

## **Crown Pastoral Land Tenure Review**

**Lease name : ROLLESBY**

**Lease number : PT 108**

### **Due Diligence Report (including Status Report)**

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.

**May**

**06**

**DUE DILIGENCE REPORT  
CPL PRE TENURE REVIEW ASSESSMENT STANDARD 6:**

**ROLLESBY PASTORAL LEASE**

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File Ref: CON 50214/09/12720/A-ZNO-01  
Office of Agent: **Christchurch**

Report No: **CH 60**  
LINZ Case No: *TR01/139*

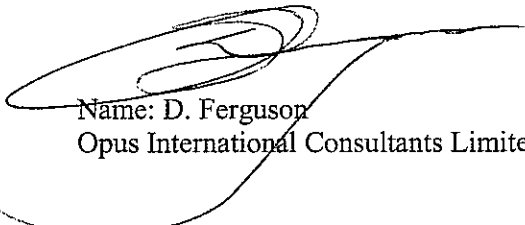
Report Date: 11/04/2001  
Date sent to LINZ: 11/04/2001

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**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** that there are no incomplete actions;
3. That the Commissioner or his delegate note that there are no potential liabilities that have been identified as a result of the file search.

Signed by Agent:

  
Name: D. Ferguson  
Opus International Consultants Limited

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

  
Name: **MICHAEL JOHN TODD**  
Date of Decision: *17 / 4 / 2001*

RELEASED UNDER THE OFFICIAL INFORMATION ACT

1. **Details of Lease:**

Lease Name: Rollesby.

Location: On Burkes Pass Road approximately 25 kilometres from Fairlie.

Lessee: Alister John FRANCE, Lesley Helen FRANCE, Donald Noel FRANCE and Dawn Christine FRANCE as tenants in common in equal shares.

Tenure: Pastoral lease pursuant to Section 66 and registered under Section 83 of the Land Act 1948.

Term: 33 years from 1 July 1995 (Expires 30.6.2028).

Annual Rent: \$1,650.

Rental Value: \$110,000.

Date of Next Review: 30 June 2006.

Land Registry Folio Ref: CL CB3B/394 (Canterbury Registry).

Legal Description: Run 318 situated in Blocks VI VII VIII XI and XII Burke Survey District.

Area: 2619.1254 hectares.

2. **File Search:**

*Files held by Agent (Knight Frank (NZ) Ltd) on behalf of LINZ:*

File Ref	Volume	First Folio No.	Date	Last Folio No.	Date
Pt 108 SCH-01	1	1	26/09/1894	144	14/04/1923
Pt 108 SCH-02	2	145	12/04/1923	200	14/01/1942
Pt 108 SCH-03	3	1	23/08/1943	196	8/03/1978
Pt 108 SCH-04	4	197	26/05/1978	-	10/12/1991
Pt 108-SCH-05	5	-	11/12/1991	-	30/06/2000
CON 50180/09/12720/A-2NO	1	-	02/06/1995	-	Current
CON 50213/09/12720/A-2NO	1	-	01/07/2000	-	Current

*Files held by Agent (Opus International Consultants) on behalf of LINZ:*

File Reference CON/502149/12720/A-ZNO-02

Volume 1

First Folio No. 1

Date 27 February 2001

Last Folio No. -

Date Current

**Other relevant files held by LINZ:**

File reference	Volume	First Folio No.	Date	Last Folio No.	Date
5200-D13-R07	1	-	09/12/1994	-	08/05/1995

3. **Summary of Lease Document:** (Copy of CL CB3B/394 attached as **Appendix 1**)

3.1 **Terms of Lease**

A 33 year term from 1 July 1995 at the Annual rental of \$1,650.00 based on the Rental Value of \$110,000.

*Stock Limitation in Lease*

2,100 sheep (including 1650 breeding ewes) and 65 cattle (including 50 breeding cows).

*Commencement date*

1 July 1963. Renewed for a further term of 33 years from 1 July 1995 by Memorandum of Renewal of Lease No. A186457/1 (registered 1 August 1995).

*Other Provisions*

No other relevant provisions. Lease comprises a clause that the land is subject to Section 58 of the Land Act 1948.

3.2 **Area Adjustments**

No adjustments effected against the lease.

3.3 **Registered Interests**

*Easements*

*No 963542/8 Easement Certificate* specifying intended right of way easements shown "K" and "M" on DP 57985 over Lot 1 DP 57895 (CT CB35A/358) and "J" on DP 57985 over Lot 5, DP 57985 (CT CB35A/359) in favour of Run 318.

*No. 963542/9 Easement Certificate* specifying intended right of way easement shown "C" on DP 57986 over Lot 4, DP 57986 (CT CB35A/359) in favour of Run 318.

*Transfer 999135/1* granting a right of way marked "B" on SO 18612 and right to store water (marked "A" on SO 18612) and right to convey water (marked C-D on SO 18612) over parts Run 318 appurtenant to Lot 4, DP 57986 (CT CB35A/359).

*Transfer 999135/2* granting a right to store water (marked A on SO 18611) and right to convey water (marked B-C on SO 18611) over part appurtenant to Lot 1, DP 57985 (CT CB35A/358).

*Transfer 999135/3* granting rights of way over part Run 318 marked "A" and "B" on SO 18613 appurtenant to Lot 1, DP 57985 (CT CB35A/358).

*Transfer A19666/2* granting a right of way over Part RS 35383 (CT CB123/64) marked "L" on DP 57985 appurtenant to Run 318.

*Land Improvement Agreement*

*Land Improvement Agreement 172529/1* registered 12 April 1978.

*Mortgages*

877433.4 to Rural Banking and Finance Corporation (registered 22 May 1990).

### 3.4 *Unregistered Interests*

#### *Recreation Permits*

A search of available records did not reveal the existence of any Recreation permits.

#### *Unregistered Mortgages /debts*

None known.

### 4. Summarise any Government programmes approved for the lease:

*Land Improvement Agreement Document 172529/1* secures a SWC Plan executed on 12 April 1978 between the then lessee and the South Canterbury Catchment Board. The works included conservation fencing, boundary cattle proof fencing, windbreak establishment and strategic firebreak fencing to control erosion.

This property is not part of any Rabbit and Land Management Plan.

### 5 Summary of Land Status Report:

A Land Status Report undertaken by Opus International Consultants Ltd on 31 March 2001 confirms the status of the land as Crown Land, leased pursuant to Section 66 of the Land Act 1948 and registered under Section 83 of the same Act.

The land is subject to the registered interests included in *Clause 3.3* above and Part IVA of the Conservation Act 1987 upon disposition.

The minerals remain with the Crown as the land has never been alienated since its acquisition from the original Maori owners under the Kemp Purchase.

The report noted that the lease contained a Covenant Clause 3(b) that Section 58 strips be excluded from the lease along all rivers and streams in excess of 3 metres in width. This was included at renewal. Until the boundaries are determined for disposition purposes the existence of strips remain as notional only.

*A copy of the Land Status Report is attached as Schedule A.*

### 6 Review of Topographical and Cadastral Data:

Both maps attached to the Land Status Report show there are no known huts, dams or water races, transmission or power lines, airstrips or hilltop installations on the property.

#### *Legal Roads – formed and paper*

The Land Status Report indicates that the roads are legal by Crown Grant or Section 110A of the Public Works Act 1928.

#### *Fenced boundaries vs Legal Boundaries*

There would appear to some minor deviation on the south eastern boundary.

### 7 Details of any neighbouring Crown or Conservation land

The following areas adjoin the pastoral lease:

Southern & Western Boundary      Pt RS 36814      being part of the Glenrock Pastoral Lease also

subject to Tenure review.

Northern Boundary	<b>Reserve 4029</b>	(Area 12.3656 ha) being Scenic Reserve by NZ Gazette 1994 p1911.
	<b>Reserve 3986</b>	(Area 32.2332 ha) being Reserved for Plantation purposes by NZ Gazette 1920 p1728 and vested in the MacKenzie District Council.
South Eastern Boundary	<b>Run 313</b>	being part Bauchops Hill Pastoral Lease.

**8 Summarise any uncompleted actions or potential liabilities**

There are no uncompleted actions or potential liabilities.

**APPENDIX**

- 1. Copy of Lease document**
- 2. Copy of Land Status Report**

RELEASED UNDER THE OFFICIAL INFORMATION ACT

UNDER THE LAND TRANSFER ACT 1952 Entered in the Register book, the No. 3B/394

L. & S.—B. 4

NEW ZEALAND

26th day of November

Former Ref. Vol. #81. PR 537

19 63, at 9.38 o'clock a.m.

L. & S. Ref. No. P.108

3B/394

No. 3B/394

Pastoral Lease under the Land Act 1948



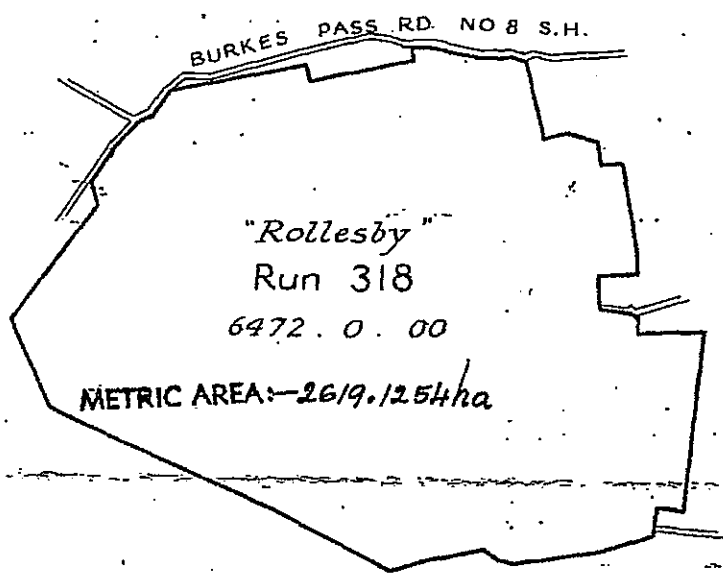
Assistant Land Registrar REGISTER

This Deed, made the first day of March 1963 between HER MAJESTY THE QUEEN (hereinafter referred to as "the Lessor") of the one part, and EDITH EBERSON HAYTER of St. Peters, South Australia, Widow, as to a 40/162 share, RICHARD SPENCER DUNCAN of Nelson, Company Director, as to a 27/162 share, the said RICHARD SPENCER DUNCAN and SHEILA URSULA DUNCAN of Stoke near the City of Nelson, Widow, jointly inter se as to a 27/162 share, MURIEL HAYTER widow, and JOYCE \* (hereinafter referred to as "the Lessee"), of the other part: WITNESSETH that, in consideration of the rent hereinafter reserved, and of the covenants, conditions, and agreements herein contained and implied, and on the part of the Lessee to be paid, observed, and performed, the Lessor doth hereby demise and lease unto the lessee, all that parcel of land containing by estimation 6472 acres more or less, situated in the Land District of Canterbury and being Run 318 "Rollesby" situated in Blocks VI, VII, VIII, XI and XII Burke Survey District, Mackenzie County,

as the same is more particularly delineated with bold black lines on the plan hereon; together with the rights,

\* MARGARET HAYTER, Spinster, both formerly of Christchurch, but now of Lake Pukaki, as administratrices jointly inter se as to a 27/162 share, AUDREY GWENDOLINE BAXTER formerly of Hororata, but now of Wellington, Spinster, as to a 22/162 share, the said MURIEL HAYTER as to a 10/162 share, the said MURIEL HAYTER and JOYCE MARGARET HAYTER jointly inter se as to a 9/162 share, as tenants in common in the shares stated.

Handwritten initials and signature: C.C.D.



Scale: 1 mile to an inch. S.O.5368

No. 3B/394

No.

35/394

*Norah Amelia Selbie*

Mortgage 444605 to (now) William John Harris, to George Palmer Chapman, to Violet Amelia Selbie, to Violet Mary Miller and Cecil Ralph Miller, to Joan Surtees, to John William Rolleston, to Andrew Grant Jamieson and Hamish Grant Jamieson and to Esther Studholme Hope, Andrew Norman Hope and George Palmer Chapman in shares - 31/8/1956 at 2.20 p.m.

*Johnson*  
A.L.R.

Mortgage 624211 to William John Harris, to Violet Mary Miller and Cecil Ralph Miller, to John William Rolleston to Andrew Grant Jamieson and Hamish Grant Jamieson, to George Palmer Chapman, to Harold George Pinckney and Charles Willima Howard Tripp, to Isabel Alice Kelland and George Palmer Chapman, to Esther Studholme Hope, Andrew Norman Hope and George Palmer Chapman, to Edith Mary Ormsby and to Edith Isobel Grevile Sealy in shares - 6/5/1964 at 12.18 p.m.

*Johnson*  
A.L.R.

Transfer 704669 of her share Edith Mary Ormsby in Mortgage 624211 to Selwyn Peter Hope on 22/2/1967 at 9.20 a.m.

*Johnson*  
A.L.R.

Transfer 723227 of joint interest Andrew Grant Jamieson and Hamish Grant Jamieson in Mortgage 624211 to the said Andrew Grant Jamieson - 20/10/1967 at 11.30 a.m.

*Johnson*  
A.L.R.

Transmission 739215 of the share of Edith Egerton Hayter to Henry Nelson Hayter of St. Georges in the state of South Australia Accountant and Brian Nelson Hayter of Heathpool in the said state of South Australia, Deputy Registrar-General of Deeds as Executors - 14/6/1968 at 11.10 a.m.

*Johnson*  
A.L.R.

Transmission 748637 of ~~share~~ the share in Mortgage 624211 Harold George Pinckney and Charles William Howard Tripp as Survivors - 9/10/1968 at 12.10 p.m.

*Johnson*  
A.L.R.

Mortgage 768013 to Violet Mary Miller Cecil Ralph Miller, to John William Rolleston, to Charles William Howard Tripp and Joseph John Studholme to Isabel Alice Kelland and George Palmer Chapman, to Selwyn Peter Hope and to Edith Isobel Grevile Sealy in shares - 16.6.1969 at 2.15 p.m.

*Johnson*  
A.L.R.

Transmission 794923 of the share of Isabel Alice Kelland and George Palmer Chapman in Mortgage 768013 to George Palmer Chapman as Survivor - 1/5/1970 at 9.50 a.m.

*Johnson*  
D.L.R.

Transfer 827490 of their share Henry Nelson Hayter and Brian Nelson Hayter to the said Henry Nelson Hayter (as to a 40/486th share), the said Brian Nelson Hayter (as to a 40/486th share) and Joan Nelson Piper of Camberwell in the State of Victoria, Australia, Married Woman (as to a 40/486 th share) as tenants in common in the shares stated - 7/4/1971 at 2.25 p.m.

*Johnson*  
A.L.R.

Transmission 940039 of the share of Edith Isabel Grevile Sealy as stated in Mortgage 768013 as Edith Isabel Grevile Sealy to The Public Trustee - 12.12.1973 at 10.40a.m.

*Johnson*  
A.L.R.

Transmission 962344 of the shares of Muriel Hayter held jointly inter se with the above Joyce Margaret Hayter (being 27/162 and 9/162 shares) to the said Joyce Margaret Hayter as Survivor - 14.6.1974 at 10.55 a.m.

*Johnson*  
A.L.R.

Transmission 2764/1 to Joyce Margaret Hayter of Timaru, Secretary and John William Rolleston of Timaru, Solicitor as Executors - 26.7.1974 at 10.40 a.m.

A.L.R.

Transmission 2764/1 of the share of Muriel Hayter to Joyce Margaret Hayter a Secretary and John William Rolleston a Solicitor both of Timaru as Executors 26.7.1974 at 10.48 a.m.

*Johnson*  
A.L.R.

OVER...

memorials cont'd. within

A.L.R.



LAND &
Nature: Pastoral
Area: 2.21
26 NOV 1963
Time: 9.38am
Fee: 1.50
Abstract No: 6772



**REGISTER**  
38/394

Transfer 500454/1 of his 2/7ths share Richard Spencer Duncan to Nicholas Sholto Duncan of Timaru, Brewer and John Russell Duncan of Auckland, Botanist as tenants in common in equal shares - 1.8.1984 at 10.55am.

*[Signature]*  
for A.L.R.

Mortgage 500454/2 ~~of the~~ shares Nicholas Sholto Duncan and John Russell Duncan to Glasgow and Midswell Solicitors Nominees Company Limited 1.8.1984 at 10.55a.m.

*[Signature]*  
for A.L.R.

Variation of mortgage 433573/3 - 25.10.1988 at 11.36 a.m.

*[Signature]*  
for A.L.R.

Discharge of Mortgage 433573/3 as to the share of Pyne Gould Guinness Limited - 23.3.1989 at 11.56am

Variation of Mortgage 433573/3 - 23.3.1989 at 11.56am

*[Signature]*  
for A.L.R.

Transfer 877433/1 of the ~~2/7~~ shares of Nicholas Sholto Duncan and John Russell Duncan to Robert William Allan, Anne Forsyth Allan and Stephen Andrew Joseph Allan all of Sawdon, Runholders, Alister John France, Lesley Helen France, Donald Noel France, Dawn Christine France, Alastair Leonard Munro and Lucy Lillian Munro all of Burkes Pass, Runholders, Christopher Reginald Joyce of Timaru, Chartered Accountant, William Herbert Bruce Mitchell of Christchurch, Chartered Accountant, Allan James Hubbard of Timaru, Chartered Accountant and Margaret Jane Hubbard his wife - 22.5.1990 at 1.35pm

*[Signature]*  
for A.L.R.

Transfer 877433/2 of the shares of Graham Douglas Olsson, Neil William Lowrie and Robert Nelson Hayter, Brian Nelson Hayter, and Joan Nelson Piper to Robert William Allan, Anne Forsyth Allan and Stephen Andrew Joseph Allan all of Sawdon, Runholders, Alister John France, Lesley Helen France, Donald Noel France, Dawn Christine France, Alastair Leonard Munro and Lucy Lillian Munro all of Burkes Pass, Runholders, Christopher Reginald Joyce of Timaru, Chartered Accountant, William Herbert Bruce Mitchell of Christchurch, Chartered Accountant, Allan James Hubbard of Timaru, Chartered Accountant and Margaret Jane Hubbard his wife - 22.5.1990 at 1.35pm

*[Signature]*  
for A.L.R.

Transfer 877433/3 to Alister John France, Lesley Helen France, Donald Noel France and Dawn Christine France, all of Glenrock Station, Fairlie, Sheep Farmers as tenants in common in equal shares - 22.5.1990 at 1.35pm

*[Signature]*  
for A.L.R.

Mortgage 877433/4 to Rural Banking and Finance Corporation - 22.5.1990 at 1.35pm

*[Signature]*  
for A.L.R.

No. 963542/8 Easement Certificate specifying intended easements on DP 57985

Nature	Servient Tenement	Dominant Tenement
Right of way	1 (35A/358)	K, M Run 318 "Rollesby" (herein)
"	5 (35A/359)	Run 318 "Rollesby"

- 5.11.1991 at 2.26pm

*[Signature]*  
A.L.R.

No. 963542/9 Easement Certificate specifying intended easements on DP 57986

Nature	Servient Tenement	Dominant Tenement
Right of way	4 (35A/359)	C Run 318 "Rollesby" (herein)

- 5.11.1991 at 2.26pm

*[Signature]*  
A.L.R.

38/394

SIGNED by the abovenamed Lessee }  
in the presence of:

SIGNED by the abovenamed RICHARD }  
SPENCER DUNCAN and SHEILA URSULA }  
DUNCAN in the presence of:

*Richard Duncan*  
*R. H. Duncan*

*[Handwritten signatures]*

SIGNED by the abovenamed EDITH }  
EGERTON HAYTER in the presence of:

*Edith E. Hayter*

*[Handwritten signatures]*

Memorials Cont'd

Transfer 27712/2 of the share of Joyce Margaret Hayter and John William Rolleston to the said Joyce Margaret Hayter - 7.3.1975 at 10.13 a.m.

No. 172529/1 Land Improvement Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941 O - 12-4-1978 at 12.02p.m.

*Baly*  
A.L.R.

Transfer 27712/4 to Richard Spencer Duncan of Nelson, Company Director (as to a 2/7th share); to Richard Spencer Duncan, abovenamed and Sheila Ursula Duncan of Nelson, Widow (as to a 2/7th share) (jointly inter se), to Henry Nelson Hayter, abovenamed (as to a 1/7th share), to Brian Nelson Hayter abovenamed (as to a 1/7th share) and to Joan Nelson Piper, abovenamed (as to a 1/7th share) as tenants in common in the said shares - 7.3.1975 at 10.13 a.m.

Variation of Mortgage 27712/7 - 29.5.1980 9.42 a.m.

*M. J. Owen*  
for A.L.R.

Mortgage 27712/7 to Pyne Gould Guinness Limited and to Tripp, Rolleston Nominees Limited in shares - 7.3.1975 at 10.13 a.m.

Transfer 311407/1 of their joint two-seventh share Richard Spencer Duncan and Sheila Ursula Duncan to Sheila Ursula Duncan, abovenamed, now of Auckland, Widow - 11-2-1981 at 10.02a.m.

*M. J. Owen*  
for A.L.R.

Mortgage 27712/8 to Joyce Margaret Hayter - 7.3.1975 at 10.13 a.m.

Mortgage 433573/3 to Pyne Gould Guinness Limited in shares - 7.3.1975 at 10.41 a.m.

*M. J. Owen*  
for A.L.R.

Transmission 104708 of the share of Henry Nelson Hayter to Graham Douglas Olsson and Neil William Lowie both of Adelaide, Solicitors and Robert Nelson Hayter of St. Georges in the State of South Australia, University student as Executors - 5.11.1976 at 10.02 a.m.

Transfer 438686/1 of her share Sheila Ursula Duncan to Nicholas Sholto Duncannof Timaru, Brewer (as to an undivided 1/7 share) and John Russell Duncan of Auckland, Botanist (as to an undivided 1/7 share) as tenants in common in equal shares - 15.6.1983 at 10.27 a.m.

*William*  
for A.L.R.

Mortgage 450934/3 to Joyce Margaret Hayter - 1.9.1983 at 11.13 a.m.

DISCHARGED 4 APR 1980

*William*  
for A.L.R.

Cont'd

RELEASED UNDER THE OFFICIAL INFORMATION ACT

easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby demised unto the Lessee for the term of 33 years, commencing on the 1st day of July 1963, together with the period between the date of this lease and the aforesaid 1st day of July 1963, YIELDING and paying therefor unto the Department of Lands and Survey at Christchurch the annual rent of £ 295.0.0 payable without demand by equal half-yearly payments in advance on the 1st day of January and the 1st day of July in each and every year during the said term. AND also paying in respect of the improvements specified in the Schedule hereto the sum of £ by a deposit of £ on the 1st day of January and the 1st day of July in each and every year.

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

1. THAT without derogating from or restricting the covenants contained and implied in this lease and on the part of the Lessee to be performed or complied with the Lessee will not at any time during the said term depasture on the land hereby demised more than 2100 sheep which number shall not include more than 1650 breeding ewes nor more than 65 cattle which number shall not include more than 50 breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.

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

3. (See below)

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

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

(b) See below

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

3. That the Lessee will to the satisfaction of the Lessor and within three years from the commencement of the term of the within lease erect a subdivisional fence, along the Rolleston Range from its junction with Runs 254 and 313 through trips B and C to the main highway.

(b) THAT pursuant to Section 58 of the Land Act 1948 a strip of land one chain in width along the banks of all rivers and streams which have an average width of not less than ten feet is excluded from the within lease.

~~Schedule of Improvements Belonging to the Crown~~

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

Signed by the said Commissioner on behalf of the Lessor, in the presence of—

Witness: D. Hughes  
Occupation: Chief Clerk, Lands and Survey Dept  
Address: Christchurch

L. Hampton  
Asst. Commissioner of Crown Lands.


Signed by the above-named Lessee, in the presence of—MURIEL HAYTER, JOYCE MARGARET HAYTER and AUDREY GWENDOLINE BAXTER by her Attorney CYRIL CHARLES STAVERS PARKER:  
Occupation: Solicitor  
Address: Wellington

Muriel Hayter  
Joyce M. Hayter  
Audrey Gwendoline Baxter  
C. S. Parker  
Lessee.


Transfer 999135/1 granting a right of way  
marked B on S.O. Plan 18612 and right to  
store water and right to convey water over  
parts herein appurtenant to Lot 4 DP 57986  
(35A/359) - 15.6.1992 at 1.43pm

  
for A.L.R.

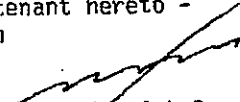
Transfer 999135/2 granting a right to store  
water and right to convey water over part  
herein appurtenant to Lot 1 DP 57985  
(35A/358) - 15.6.1992 at 1.43pm

  
for A.L.R.

Transfer 999135/3 granting rights of way  
over part herein marked A and B on S.O.  
Plan 18613 appurtenant to Lot 1 DP 57985  
(35A/358) - 15.6.1992 at 1.43pm

  
for A.L.R.

Transfer A19666/2 granting a right of  
way over part RS 35383 (123/64) marked  
L on DP 57985 appurtenant hereto -  
19.10.1992 at 2.35pm

  
for A.L.R.

No. A186457/1 Variation of the terms of the  
within lease and extension of the term for  
33 years commencing on 1.7.1995 - 1.8.1995  
at 12.15pm

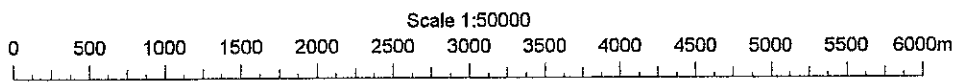
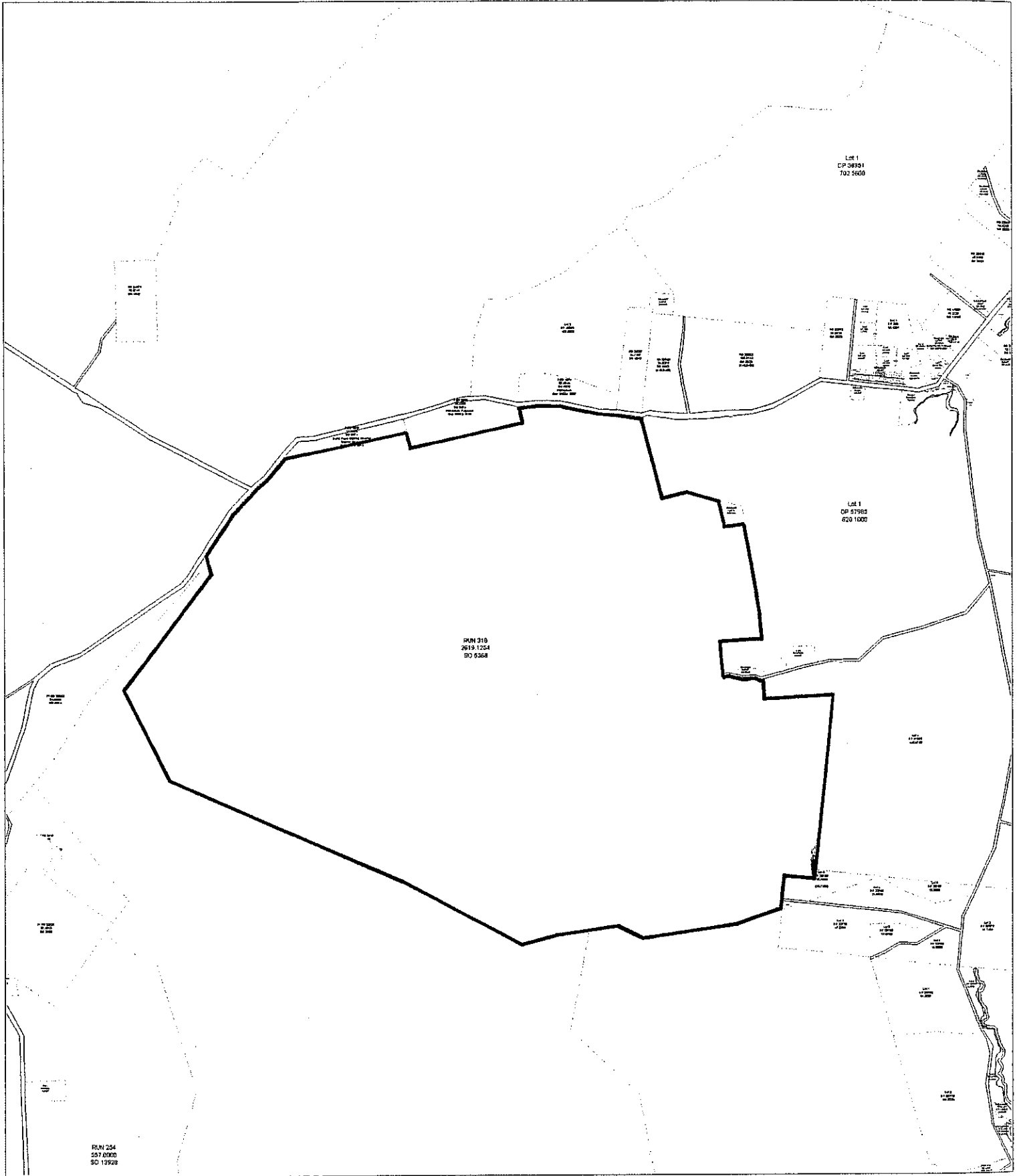
  
for A.L.R.

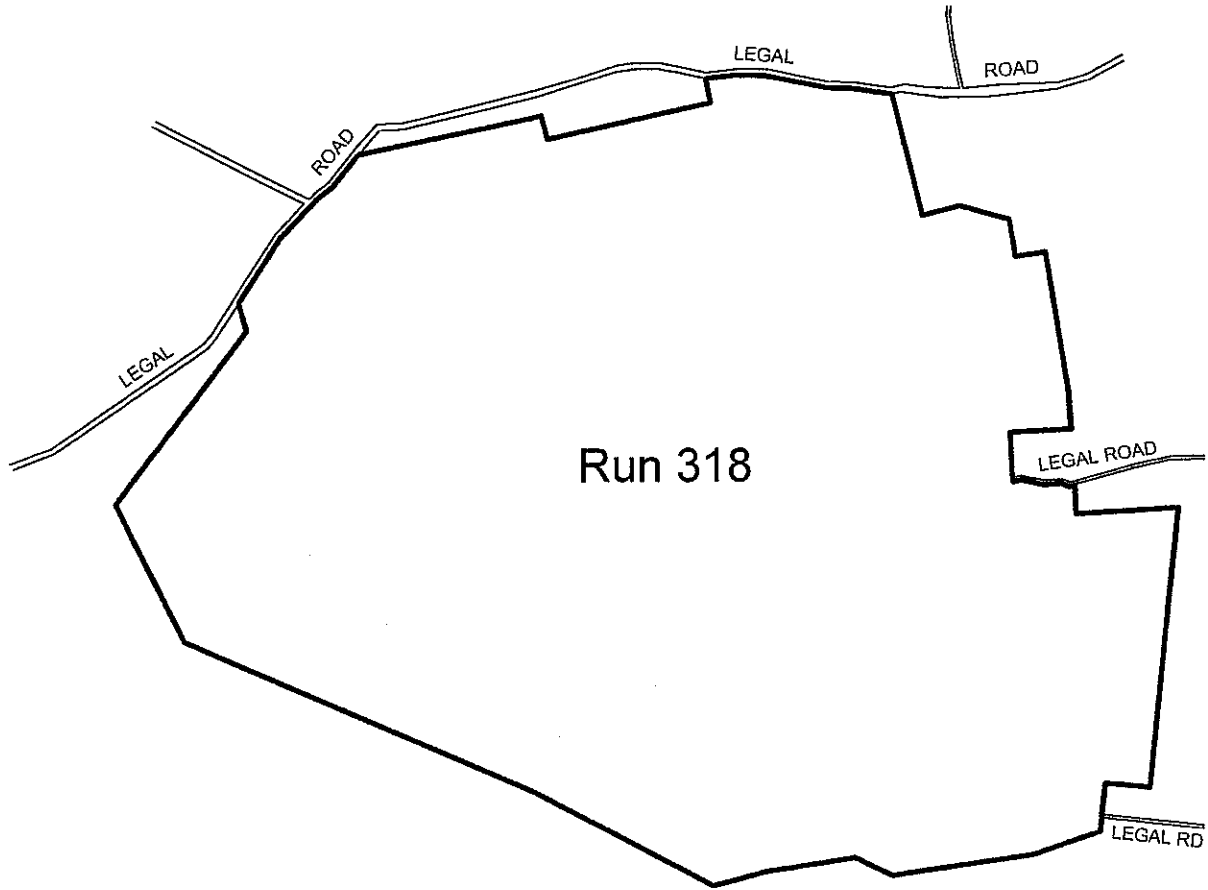
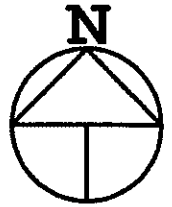
## CONTENTS

### 1. APPENDIX A – LAND STATUS REPORT

- SO Plans (additional)
- Extract of CLR
- Extracts of Allocation Maps
- DOC Consultation
- Information Supporting Mineral Ownership Investigation
- Other Information

### 2. APPENDIX B – LAND STATUS REPORT (Certified Correct by Chief Surveyor)





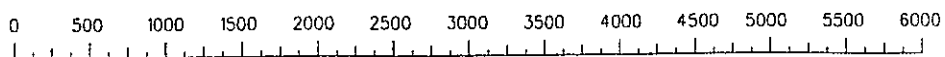
Run 318

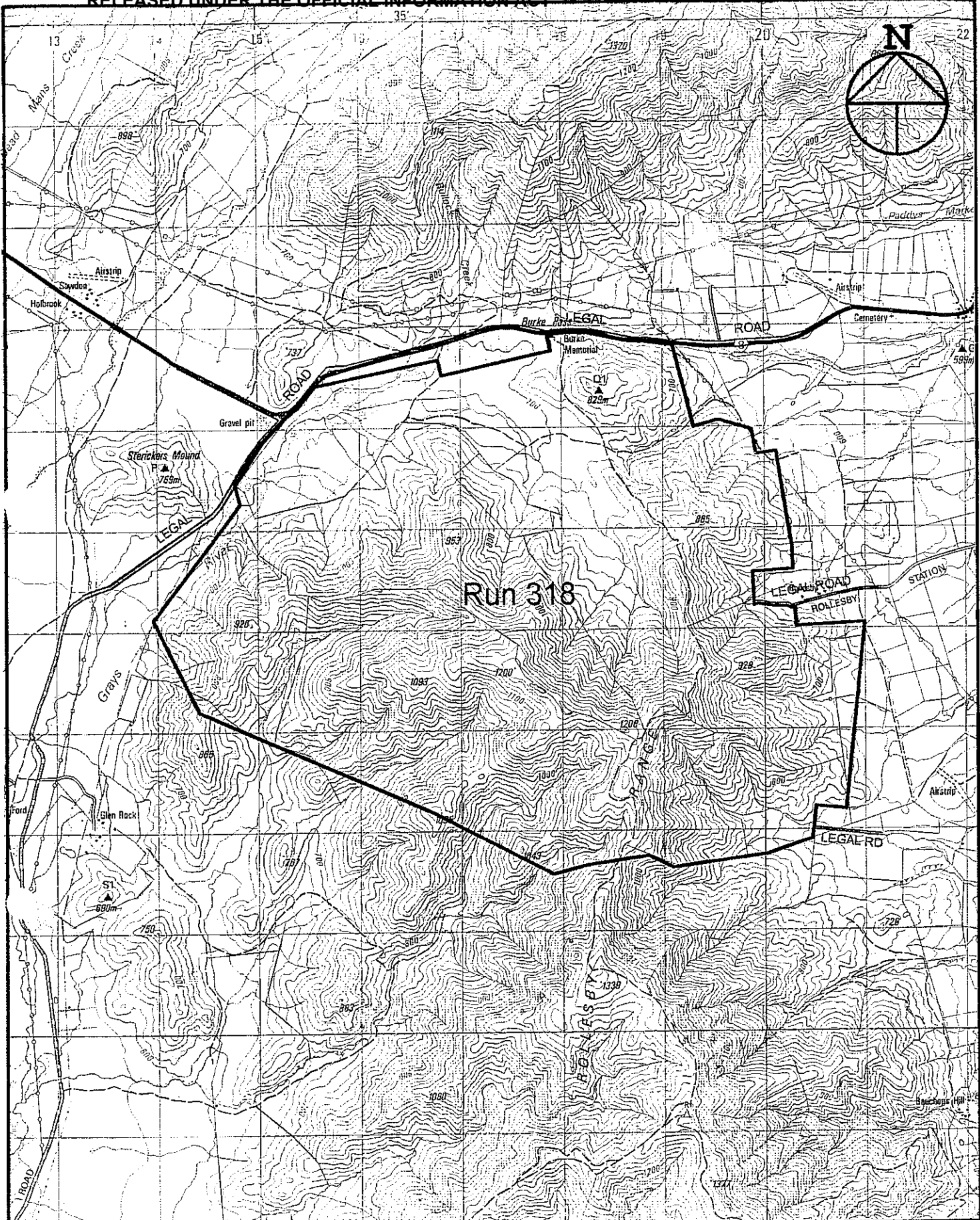
Marginal Strip Subject to Sec 24(9)  
Conservation Act 1987 -----

Version	1	2	3	4	5
Canterbury Land District					Sheet 1 of 1
Topographic Map 260 - 138					Date 21/2/01

### Rollesby

Scale 1:50000







**APPENDIX A – LAND STATUS REPORT**

Project Number: 6NL 720 .TR

This report has been prepared on the instruction of Land Information New Zealand in terms of Contract No: 50214 dated 30 October 2000 and is undertaken for the purposes of the Crown Pastoral Land Act 1998.

<b>LAND STATUS REPORT for Rollesby Tenure Review</b>				LIPS Ref: 12720
Property	1	of	1	

<b>Land District</b>	Canterbury.
<b>Legal Description</b>	Run 318 situated in Blocks VI VII VIII XI and XII Burke Survey District.
<b>Area</b>	2619.1254 hectares.
<b>atus</b>	Crown land subject to the Land Act 1948.
<b>Instrument of title / lease</b>	Pastoral Lease CL CB3B/394 pursuant to Section 66 and registered under Section 83 of the Land Act 1948 as varied by Memorandum of Renewal No A 186457/1.
<b>Encumbrances</b>	<p>Subject to:</p> <ol style="list-style-type: none"> <li>1. No 963542/8 Easement Certificate specifying intended right of way easements shown "K" &amp; "M" on DP 57985 over Lot 1 DP 57985 (CT CB35A/358) and "J" on DP 57985 over Lot 5 DP 57985 (CT CB35A/359) in favour of Run 318.</li> <li>2. No 963542/9 Easement Certificate specifying intended right of way easement shown "C" on DP 57986 over Lot 4 DP 57986 (CT CB35A/359) in favour of Run 318.</li> <li>3. No 172529/1 Land Improvement Agreement pursuant to Section 30A of the Soil Conservation and Rivers Control Act 1941.</li> <li>4. Transfer 999135/1 granting a right of way marked "B" on SO 18612 and right to store water (marked "A" on SO 18612) and right to convey water (marked C-D on SO 18612) over parts Run 318 appurtenant to Lot 4 DP 57986 (CT CB35A/359).</li> <li>5. Transfer 999135/2 granting a right to store water (marked A on SO 18611) and right to convey water (marked B-C on SO 18611) over part appurtenant to Lot 1 DP 57985 (CT CB35A/358).</li> <li>6. Transfer 999135/3 granting rights of way over part Run 318 marked "A" and "B" on SO 18613 appurtenant to Lot 1 DP 57985 (CT CB35A/358).</li> </ol>

<b>LAND STATUS REPORT for Rollesby Tenure Review</b>		LIPS Ref:12720
Property	1	of 1

	<p>7. Transfer A19666/2 granting a right of way over Part RS 35383 (CT CB123/64) marked "L" on DP 57985 appurtenant to Run 318.</p> <p>8. Part IVA of the Conservation Act, upon disposition.</p>
<b>Mineral Ownership</b>	The 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.
<b>Statute</b>	Land act 1948 and Crown Pastoral Land Act 1998.

<b>Data Correct as at</b>	31 March 2001.
<b>[Certification Attached]</b>	Yes.

<b>Prepared by</b>	<b>Don McGregor</b>
<b>Crown Accredited Supplier</b>	<b>Opus International Consultants Ltd, Christchurch</b>

<b>Notes : This information does not affect the status of the land but was identified as possibly requiring further investigation at the due diligence stage : See Crown Pastoral Standard 6 paragraph 6.</b>	<p>1. Pastoral Lease CL CB 3B/394 contains a covenant clause 3 (b) that Section 58 strips be excluded from the lease along all rivers and streams in excess of 3 metres in width. This was included at renewal. Until the boundaries are determined for disposition purposes the existence of strips remain as notional only.</p>
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**LAND STATUS REPORT for Rollesby Tenure Review**

LIPS Ref: 12720

Property | 1 | of | 1

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

SDI Print Obtained	Yes.
NZMS 261 Ref	I38.
Local Authority	MacKenzie District Council.
Crown Acquisition Map	Kemp Deed of Purchase.
SO Plans	<p><b>SO 192</b> – Burkes Pass Rd.</p> <p><b>SO 5368</b> – Plan of Run 25 subdivided Rollesby Rd (1916).</p> <p><b>SO's 18611 to 18613</b> – Proposed Easements over Run 318 (Approved 11 May 1992).</p> <p><b>Additional plans:</b></p> <p><b>DP 57985</b> – Lots 1-5 (approved 28 June 1991).</p> <p><b>DP 57986</b> – Lot 4 (Approved 28 June 1991).</p>
Relevant Gazette Notices	Not applicable.
CT Ref / Lease Ref	CL CB3B/394 pursuant to Section 66 and registered under Section 83 Land Act 1948 as varied by Memorandum of Renewal A186457/1.
Legalisation Cards	<b>SO's 18611, 18612, and 18613.</b> Completion not recorded even though action is completed under Transfers 999135/1, 999135/2 and 999135/3 respectively.
	Confirms Pastoral Lease tenure.
Allocation Maps (if applicable)	<p>No allocation of parts of lease.</p> <p>Extracts of SO 17107 (DoC) and SO 17056 (SOE) Allocation Maps attached.</p>
VNZ Ref - if known	VR 25300/0547.
Crown Grant Maps	Not applicable.
<b>If Subject land Marginal Strip :</b> <b>a) Type [Sec 24(9) or Sec 58]</b>  <b>b) Date Created</b>  <b>c) Plan Reference</b>	<p>a) See notes under (1).</p> <p>b) Not applicable.</p> <p>c) Not applicable.</p>

## LAND STATUS REPORT for Rollesby Tenure Review

LIPS Ref:12720

Property 1 of 1

If Crown land – Check Irrigation Maps.	Searched - Not applicable.
Mining Maps	Searched - Not applicable.
<b>If Road</b> <b>a) Is it created on a Block Plan – Section 43(1)(d) Transit NZ Act 1989</b>  <b>b) By Proc</b>	a) SO Plans 192 and 5368 denotes roads and Topo 2T confirms road to be legal under Section 110A Public Works Act 1928 (now Section 43 (1) (d) of the Transit New Zealand Act 1989).  b) Proc Plan Not applicable.  c) Gazette Ref Not applicable.
<b>Other Relevant Information</b> a) Concessions – Advice from DOC or Knight Frank.  b) Subject to any provisions of the Ngai Tahu Claims Settlement Act 1998  c) Mineral Ownership  d) Other Info	No current DoC concessions. DOC has interests in undetermined marginal strips under the Conservation Act 1987.  There are no existing concessions administered by Knight Frank (NZ) Limited according to LINZ records.  b) Searched - Not applicable.  c) <input type="checkbox"/> Mines and Minerals are owned by the Crown because the land has never been alienated from the Crown since its acquisition for settlement purposes from the former Maori owners under the 1848 Kemp Deed of Purchase  d) Not applicable.