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 845456.1	
Encumbrances	Subject to:- • 597020 Electricity Agreement pursuant to Section 3 Electricity Act 1948. • A343952.2 Transfer creating rights to store water. • Part IVA of the Conservation Act 1987.	
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase	
Statute	Land Act 1948 and Crown Pastoral Land Act 1998	

Data Correct as at	12 December 2001	
[Certification Attached]		

Prepared by	John Kirk	filia
Crown Accredited Agent	Opus International Ć	onsultants Ltd, Dunedin

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LAND STATUS REPORT for Mount Oakden

LIPS Ref 12767

Property 1 of 1

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.

- Whakamatau (Lake Coleridge) which adjoins this lease is subject to a Statutory Acknowledgement in terms of the Ngai Tahu Claims Settlement Act 1998.
- Memorandum of Transfer A343952.2 is a Grant of Easement (pursuant to Section 60 Land Act 1948) for a right to store water and other ancillary rights over the subject land as shown "U" and "RR" on SO Plan 16796.
- There is a variance in area of this land. The metric conversion of 8560 acres as defined on SO's 11026 and 11563 is 3464.1091 hectares. The certificate of alteration registered as 951202 altering the area of this lease shows the area as 3464.0091 hectares.

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LAND STATUS REPORT for Mount Oakden	LIPS Ref 12767
Property 1 of 1	

Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	K34, K35
Local Authority	Selwyn District
Crown Acquisition Map	Kemp Purchase 1848 (Canterbury Block)
SO Plan	SO 4094-Plan of application sections 31639, 31697, 36727 Now part Run 281 [August 1883]
	SO 4951-Plan of subdivision of Run 178 situated in Blocks VIII & IX Oakden Survey District.[March 1912]
	SO 8381-Plan of Land to be proclaimed Road being part R.S. 36727 & 36728 and Road to be closed through R.S. 36727.[May 1951]
	SO 8445- Plan of part R.S. 36727 and Pt Closed Road in Proc 356155 situated in Block VIII & IX Oakden Survey District [December 1951]
	SO 11026- Plan of part of Run 281 being a representation of the most accurate planimetric definition available as at 9/7/1968 of the boundaries of this lease. [July 1968]
	SO 11563-Plan of part of Run 281 being a representation of the most accurate planimetric definition available as at 26/2/1971 of the boundaries of this lease. [February 1971]
	SO 15385-Plan of Land for Power Generation Purposes, Land for Road, Road to be Closed and severance over Run 281, R.S.3584, Lot 1 DP 36791 Road & Stream situated in block IV Oakden and Block XVI Wilberforce Survey Districts
	SO 16796-Plan of part Run 281, part R.S. 3584, part Lot 1 DP 36791, Road and bed of Lake Stream, being a plan of land fpr power generation purposes and land for road.[October 1986]
	SO 17120-Plan of DOC allocation under section 62 of the Conservation Act 1948 [as at April 1987]
	SO 19039-Plan of waterways in pastoral lease
Status Check Mt Oakden Page 3	

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LAND STATUS REPORT for Mount Oakden	LIPS Ref 12767
Property 1 of 1	

Sept. Market Control of the Control	500/00 -1 Link G 4' CA - F-A' -
	529/82 along which Section 24 of the Conservation Act applies.[June 1993] approved for record purposes.
	SO 19752-Plan of Section 1 SO 19752 being a definition of Lake Coleridge. Status of this adjoining land is Crown Land; this defines an operating easement for the generation of electricity.
	SO 19855- Plan of Whakamatau (Lake Coleridge) Area referred to in the Deed of Settlement for the Ngai Tahu Claim (MD 128) [November 1997]
Relevant Gazette Notices and / or Computer interest register.	Areas VV, ZZ Stopped Road, Gazette 1988 page 3872. [Adjacent land]
	Section 1 and 2 SO 16796 taken for Generation of Electricity Gazette's 1988 page 3671 and Gazette 1988 page 5048. [Adjacent land]
	Sections 1, 2 and 3 SO 16796 Exempt from Section 24 Conservation Act 1987. [Adjacent land]
CT Ref / Lease Ref	CB529/82 Pastoral Lease CB44D/200 Computer interest register under Land Transfer Act 1952. This records a Deed of easement under Section 60 of the Land Act 1948 over Section 1 SO 19752.
Plan Index	Up to 1987 SO's 4094, 4951, 8381, 8445, 11026, 11563, 15385 & 16796.
Legalisation Cards	SO 16796 attached
Statutory Actions (Landonline)	SO 16796 see relevant gazettes above
CLR	Supports Pastoral Status
Allocation Maps (if applicable)	DOC allocation [LARES ref D*34*8*CO] an adjoining allocation to the Department of Conservation under Section 62 of the
	Conservation Act 1987. Other SOE allocation to Electricorp under the State Owned Enterprises Act 1987. [LARES ref E*K43*E1*CO] note this is over part of this lease and is shown as areas "RR & U on SO
	16796".
VNZ Ref - if known	24260/3800A- D J A Barrell [Occupier]

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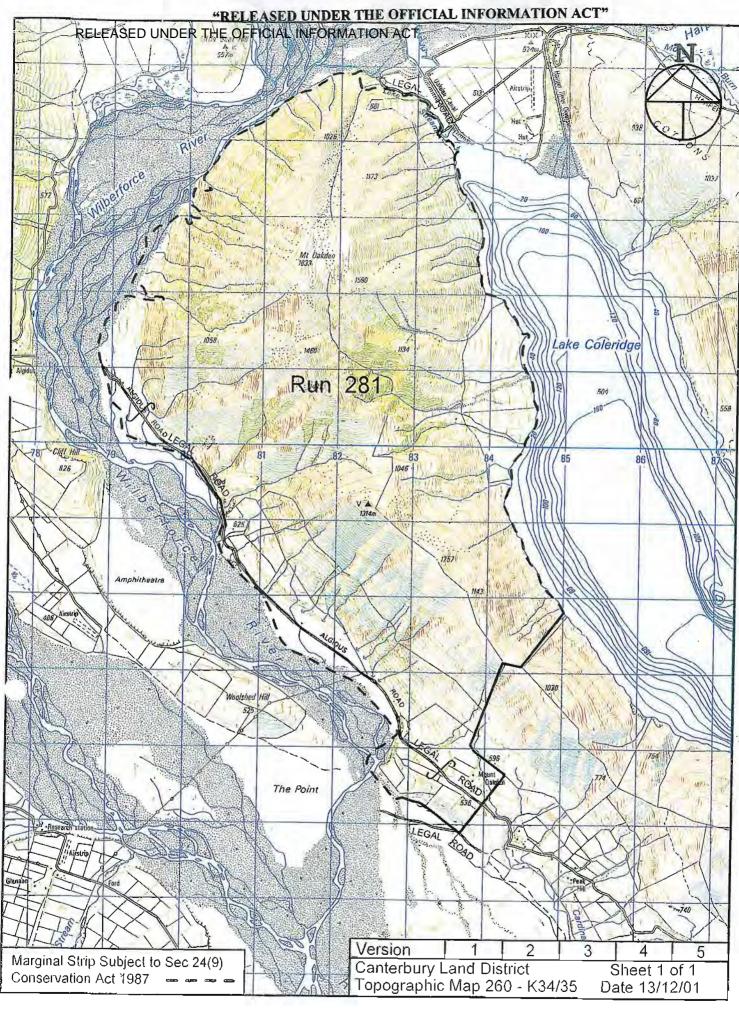
LAND STATUS REPORT for Mount Oakden	LIPS Ref 12767
Property 1 of 1	

	24260/3800B- G F Megget [Occupier] 24260/3800C- T H Harrison [Occupier] 24260/3800D- Christ's Collage [Occupier] 24260/3800E- A D & N W Robertson [Lessee]
Crown Grant Maps	Not searched
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58]	a) Section 24(9)
b) Date Created	b) 1 st July 1990
c) Plan Reference	c) SO Plan 19039

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LAND STATUS REPORT for Mount Oakden	LIPS Ref 12767	
Property 1 of 1		1

Research - continued If Crown land - Check Irrigation Maps. Not applicable Not applicable Mining Maps a) SO Plan Not applicable If Road a) Is it created on a Block Plan - Section 43(1)(d) Transit NZ Act 1989 b) Proc Plan b) By Proc c) Gazette Ref Other Relevant Information a) The Department of Conservation has been consulted and no a) Concessions - Advice from DOC or Conservation area status land has been identified within the Knight Frank. boundary of this property. b) Whakamatau (Lake Coleridge) which adjoins this lease is b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998 subject to a Statutory Acknowledgement in terms of the Ngai Tahu Claims Settlement Act 1998. c) Mines and Minerals are owned by the Crown because the c) Mineral Ownership land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under 1848 Kemp Purchase d) d) Other Info





Mt Oakden

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Appendix 2 – Folios relating to Unauthorised Occupation of Lease

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D Roger R/1

INTEROFFICE MEMO

DATE:

NOVEMBER 28, 1997

TO:

GEOFF HOLGATE

CC:

ROGER LOUGH

FROM:

CAROLINE MASON

OUR REF:

PC 072

SUBJECT:

MT OAKDEN BACH SITES

The attached file notes and copies of correspondence refer. My concern is that we clarify the status of these sites now before the situation arises in the context of tenure review. I suspect that these are huts which have been there for years and probably the occupants have assumed 'de facto' rights to occupancy.

In order to clarify the situation, especially in terms of the status of these sites if they are located on the pastoral lease, I recommend that we take the following actions;

- 1. Write to the lessee per the attached letter and ask him for his comments and to locate the sites on a map.
- 2. If this shows that the sites are located on the pastoral lease, that we advise CCL and recommend that a letter be sent to the occupants advising that they have no formal agreement to occupy these sites and that they do so at the goodwill of the lessee.

I also noticed that there has been no follow up to the letter dated 28.5.92 from DOSLI re taking of land from the pastoral lease for hydro purposes. I suggest that the attached letter be sent to LINZ requesting an update on progress.

CAROLINE MASON

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NOTE FOR FILE

DATE:

28 November 1997

REF:

PC 072

SUBJECT:

Mt Oakden

After receiving recent notices of valuation for the Selwyn roll revaluations and speaking to Katrina Banks of Valuation New Zealand (refer my file note of 25.11.97), I searched the files on Mt Oakden to see if there was any correspondence relating to these hut sites.

The first mention of a proposal to erect a hut is in closed vol. 1, folio 168, where there is a note on the bottom of the folio which says that a Mr E G Barrell applied for permission to erect a hut on this run, and that he was advised by phone that the application was refused. This note is dated 29.10.1948.

The lease then transferred to the current lessee Mr A Robertson. In folio 245 (27.5.56), Mr Robertson wrote to the Department enquiring as to whether a Mr Crosbie could erect a hut at the end of Lake Coleridge. This letter mentions that 2 other huts existed that were erected during the previous lessee's day.

Subsequent correspondence on file (fol. 246, 295, 298, 299, 300) in relation to this application and a subsequent application by Mr Gazzard for consent to erect a boat shed suggests that these applications were declined either formally by the Department (in the case of Mr Gazzard) or by the lessee.

There is no further correspondence on file relating to any hut sites other than Notices of Valuation in 1986 in the names of JD Barrell (number 24260-35), TH Harrison (24260-37) and J & AW Fraser (24260-36). These people were noted as 'sub-lessees'. The only other Notices of Valuation are dated 1991 for JD Barrell (number 24260-35), and 1994 also for JD Barrell (number 24260-35).

It appears that these huts are in effect 'squatting' on the pastoral lease and that there are no formal arrangements in place for their occupancy.

The only way of finding out more of the history of these sites and their arrangements (if any) with the lessee would be to write to the lessee.

CAROLINE MASON

28 November 1997

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CAROLINE MASON

28 November 1997

"RELEASED UNDER THE OFFICIAL INFORMATION ACT" 5. G.R. 264 168 RELEASED UNDER THE OFFICIAL INFORMATION ACT RHODES, ROSS & GODBY P. O. BOX 91 TELEPHONE 3B-342 BARRISTERS & SOLICITORS MICHAEL HARRY GODBY ALLIANCE ASSURANCE BUILDING, JOHN HEATON RHODES H.A.(OXON) INNER TEMPLE 135 HEREFORD STREET. CABLE ADDRESS
'GRAVENOR' CHRISTCHURCH CHRISTCHURCH, C.I. N.Z. 26th October, 1948. The Commissioner of Crown Lands, Private Bag, CHRISTCHURCH. Dear Bir, M.H.O'Rorke-Mt. Oakden. We thank you for yours of 21st October, with copy letter of 20th October to Mr. O'Rorke. Mr. O'Rorke has completed the re-arrangements of his finance with Pyne Gould Guinness Ltd. and is now. clear of the Bank. Yours faithfully, Render Ray Godly Mr. E. G. Barrell (plane 30203) applied for permission to erect a hut on this run.

M. Oahdon

P.B. CLEL

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M. J. W. Preston Commissionery of brown Rands Christchurch. Dear Sir. Rast Saliveday I Rad a visil a Mª Grosbie! who asked me If he could erect a hat on M' Oahden,

the head of Lake Coloridge.

I explained the position to him, that

this was Grown Land, & I would get in louch with you to see what your Depts, attitude towards building on this land. There are abready two Luts over on the lake, crected debring M'O'Rorhes day. If you thought it adviscable for me to come a talk it over with you. Id only be 100 pleased. yours Faithfully A.W. Robertson

Keply any comment I might give would be conditioned on his own consent having hist been given. Threed to see him if he comes comes in . Thould Je be not in ask to me keeple a nor frier

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"
RELEASED UNDER THE OFFICIAL INFORMATION ACT
JEF A

SGR 264

Private Bag, CHRISTCHURCH.
1 June, 1956.

Mr A. D. Robertson, Mt. Cakden, Private Bag, CHRISTCHURCH.

Dear Sir,

R.S. 36727, BLOCKS III, IV, VII & VIII, OAKDEN SURVEY DISTRICT

Receipt of your letter of 27 May is acknowledged.

Any consent I might give to erect a hut on Mount Oakden at the head of Lake Coleridge would be conditional on your consent having first been given.

。15、16年夏胡蘭河南

I will be pleased to see you if you do call at the office; should I not be in, however, you could ask for Mr Relph or Mr Price.

Yours faithfully,

(T. W. Preston) Commissioner of Crown Lands

Said two buts already then I have some of the sound the sound the sound the sound the sound the sound of the sound the sound of the sound the sound the sound the sound the sound the sound to say more than always the appreciates that altimately if them is enough the appreciates that altimately if them is enough demand some interested body might wish to take men an area a lease but sites to fisherman.

29.6.56

"RELEASED UNDER THE OFFICIAL INFORMATION ACT" RELEASED UNDER THE OFFICIAL INFORMATION ACT NZED 332 OUR REFERENCE: TELEGRAPHIC ADDRESS: WATERPOWER г.о. вох. 1251 TELL, 2. ONE: 65759 NEW ZEALAND ELECTRICITY DEPARTMENT CHRISTCHURCH, 30 July, 1964. Commissioner of Crown Lands, Department of Lands & Survey, Private Bag, CHRISTCHURCH. Dear Sir, Erection of a Boat Shed : Lake Coleridge. Enclosed is a plan submitted by Mr. A.H. Gazzard and a copy of the covering letter asking permission to erect a boat shed at Lake Coleridge. As this Department does not appear to have control over this land I am referring the matter to you for your consideration. R.S.S.Meredith, District Electrical Engineer, From the skelet. The boat ched appears to be antho Ich. ship between Run 281 hor Oakden I take Colerida. re is no comprehensive bland Run 181. doing the Lake eye is coloured burnt sien lived as hee 58 sl

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Com d

CHRISTOHUROH,

50 July, 1964.

Occusionationer of Grown Lands, Deputational of Lands & Survey, Frivate Mag, Ord Officers,

Dear Bir,

Arection of a Boat Shed : Lake Coloridge.

Enclosed is a plan submitted by Mr. A.L. Gazzard and a copy of the covering letter asking permission to areat a lest their their Coleridge.

MENY SULULIAND FULLCURICATE DELAKTOR

As this Department does not appear to have control over this land I am reforming the matter to year for your consideration.

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Desired nound all the Lakes from the

High booler mengin to annath gar least

2 chairs Ond specified

The Cheef his regar to be advised according that 1885 96 +508 west I cho and end

Aperified lakes brit not and Lyza Colendge

-copy-

P.O. Box 213, ASHBURTON,

4 July, 1964.

District Electrical Engineer,
District Office,
New Zealand Electricity Department,
M.L.C. Building,
Manchester Street,
CHRISTCHURCH.

Dear Sir,

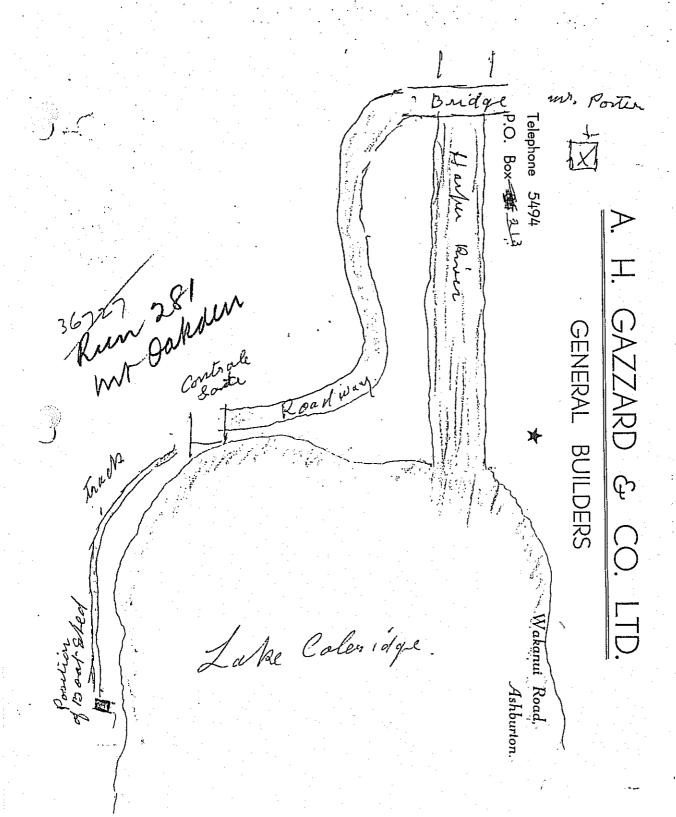
Permission to Erect Boat Shed at Lake Coleridge.

Please may permission be granted to erect a 16' x 8' boat shed at the head of Lake Coleridge.

The proposed position of the site is shown on the enclosed sketch plan.

It would be very much appreciated if permission could be granted as this would obviate the necessity of transporting my boat from Ashburton through the Rakaia Gorge, to Lake Coleridge, a trip which is made regularly throughout the fishing season.

Yours faithfully, (Sgd.) A.H. Gazzard.



BOARD APPOINTED TO HAVE CONTROL OF .16 Ochden P.B. CRCR. 25 Dejel 1964. The Commissioner of Prown Rands Phiste Ruck Dear Sir On a visil round to the lope end of Lake Coleridge last chonday, I came across the material for the exection of a Rul! I was told on making enquiries that a man by the name of Gazzard from Ashburton was responsible.

I made a special trip to town on Tuesday 22nd to see you, but was told you were not available. Teler Roberts on ringing the Assistant Commissioner was told that Gazzard Rad rang your Dept, asking formersion, or Rad been told nothing could be done until once of your men had is specled the sile. I seemed no further akead S.

rq

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décided lo go & see Gaggard myself. S

lold him S couldn't agree 10 him

erecting a hul anywhere on M'Dahden

to would be much obliged if he look

the material away. This he has agreed

to do.

S sincerely hope what S have done

meets with your approval, + would like

very much to see you sometime in

the future + discuss the problem, as S

ful this will not be the only case.

Yours faithfully

off. D. Robodson.

Usan De her Rebertson be deanon day we should in Concern and at the toporthing I would have the fundament by 3019

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NOTE FOR FILE

P.72

Pastoral Lands Officer Roberts note on folio 297 refers.

Mr Gazzard rang me several times about this matter and I told him that if he took any materials to the Lake he would do so at his own risk. He was fully aware of this and explained that he wrote to us in the first place so that he would be going about the matter in the correct manner. His main reason for wanting to erect a shed is to avoid having to pull his boat through the Gorge every time he goes to the Lake.

I discussed the whole question with Mr A. V. Brown who is familiar with the area. We have no aerial coverage nor a mile to the inch series map. Any plans prepared would have to be taken off old survey plans done in the 1870's. The Lake is Crown land and as far as can be ascertained there is a 1 chain road around the Lake. As Roberson does not want lazzard on the run we can answer his application without an inspection.

There are two popular picnic or camping areas, one in the vicinity of the Harper diversion race and the other near the Ryton Stream. In both cases the adjoining land is Canterbury College leasehold or freehold owned by the Murchisons - we are not involved. To get access to the Harper area it is necessary for people to go through the N.Z.E.D. camp area and there does not appear to be any objection to this.

There are no boat sheds on the Lake and large numbers of fishermen have to tow their boats to there from the Lake in the fishing season. This is what Gazzard wants to avoid but if he is granted a permit there is not a shadow of a doubt that we will be asked to issue more permits and we could well have the same position as exists at Lake Sumner.

29/9/64

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62-649 P.72

Private Bag, CHRISTCHURCH.

29 September 1964. Called this morning - have not pereive our letter. Very unhappy with the downs Says there is definitely on bout sher on the C L or he muse expect is to do nomething about it. If 1/10/64

Mr A. H. Gazzard, P 0 Box 213, ASHBURTON.

Dear Sir,

BOAT SHED AT LAKE COLERIDGE

Referring to my letter of 11 August, it has been established that the site on which you wish to erect your boat shed is either on the adjoining run, leased by Mr A. D. Robertson, who does not want boat sheds erected on his property, or on the legal but unformed road or on the Lake shore itself. As the lake is Crown land and you would not be permitted to erect buildings on the legal road, I regret that your application must be declined. Department issued you with a permit to build a shed on the Lake shore it would be difficult to refuse other applicants similar permits and the large scale erection of buildings in this area is undesirable.

Will you please, therefore, arrange to remove the building materials which I understand you have taken to Lake Colcridge.

Yours faithfully.

N. S. Coad Commissioner of Grown Lands

Per:

Chief Pastoral Lands Officer, CHRISTCHURCH.

Copy for your information. Many her shows work in

area Loon.

Commissioner of Crown Lands

LAND STATUS REPORT

OPUS INTERNATIONACE CONSIDER THE OFFICIAL INFORMATION ACT" OPUS INTERNATIONACE CONSIDER THE OFFICIAL INFORMATION ACT" APPENDIX A DUNEDIN OFFICE

Project Number 6NLITR.02/156YC



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

LAND STATUS REPORT for Mount Oakden	LIPS Ref 12767
Property 1 of 1	

Land District	Canterbury	
Legal Description	Run 281 situated in Blocks III, IV, VII, VIII and IX Oakden Survey District.	
Area	3464.1091 hectares	
Status	Crown Land subject to Pastoral Lease P.72	
Instrument of title / lease	Pastoral Lease CB529/82 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 845456.1	
Encumbrances	 Subject to:- 597020 Electricity Agreement pursuant to Section 3 Electricity Act 1948. A343952.2 Transfer creating rights to store water. Part IVA of the Conservation Act 1987. 	
Mineral Ownership	Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Purchase	
Statute	Land Act 1948 and Crown Pastoral Land Act 1998	

Data Correct as at	12 December 2001
[Certification Attached]	

Prepared by	John Kirk	fflitz
Crown Accredited Agent	Opus Internation	nal Čonsultants Ltd, Dunedin

LAND STATUS REPORT FOR VIOLENT CONTROL OF STATUS

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.

- Whakamatau (Lake Coleridge) which adjoins this lease is subject to a Statutory Acknowledgement in terms of the Ngai Tahu Claims Settlement Act 1998.
- Memorandum of Transfer A343952.2 is a Grant of Easement (pursuant to Section 60 Land Act 1948) for a right to store water and other ancillary rights over the subject land as shown "U" and "RR" on SO Plan 16796.
- There is a variance in area of this land. The metric conversion of 8560 acres as defined on SO's 11026 and 11563 is 3464.1091 hectares. The certificate of alteration registered as 951202 altering the area of this lease shows the area as 3464.0091 hectares.

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LANDSTAT	USREPORT	or Mount Oakden	LIPS Ref 12767
Property 1 of	1		

Research Data: Some Items may be not applicable

SDI Print Obtained	Yes
NZMS 261 Ref	K34, K35
Local Authority	Selwyn District
Crown Acquisition Map	Kemp Purchase 1848 (Canterbury Block)
SO Plan	SO 4094-Plan of application sections 31639, 31697, 36727 Now part Run 281 [August 1883]
	SO 4951-Plan of subdivision of Run 178 situated in Blocks VIII & IX Oakden Survey District.[March 1912]
	SO 8381-Plan of Land to be proclaimed Road being part R.S. 36727 & 36728 and Road to be closed through R.S. 36727.[May 1951]
	SO 8445- Plan of part R.S. 36727 and Pt Closed Road in Proc 356155 situated in Block VIII & IX Oakden Survey District [December 1951]
	SO 11026- Plan of part of Run 281 being a representation of the most accurate planimetric definition available as at 9/7/1968 of the boundaries of this lease. [July 1968]
	SO 11563-Plan of part of Run 281 being a representation of the most accurate planimetric definition available as at 26/2/1971 of the boundaries of this lease. [February 1971]
	SO 15385-Plan of Land for Power Generation Purposes, Land for Road, Road to be Closed and severance over Run 281, R.S.3584, Lot 1 DP 36791 Road & Stream situated in block IV Oakden and Block XVI Wilberforce Survey Districts
	SO 16796-Plan of part Run 281, part R.S. 3584, part Lot 1 DP 36791, Road and bed of Lake Stream, being a plan of land fpr power generation purposes and land for road.[October 1986]
. •	SO 17120-Plan of DOC allocation under section 62 of the Conservation Act 1948 [as at April 1987]
	SO 19039-Plan of waterways in pastoral lease

n -			L-INTRODUCTION ACTIV
LAND	STAT	US REPORT GREMOWN ON GEN	Lips Ref 12767
Property	1 of	1	

	529/82 along which Section 24 of the Conservation Act applies.[June 1993] approved for record purposes. SO 19752-Plan of Section 1 SO 19752 being a definition of Lake Coleridge. Status of this adjoining land is Crown Land; this defines an operating easement for the generation of electricity. SO 19855- Plan of Whakamatau (Lake Coleridge) Area referred to in the Deed of Settlement for the Ngai Tahu Claim (MD 128) [November 1997]
Relevant Gazette Notices and / or Computer interest register.	Areas VV, ZZ Stopped Road, Gazette 1988 page 3872. [Adjacent land] Section 1 and 2 SO 16796 taken for Generation of Electricity Gazette's 1988 page 3671 and Gazette 1988 page 5048. [Adjacent land]
	Sections 1, 2 and 3 SO 16796 Exempt from Section 24 Conservation Act 1987. [Adjacent land]
CT Ref / Lease Ref	CB529/82 Pastoral Lease CB44D/200 Computer interest register under Land Transfer Act 1952. This records a Deed of easement under Section 60 of the Land Act 1948 over Section 1 SO 19752.
Plan Index	Up to 1987 SO's 4094, 4951, 8381, 8445, 11026, 11563, 15385 & 16796.
Legalisation Cards	SO 16796 attached
Statutory Actions (Landonline)	SO 16796 see relevant gazettes above
CLR	Supports Pastoral Status
Allocation Maps (if applicable)	DOC allocation [LARES ref D*34*8*CO] an adjoining allocation to the Department of Conservation under Section 62 of the Conservation Act 1987. Other SOE allocation to Electricorp under the State Owned Enterprises Act 1987. [LARES ref E*K43*E1*CO] note this is over part of this lease and is shown as areas "RR & U on SO 16796".
VNZ Ref - if known	24260/3800A- D J A Barrell [Occupier]

LAND STATUS REPORT GRENDER THE OFFICIAL INFORMATION ACT.

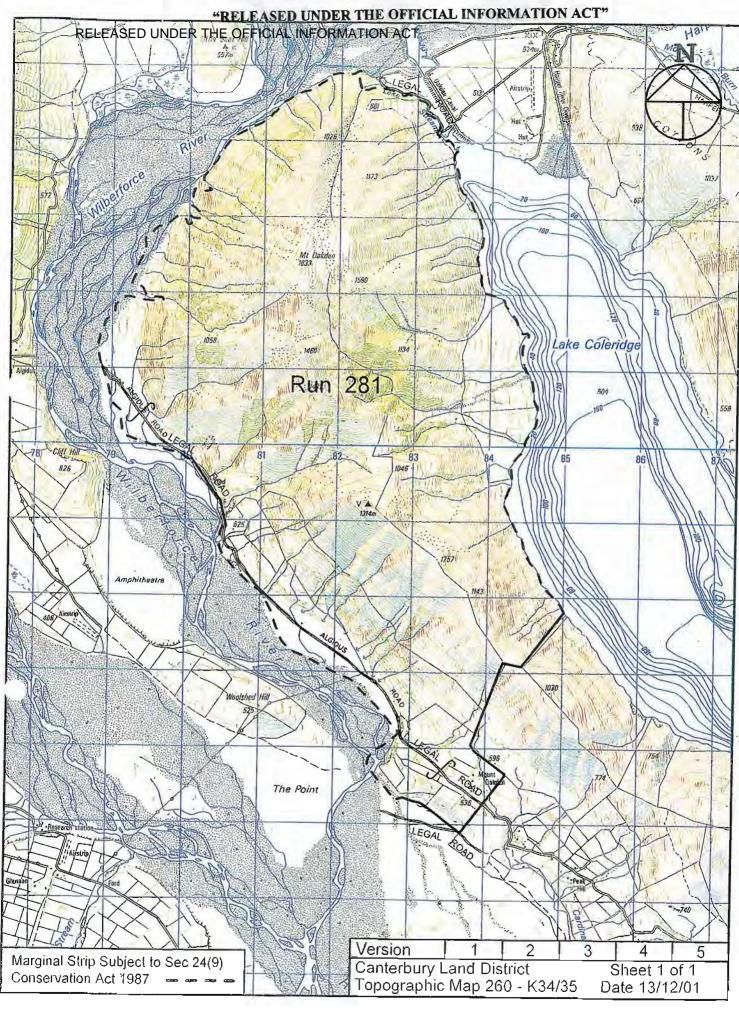
Property 1 of 1

	24260/3800B- G F Megget [Occupier] 24260/3800C- T H Harrison [Occupier] 24260/3800D- Christ's Collage [Occupier] 24260/3800E- A D & N W Robertson [Lessee]		
Crown Grant Maps	Not searched		
If Subject land Marginal Strip: a) Type [Sec 24(9) or Sec 58]	a) Section 24(9)		
b) Date Created	b) 1 st July 1990		
c) Plan Reference	c) SO Plan 19039		

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Property 1	of 1			

Research - continued

If Crown land – Check Irrigation Maps.	Not applicable
Mining Maps	Not applicable
If Road a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989	a) SO Plan Not applicable
b) By Proc	b) Proc Plan
	c) Gazette Ref
Other Relevant Information a) Concessions – Advice from DOC or Knight Frank.	a) The Department of Conservation has been consulted and no Conservation area status land has been identified within the boundary of this property.
b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998	b) Whakamatau (Lake Coleridge) which adjoins this lease is subject to a Statutory Acknowledgement in terms of the Ngai Tahu Claims Settlement Act 1998.
c) Mineral Ownership	c) Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under 1848 Kemp Purchase
d) Other Info	d)
	N





Mt Oakden

RELEASED UNDER THE OFFICIAL INFORMATION ACT

OPUS INTERNATIONAL CONSULTANTS LIMITED APPENDIX B DUNEDIN OFFICE

Project Number 6NLITR.02/156YC



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

LAND S'	ГАТ	`US	REPORT for Mount Oakden	LIPS Ref 12767	***
Property	1	of	1		

Land District	Canterbury	
Legal Description	Run 281, situated in Blocks III, IV, VII, VIII and IX Oakden Survey District.	
Area	3464.1091 hectares	
Status	Crown Land subject to the Land Act 1948	
Instrument of title / lease	Pastoral Lease CB529/82 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal 845456.1	
Encumbrances	Subject to:- • 597020 Electricity Agreement pursuant to Section 3 Electricity Act 1948. • A343952.2 Transfer creating rights to store water. • Part IVA of the Conservation Act 1987.	
Statute -	Land Act 1948 and Crown Pastoral Land Act 1998	

Data Correct as at	12/12/2001
[Certification Attached]	Yes

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

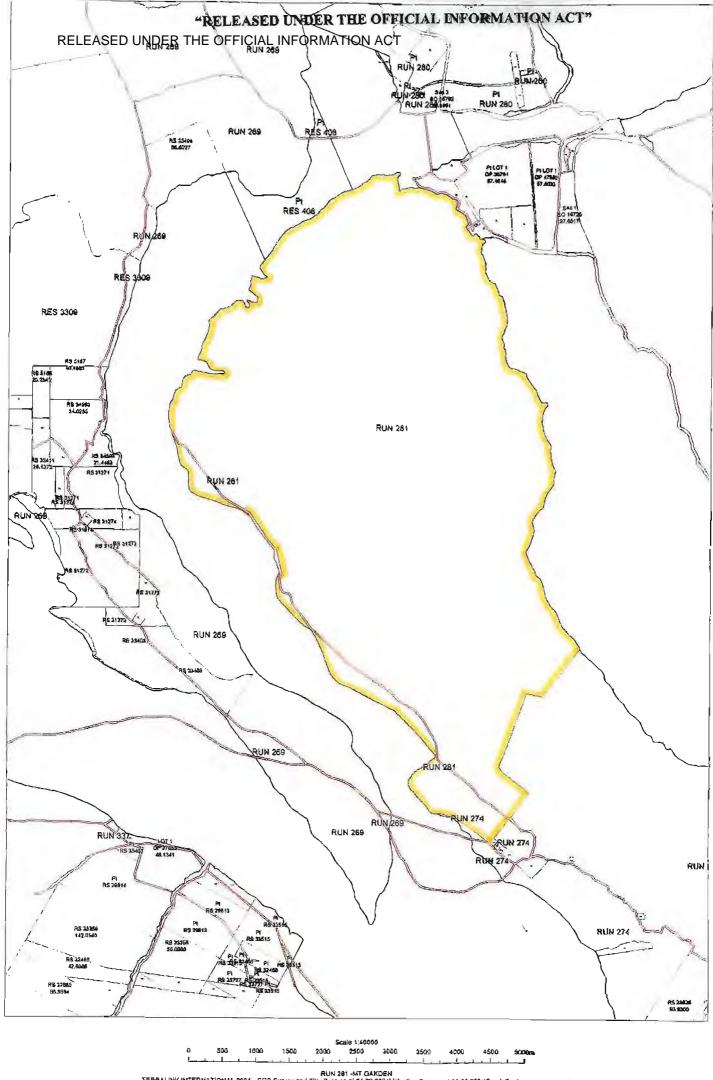
Certification

Pursuant to Section 11(1)(1) of the Survey Act 1986 and acting under delegated authority of the Surveyor-General pursuant to Section 11(2) of that Act, I hereby certify that the land described above is Crown Land under the Land Act 1948 subject to a Pastoral Lease registered as CB529/82

R. Meullo

Ross Moulton, Chief Surveyor Land Information New Zealand.

19 / 12 /2001





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

Search Copy



Identifier

CB529/82

Land Registration District Canterbury

Date Registered

08 July 1957 02:30 pm

Prior References CB442/38

Type

Lease under s83 Land Act 1948

Area

3464.0091 hectares more or less

Term

Thirty three years commencing on the first day of July 1957 and renewed for a term of

33 years commencing 1.7.1990

Legal Description Run 281

Proprietors

Arthur Douglas Robertson as to a 1/2 share Neil William Robertson as to a 1/2 share

Interests

Subject to Section 58 Land Act 1948

597020 Electricity Agreement pursuant to Section 3 Electricity Act 1948 - 19.3.1963 at 2.30 pm

782157.5 Mortgage of his share Neil William Robertson to Arthur Douglas Robertson - 22.12.1988 at 10.53 am

845456.1 Variation of Lease and renewal for the term of 33 years commencing 1.7.1990 - 21.12.1989 at 11.31 am

960569.2 Mortgage to PGG Trust Limited - 17.10.1991 at 11.27 am

967656.1 Memorandum of Priority making Mortgages 960569.2 and 782157.5 first and second mortgages respectively (affects the share of Neil William Robertson only) - 29.11.1991 at 11.27 am

A343952.2 Transfer creating the following easements - 20.3.1998 at 3.00 pm

Type Right to store water	Servient Tenement Run 281 - herein	Easement Area U SO Plan 16796	Dominant Tenement Section 3 Survey Office Plan 16791, Section 2-3 Survey Office Plan 16792, Section 1-3 Survey Office Plan 16796 and Section 2 and Section 1 Survey Office Plan 19685 - CT CB43D/247	Statutory Restriction
Right to store water	Run 281 - herein	RR SO Plan 16796	Section 3 Survey Office Plan 16791, Section 2-3 Survey Office Plan 16792, Section 1-3 Survey Office Plan 16796 and Section 2 and Section 1 Survey Office Plan 19685 - CT CB43D/247	\

Transaction Id

Client Reference

6NLITR 02/156YC MT OAKDEN

Search Copy Dated 30/08/01 11:22 am, Page 1 of 2 Current Certificate of Title Version No. 1

RELEASED UNDER THE OFFICIAL INFORMATION ACT

John S Kirk

From:

loladmin@linz.govt.nz

Sent:

Thursday, 30 August 2001 11:23 john.kirk@opus.co.nz

To:

Subject:

MT OAKDEN



CDE Search -Search Copy Repor..

The following images are delivered to you: CDE Search - Search Copy Report for CB529-82

NEW ZEALAND

II. and B. H.... Entered in the Register-land, Vist. 529 Jul. 22

Ath

day of " July

FILTE

Israel as a Reneval of (or in Eschange for) Lease registered in Fel. 1412 fel. 38

y Secie : I mile to an inch

AND the L

N'at Registered under Land Transfer

Agt. - Registered under Section 83,

CARTERBURY LAND DISTRICT

Assistant Tinger

Land Act, 1948
Pastoral Lease of Pastoral Land under the Land Act, 1948 No. P. 72

This Deed, mule the Piret day of Parch n 1925 MAJESTY. THE SPEED (who, with his beirs and success CUERN HKR ROBERTSCH IV П Õakdop ₩ŧ. Run 281 Rva nony 3464-0091 ha of Alt. 951202 Willserforce Leo 274 VII

doth hereby covenant with the Lesser as follows, that is to key :--

one thousand nine hundred and 21 fty-neven Parch , one thousand nine hundred and Zifty-seven space, is bereimfler referred to as "the ferour", of the one part, and ARTHER ECUGIAS and Luke Coleridge, in the Dominion of New Zealand, Farcast (who, with his executors, administrators, and permitted assigns, is bereimfler referred to as "the Leaser", of the other part, WITNESSFIII that, in consideration of the null hereimfler received, and of the contempts, conditions, and agreements herein contained or implied and on the part of the Leaser to be paid, observed, and performed, the Leaser doth hereby demise and lease must the Leaser ALL gives or pared of Land containing by administration and the Leaser ALL gives or pared of Land containing by administration in the Loud District of Contambusy persons a little more or less, situated in the Loud District of Contambusy. tracker, a little more or less, situated in the Lord District of Canterbury and being Run 281 "Lt. Cakden" attented in Elecia III, IV, VII, VIII, XI, Cakden Survey District. Subject, however, to Section 58 of the Lord Act 1948. [Bereinafter referred to as "the said land"], as the same is more particularly definented in the plan drawn hereon and therein coloured red in outline; together with the rights, easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the become for the term of thirty-three years, commencing on the first day of July one thousand nine hundred and fifty-neven to period between the date of this lease and the aforesaid first day of July Yielding and preins therefore the date of this lease and the aforesaid first day of July situated in the Land District of Canterbury Run 281 "Et. Cakden" situated in El.

July
Yielding and paying therefor during the said term unto the Department of Lands and Survey at the Principal Land Office for the said Land District of Conterbury the clear annual rent of Two hundred and twenty nounds (£220, 0, 0) payable without demand by equal hilf-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 impressents specified in the Schuletern. And also paving bereto the sum of

by a deposit of) (the receipt of which sum is berety acknowledged) and thereafter

(E

) half-yearly instalments of pounds shillings
) on the 1st day of January and

pence (£ ن جارات کی

L THAT the Leure will fully and punctually pay the trut hereinhelium reserved at the times and in the manner hereinhelium named in that leshalf; and also will pay and discharge all cates, taxes, mements, and entgoings whateverer that now are or hereafter may be excessed, levied, or payable in respect of the said land or any part or parts thereof during the said term.

ΙX

2. THAT the Leave will within one year after the date of this base take up his residence on the said land, and thereafter throughout the term of the lease will reside continuously on the said land.

3. THAT the Leave will hald and use the said hard loss fide for his own use and benefit and will not transfer, assign, salled, montgage, charge, or part with preserving of the mid hard or a section approval of the Land Settlement Bunds. Provided that such approval will not be hereastly in the case of a mortgage to the Crown or to a Department of State. m of the mad band or any part

4. THAT the Lemm will at all times farm the said land differently and is a herbanditie manner according to the rake of good humanity and will not in any way commit waste.

E. THAT the Laure will throughout the term of his leass to the satisfaction of the Commissioner of Crown Lands for the Land District of Centerbury (hereinafter referred a Commissioner") cut and trim all live fences and brdges, clear and keep clear the said land of all notions would, and will comply strictly with the practions of the Notions Words Act, 1923. (hereienfter referred to sa

d. THAT the Lenne will keep the mid lend free from wild animals, tabbits, and other vernin, and generally comply with the provisions of the Rabbit Naisance Act, 1923.

7. THAT the Lerest will clear and clear from woods and keep open all creeks, drains, ditches, and watercourses upon the said land, including any drains or ditches which may be constructed by the aministrate after the commencement of the term of the least; and will not at any time without the prior consent of the Commissioner efter the channel of any such oreck or watercourse or stop or direct the water flowing therein.

8. THAT the Lemm will at all times throug the mid term repair and maintain and keep in good substantial repair, order, and condition all improvements belonging to the Crown (including above in the first belonging to the Crown (including above in the first belonging to the Crown including above in the first without the prior written entered of the Commissioner, pull down or pove them or my part of them.

9. THAT the Lesses will begin belonging to the Crown feeleding the appeared by the Commissioner and will pay all premiums falling the name of the Commissioner in some insurance office appeared by the Commissioner and will pay all premiums falling the name of the Commissioner and will pay all premiums falling the name of the Commissioner and will pay all premiums falling the name of the Commissioner and will pay all premiums falling the name of the commissioner and will pay all premiums falling the name of the commissioner areas and the commissioner and the commissioner areas are commissioner are commissioner areas are commissioner areas are commissioner areas are commissioner areas are commissioner are commissioner areas are commissioner are commissi

In THAT the Lemma will not throughout the term of the lease without the prior consent of the Commissioner, which consent may be given on such terms and conditions (including the payment of repulsy) as the Commissioner thinks fit, felt, selt, or remove any timber, tree, or bash growing, standing, or lying on the said hand, and that he will throughout the term of the lease pervent the destruction of our remove any timber, tree, or bash growing, standing, or lying on the said hand, and that he will throughout the term of the lease pervent the destruction.

Provided that the comment of the Commissioner as aforessed shall not be necessary where any such timber or tree is required for any agricultural, pastural, howehold, readmaking, or building purpose on the mid land per where the timber or tree has been pleated by the Lan

11. THAT the Leures shall not, except for the purpose of complying with any of the previous of the Nascella Tamork Act, 1966, bern any toward, nearly fern, or grass on the said land to be burned, andoes in either case he shall have obtained the prior consent in writing of the Commissioner, which consent may be given subject to such terms conditions as the Commissioner may deem necessary. ner may deem necessary.

13. THAT officers and employees of the Department of Internal Affairs shall at all times have a right of ingress, express, and regross over the land comprised in this frame for the purpose of determining whether such land or any adjoining land is infested with dorr, wild great, wild pige, appearance, or other animals a high the said Department is charged with the duty of exterminating or controlling, or for the purpose of destroying any such animals:

Provided that such officers and employees in the performance of the said duties shall at all times avoid under distartance of the Leree's stock.

AND it is burnby agreed and declared by and between the Leasur and the Leasur :--

(c) THAT the Leave chall have the exclusive right of pasturage over the said land, but shall have no right to the soil.

(2) THAT the Leaves shall have no right, title, or claim whatsucrer to any minerals (within the meaning of the Land Act, 1913) on or under the surface of the soil of the said land, and all such minerals are reserved to His Majesty together with a fire right of way over the said land in favour of the Commissioner or of any person authorized by him and of all persons lawfully employed in the working, extraction, or removal of any mineral on or ander the surface of the said land or any adjacent land of the Crownic, rabject to the payment to the Leaves of companions for all damage does to improvements on the mid land belonging to the Leaves in the working, extraction, or removal of any such minerals;

Provided that there shall be no right of way ever, or right to work, extract, or remove any minaral from, any part of the mid land which is for the time being under crop or used outside within Surjects of a yard, garden, orchard, vineyard, namery, or plantation, or within 100 period of any besiding: threelf in the control of a yard, garden, orchard, vineyard, namery, or plantation, or within 100 period of any besiding: threelf in the control of the con

Provided also that the Leans may, with the prior conerct in writing of the Commissioner, which consent may be given subject to such conditions as the Commissioner thinks fit, use any humanis for any egricultural, postered, household, coadmaking, or building purpose on the said land, but not otherwise.

(4) THAT upon the expiration by efficient of the term hereby granted and thereafter at the expiration of each accretion; term to be granted to the Leave the outspired Land Act, 1948, a new lease of the land hereby leaved at a rent to be determined if Collection of the Land Act, 1948, a new lease of the land hereby leaved at a rent to be determined if Collection of the Land Act, 1948, a new lease of the land hereby leaved at a rent to be determined if Collection of the land Act, 1948, a new lease of the land hereby leaved at a rent to be determined if Collection of the land Act, 1948, a new lease of the land hereby leaved at a rent to be determined if Collection of the land Act, 1948, a new lease of the land hereby leaved at a rent to be determined if Collection of the land hereby granted and antiport to the same covertants and provisions and land provisions and land leaved thereof.

RELEASED UNDERSTHE OFFICIAL INFORMATION ACT" AL INFORMATION ACT RELEASED UNDER Mortgage 397424/1 and Finance Corporation - 20 No. 967656/1 Memorandum of Priority making mortgages 960569/2 and 782157/5 first and second mortgages respectively (affects the share of Neil William Robertson only) -Certificate No.420404/7 that the within Mortgage No. 882857 29.11.1991 at 11.27am is vested in the Rural Banking and Finance Corporation of New Zealand / / Z / 1983 at 9.019 Zealand / / / Z / 1963 Subject to is a right to store water easement over part herein marked U, RR on DISCHARGE Survey Office Plan 16796 appurtenant to ng and Mortgage 42589671 Finance Corporation 10.20 a.m. 20.3.1998 at 3.00 No. 425896/2 Memorandum of Priority making Mortgages 425896/1 and 397424/1 second and third mortgages respectively - 21.3.1983 at 10.20 a.m. for A.L.R. Variation of Mortgage 425896/1 - 31.10.1983 at 10.05 a.m./ Weller A.L.R. Variation of Mortgage 425896/1 15.8.1985 at 11.01a.m. Mortgage 698715/3717 Illey and Finance Corporation 11.06a.m.

for A.L.R.

for A.C.R.

for A.L.R.

for A.L.R.

for A.L.R.

a∕Id Guinness

Transfer 782157/3 of a one-half share to Neil William Robertson of Lake Coleridge,

Mortgage 782157/5 of his share Neil William Robertson to Arthur Douglas Robertson -

.No.845456/1 Variation of Lease and renewal for the term of 33 years commencing 1.7.1990 - 21.12.1989 at 11.31am

Mortgage 960569/2 to PGG Trust Limited

Farmer - 22.12.1988 at 10.53asm

Mortgage 782157/4

Limited - 22.12v1

22.12.1988 at 10.53am

17.10.1991 at 11.27am

Section 3 SO 16791, Sections 2 and 3 SO 16792, Sections 1-3 SO 16796 and Sections 1 and 2 SO Plan 19685 CT 43D/247 created by Transfer A343952.2

for DLR