

# Crown Pastoral Land Tenure Review

Lease name: STEW POINT

Lease number: PT 113

# Due Diligence Report (including Status Report) - Part 3

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

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

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

July

09



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

# Registrar-General

# **Historical Search Copy**

**Identifier** 

CB1D/1466

Land Registration District Canterbury

**Date Registered** 

02 December 1964 02:42 pm

**Prior References** 

CB529/76

CB529/78

Type

Lease under s83 Land Act 1948

Area

3255.6960 hectares more or less

Term

33 years commencing on the 1st day of July 1964 and extended to 1.7.2030

Legal Description Run 297 and Part Run 303

**Original Proprietors** 

Gary James Herbert Rooney

# Interests

692011 Variation of the within Lease reserving a Water Easement over part of the within land appurtenant to Rural Section 39047 (CT CB3D/1031) - 30.8.1966 at 9.20 am

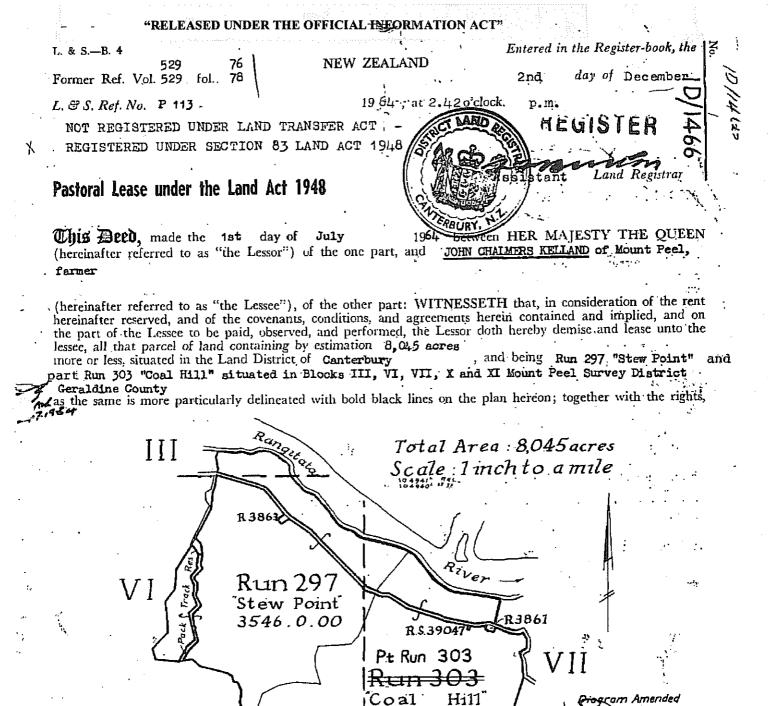
A258065.1 Variation and Extension of the term of the within Lease to 1.7.2030 - 12.9.1996 at 9.00 am

A344365.5 Mortgage to Bank of New Zealand - 24.3.1998 at 3.01 pm

Transaction Id Client Reference 1069837

Opus-Chetwynd Pastoral Lease

Historical Search Copy Dated 18/02/02 2:57 pm, Page 1 of 1



<u>4499.0..00</u>

XI

1D/1466 Mortgage 626201 to To tate Advances Transfer 207762/1 to the abovenamed Dorothy Corporation of New 29.5.1964 Olwyn Kelland - 18:12.1978 at 11:47 ·at 11.38a.m. addic UTAN for A.L.R. Mortgage 271115/1 to The Ru pga legg Mortgage 626202 tó Finance Corporation - 22 1 990 - 29.5.1964 at 11 Duga. No:692011 No. 273674/1 Statutory In Rural Housing Acts bargs under the /Variation of the within Lease reserving a Water Easement over part of the 3.0 3a.m. within land appurtenant to R.S.39047 (C.T. 3D/1031) - 30.8.1966 at 9.20a.m. (with consent of Mortgagee under No 299188/1 Statutory 1200 Char Rural Housing Act 300 Line Mortgage 626201) nder the 0,a 9.03 am. A.L.R. Variation of Mortgage 626201 - 23/1/1970 at 9.40 a.m. (with the consent of the FOT A.L.R. Variation of Mortgage 271115/1 - 22.9.1981 mortgagee under Mortgage: 626202) at 10.49 a.m. No.814841 Land Improvement Agreement afform Jun 301 Pursually to Section 30(3) and 30A efform Soil Usinservation and River Control Ret 1948 18/11/1970 Mortgage 366815/1 ral Banking and Finance Corporate 982 at 10.52 am. 30(3) and 30A of the sand River Control act Mannon 18/11/1970 for A.L.R. at 2.59 p.m. A425789.1 Variation of Mortgage 165561/4 - 24.2.1983 at A.L.R. 9.45 a.m. Transmission 165561/1 of Mortgage 626202 to Andrew Innes Taylor and for A.L.R. Richard Aitken Taylor, as Executors Certificate No.LIT2856 4 that 14-2-1978 at 1.38p.m. the within dortgage No. Banking is vested in the Rural Banking and Finance Corporation of New 7L.R. Zeeland3 /2 /1984 Transmission 165561/2 to Dorothy Olwyn Kelland, now of Geraldine, Widow, as Executor - 14-2-1978 at 1.38p.m. Variation of Mortgage 271115/1 -29.6.1984 at 11.10am Ħ·L.R. for A.L.R. Mortgage 165561/4 The Riral Banking and Finance Conformation of New Zealand - 1622 1933 at 1.38p.m. No. 523613/1 Lank Improvement
Agreement under Section 30A Soil
Conservation and Rhyst Control
Act 1941 (Maries Land Improvement
Agreement 814841) - 20.12.1984 at 9.45 a.m. Bujones ALOS7891.1 No. 165561/5 Memorandum of Priority making Mortgage 165561/4 a second No.917710/1 Change of Name of the mortgagee Mortgage and Land Improvement under Mortgages 626201, 165561/4 & 271115/1 Agreement 814841 a third charge to The Rural Bank Limited - produced 14-2-1978 at 1.39p.m. 28.1.1991 and entered 2.9.1992 at 9.40am **LAND** 74.IL,R. A.L.R. Variation of Mortgage 271115/1 - 2.3.1992 Nature: at 9.40am 2 DEC 1964 No. A258065/1 Variation and Extension of R. the term of the within lease to 1.7.2030 -12.9.1996 at 9.00 am Abstract No. 7462 SEE WITHIN.

## "RELEASED UNDER THE OFFICIAL INFORMATION ACT"

easements, and appurtenances thereto belonging. TO HOLD the said premises intended to be hereby dem	ised
unto the Lessee for the term of 33 years, commencing on the 1st day of July	THE
with the period between the date of this lease and the aforesaid leader of 19 , YIELDI	_
and paying therefor unto the Department of Lands and Survey at Christchurch the and	
rent of £ £25.0.0. payable without demand by equal half-yearly payments in advance on the 1st da	y of
Innuary and the 1st day of July in each and every year during the said term. AND also paying in respect of	<del>-the</del>
improvements specified in the Schedule hereto the sum of £ by a deposit of &-	
(which has already been paid) and thereafter by half yearly instalments of £ on the	<u>) 1st</u>
day of January and the let 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 3850 sheep which number shall not include more than 2250 breeding ewes nor more than 20 cattle which number shall not include more than breeding cows PROVIDED HOWEVER that the Lessee may with the prior written consent of the Land Settlement Board carry such additional stock on such terms and conditions as may therein be specified subject nevertheless to the right of the Land Settlement Board to revoke or vary such consent at any time.
- 2. That the Lessee will at all times farm the land hereby demised in a manner to promote soil conservation and prevent erosion and will comply with the provisions of the Soil Conservation and Rivers Control Act 1941.

  3.

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

THAT pursuant to the provisions of the Noxious Animals Act 1956 officers and employees of the New Zealand Forest Service and other authorised persons shall at all times have a right of ingress, egress and regress over the land comprised in this lease for the purpose of determining whether such land or any adjoining land is infested with deer, wild goats, wild pigs, opossums or other animals which the said Service is charged with the duty of 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.

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 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.

Parameter - Inches - December - Character

In wrrness 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: 91 Store	1 of he Manifetan
Occupation: Cark, Land + Drag Doff	Commissioner of Crown Lands.
Address: Charthard	
Signed by the above-named Lessee, in the presence of—	X
Witness: Thurdentorshall .	O'lokelland. Lessec.
Occupation: Raclovay  Address: Rangitala	
Address: Kangulala )	Ns.

# "RELEASED UNDER THE OFFICIAL INFORMATION ACT"

A344365.4 Transfer to Gary James Herbert Not obtained.

A344365.5 Mortgage to Bank of New Zealand

all-24.3.1998 at 3.01

for DLR

# "RELEASED UNDER THE OFFICIAL INFORMATION ACT" Oration of New Zealand by authority of the Corporation under its Common Seal pursuant to section 13 of the State Advances Corporation Act 1965 by Macdonald Boyd an afficer of the Corporation in the presence of Macdonald Route Advances of Macdonald Route Advance

LAND & DEEDS
Nature: V/Gu bear
Firm: CC C

30 AUG 1966

9:20

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

692011 VL

# MEMORANDUM OF VARIATION OF LEASE

IN THE MATTER of the Land Act 1948

AND

IN THE MATTER of Lease registered as

Volume 1D folio 1466 Canterbury Land

Registry from HER MAJESTY THE QUEEN to

JOHN CHALMERS KELLAND

THE COVENANTS CONDITIONS AND RESTRICTIONS contained or implied in the said Lease are hereby varied by the addition of clause 4 hereafter.

- "CLAUSE 4. THAT pursuant to Section 60 of the Land Act 1948 the Lessor hereby reserves unto herself the right to take water from the spring situated on the land comprised in this lease and to conduct the same by the means of a line of covered pipes already laid for this purpose across that part of the land comprised in the said lease as is shown on Survey Office Plan No. 10224 and thereon coloured blue and marked as "Water Supply Easement", "10.4" perches in area for the purposes of a domestic ... water supply for the benefit of all that parcel of land situated in Block VII, Mount Peel Survey District containing one (1) rood nineteen and seven-tenth (19.7) perches being Rural Section 39047 and being all the and owned by Her Majesty the Queen for a teachers residence and comprised and described in Certificate of Title Volume 3D folio 1031 (Canterbury Registry) and this reservation shall be deemed to include in favour of the Lessor all the rights and powers implied in terms of Section 90D of the Land Transfer Act 1952 in favour of grantees having the "Right to Convey Water" save as the same are hereby varied added or modified.
  - (i) THAT references in the said statutory implied powers to "grantee" shall be construed where the same appears as referring to the Lessor hereunder and references therein to "grantor" shall be construed as referring to the registered Lessee under this lease
  - (ii) THAT the registered Lessee hereunder shall be entitled to draw water in common with the Lessor hereunder from the source of supply.
  - (iii) THAT the Lessor shall maintain and operate the said easement and all ancillary equipment solely at her own expense."
- 2. THAT save as expressly provided hereinbefore the covenants conditions and restrictions contained or implied in the said lease shall remain unaltered and otherwise unaffected.

unaltered and	otherwise unaffecte	a.		
DATED the 7	dey of	hune	1966.	
SIGNED by the said KELLAND as Lessee	JOHN CHALMERS n the presence of:	) ) —	flokelland.	<del></del>
Witness:	uner			
Occupation: /	Mester		*	
Address:	1 Hosent			
SIGNED for and on the MAJESTY THE QUEEN to of Crown Lards for of Canterbury in the	y the Commissioner the Land District	) 💆	de doministrationer	of Crown Lands
Witness:				
Occupation Occupation	noto r Survey State 1	<b>L</b>		
Address: Chist	Elin I			

# MEMORANDUM OF RENEWAL

# BETWEEN HER MAJESTY THE QUEEN

Lessor

# AND DOROTHY OLWYN KELLAND

Lessee

Particulars entered in the Register on date and at the time recorded below

District/Assistant Land Registers

AND REGISTRY CANTERBURY

KNIGHT FRANK (NZ) LIMITED
TIMARU



"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

# A258065.1 VL

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

<u>AND</u>

IN THE MATTER of Pastoral Lease No. P113
registered in Volume 1D,
Folio 1466, Canterbury
Land Registry, from HER
MAJESTY THE QUEEN to
DOROTHY OLWYN
KELLAND of Geraldine

Pursuant to Section 170 of the Land Act 1948 the term of the abovementioned lease registered in Volume 1D, Folio 1466, Canterbury Land Registry, is renewed for a term of 33 years commencing on the 1st day of July 1997. The Covenant to pay rent and the Rental Value contained in the lease is hereby varied by deleting the said covenant and substituting the following.

Yielding and paying therefore for the first 11 years of the said term unto the Commissioner of Crown Lands at Wellington the annual rent of \$6,000.00 calculated on a Rental Value of \$400,000 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 period of 11 years, and for the next two successive periods of 11 years of the said term a rent determined in respect of each of those periods in the manner provided in Section 132A of the Land Act 1948.

Save as hereby expressly varied all the covenants conditions and restrictions contained or implied in the said Memorandum of Lease shall remain in full force.

IN WITNESS WI	HEREOF the parties have hereur 1996.	nto subscribed their names this
	Commissioner of Crown ) behalf of <u>HER MAJESTY</u> ) the presence of: )	Seaw -/
Witness:	ele	
Occupation:	LYNETTE PORTER	
Address:	TEAM MEMBER NATIONAL OFFICE LAND INFORMATION N.Z. WELLINGTON	

pok.

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SIGNED by the said DOROTHY KELLAND as lessee in the prese	OLWYN ince of:	D.O. Kelland.
-		Lessee
· <b>M</b>		
Witness:		
Occupation: A. D. ARGYLE SOLICITOR		
ASHBURTON		
Address:		•
	Correct for	Purposes of Land Transfer Act

Solicitor for Lessee

Ster Police Padow Ru

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$\sim$	. 36724	27/10 (lease)

NEW ZEALAND.

, folio 201.202 & 203.



Val 30, pdio 130

CERTIFICATE OF TITLE UNDER LAND TRENSFE

nine hundred and Kanelage, under This Certificate, dated the Kanala day of Decem the hand and seal of the District Land Registrar of the Land Registration District of Derankanhanny Was Muzeoky Misomany

is seised of an estate in fee-simple (ambject to such reservations, restrictions, encombrances, liens, and interests as are notified by memorial under written or indersed hereon, subject also to any existing right of the Crown to take and Lay off rooms under the provisions of any Act of the General Assembly of New Zealand) in the hand hereinafter described, as the same is delineated by the plan hereon burdered present, but he several admensurements a little more or less, that is to say: All short percelsof land containing to a street Day of habous and a lower live direct mestand been alradis and associations and sixteen Town Marty for VIDE to an III X . XI. III I Washed to March Beech I and it we Men Date and I sent the Opan De week part is the some Bunt Sertimo 1036, 11554, 24511, 24512, 24568, 24568, 2460, 24610, 24611, 25011, 25014 25018 2501Q-26020-25113-2510r-25261-28808-2880Q-24281r-24281-24281-2428 29288 29284 29290 29394 29395 24396 29347 29398 29399 24400 29443 2994 4.24942-30442-30448-30449-30934-30935-30938-31156-31156-32083.33968 - 8211E mar HHBIE 1 22 CHAPLE H Considered to well for the pay

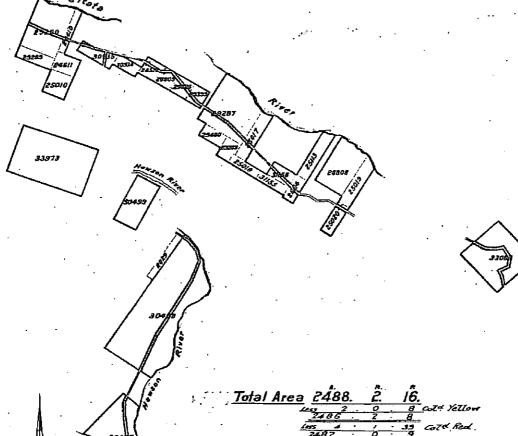
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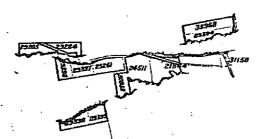
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<u>Plan</u> See Back. 279/130



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# OFFICIAL INFORMATION ACT

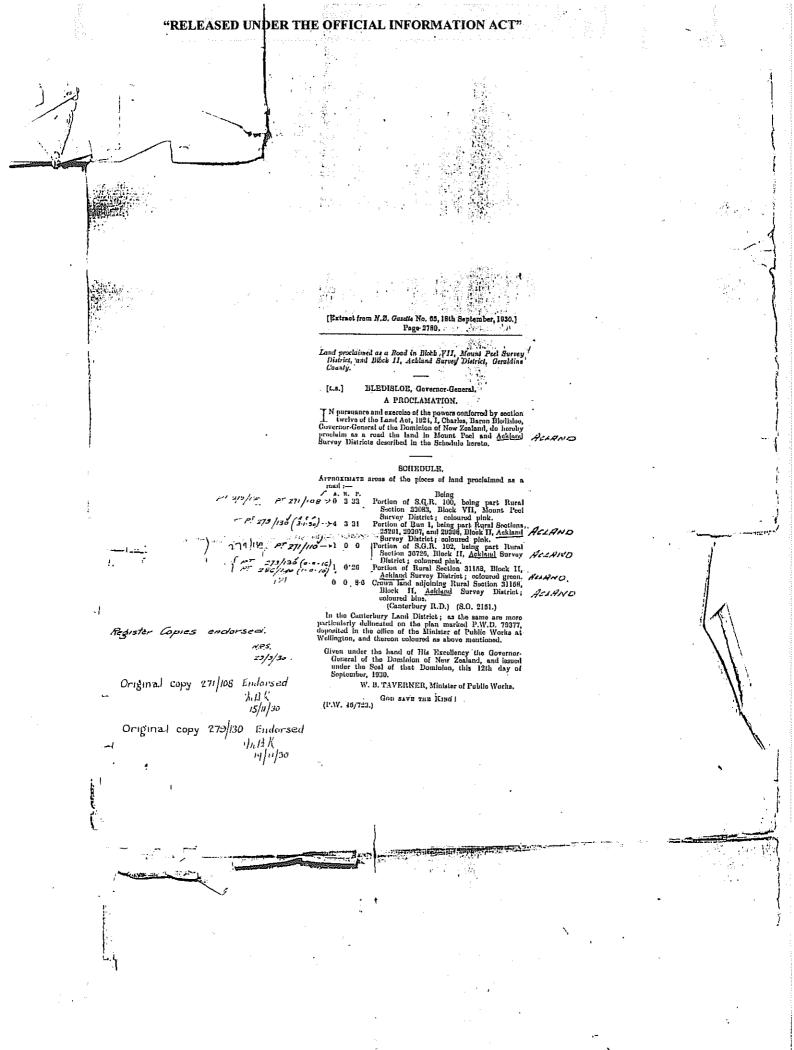
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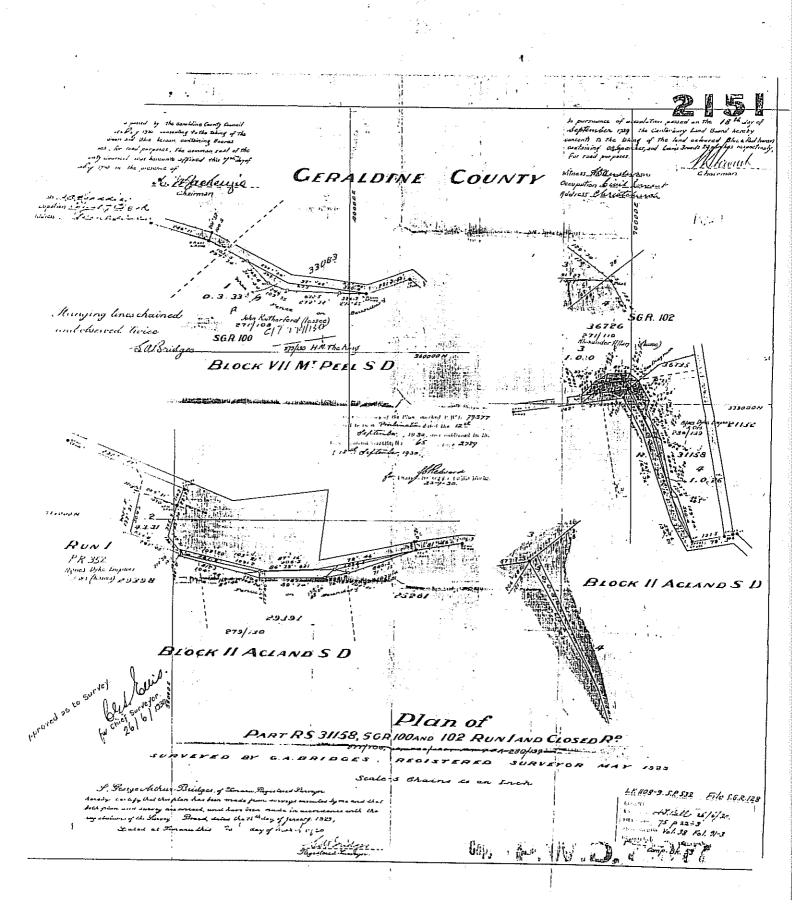
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900//	Correct for the purposes of the Land Transfer Act.
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PROVED RE No. 93 HENRY DYKE ACLAND, Solicitor, HUGH THOMAS DYKE ACLAND, Medical Practitioner both of Christchurch and WALTER EMPSON of Holnicote, Mount Peel, Gentleman --being registered as the proprietor s of an estate1 in fee simple subject however to such encumbrances, liens, and interests as are notified by memoranda underwritten or endorsed hereon, in all those piece sof land situated in 2. District, county, hundred the Acland, Orari and Mount Peel Survey Districts Here state area, exchange containing together Two thousand four hundred and eighty eight acres Two Roods and Sixteen perches (2488 Acres 2 Roods 16 Perches) ----be the same a little more or less' being the whole of the land comprised in Certificate of Title Volume 227 Folio 202 AND BEING Rural Sections 29284, 29285, 33968, 29394, 29398, 29397, 25261, 30938, 24611, 29898, 29396 and those parts of Rural Sections 21844 and 31158 shown on the Plan annexed hereto and coloured red in outline thereon being part of the land comprised in Certificate of Title Volume AND BEING Rural Sections 4036, 4557 and parts of Rural Sections 227 Folio 203 4276 and 4556 being part of the land comprised in Certificate of Title Volume 230 Folio 4 AND BEING Rural Sections 24568 and 24568 being part of the land com-Prised in Certificate of Title Volume 227 Polic 201 all 227/202 Part 227/201-227/203 4 230/4 R.S. 4036: 455.7. 24511. 24512. 24568. 24568 24610. 24611. 25010 25017.25018,25019.25020.25113.25114.25261.28808.28809.29284.29285 31155. 31156: 33083: 33968.33971. 33973. and 141-276. 4556, 218448 · Blko. 1.11. VI. VII. 18. XI XIII, 4, XI VIII. in consideration of the menual, transfer for nonrevance to us of certain lands and hereditaments containing together Three thousand five hundred and eighty six acres O Roods and Twenty perches (3586 Acres O Roods 20 Perches) by HIS MAJESTY

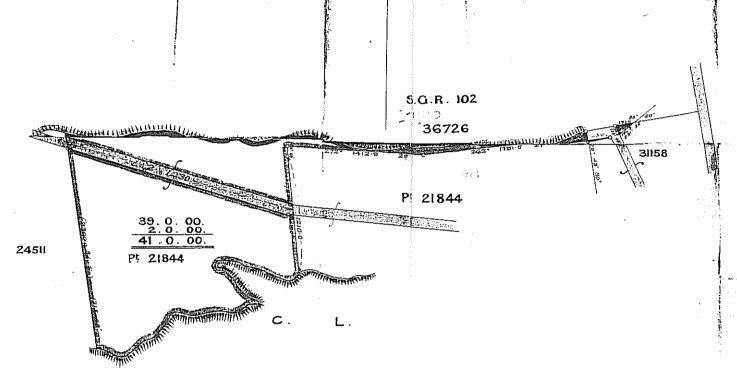
REGISTR

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THE REPORT OF THE PROPERTY OF

# "RELEASED UNDER THE OFFICIAL INFORMATION ACT"

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Part R.S.\$ 21844.8 31158

Compiled by the L.&.S. Office from Official Records

Acland S. D. Wille Rufon Block II

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Approved My Liveror

# NEW ZEALAND.

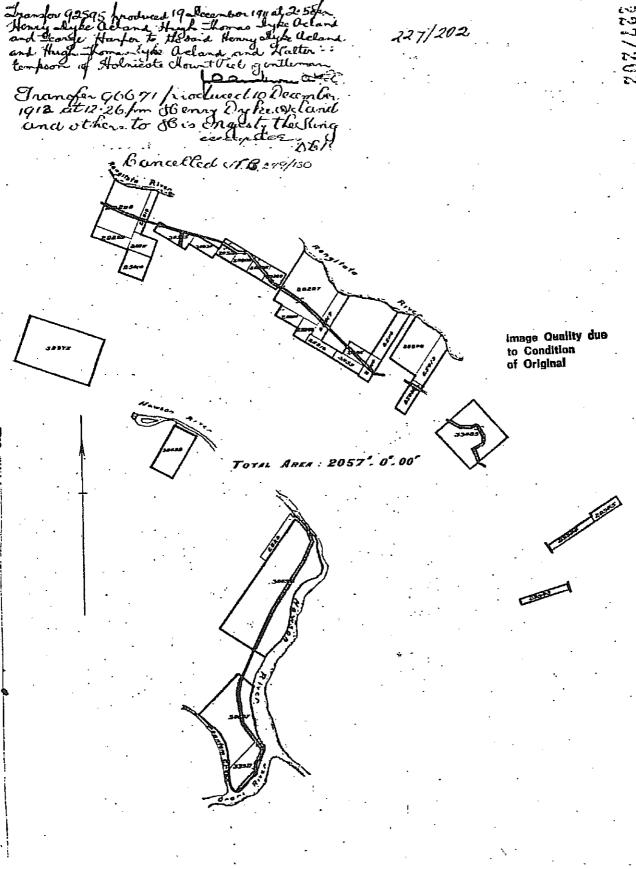




Fat 227, folio 202

CERTIFICATE OF TITLE UNDER LAND TRANSFERCACYCELLED This Certificate, dated the Bearen May of Vehinaring the hand and seal of the District Land Registrar of the Land Registration District of a John Vouston armitel Waland of 2 presty farmen is existed of an estate in for-simple (subject to such reservations, restricti ur indersed hereon; subject also to any axisting right of the Cown to take and lay off reads under the provisions of any Act of the General Assembly no is delineated by the plan bereon, bordered (1999) s, that is to say: All that parceled land containing Kings them Dand Mandalana Conce Delle M. (M. Ha) we know a but to between the training of the start of the till cand XIV of bug Wilment But and Blowner Loy Stic ald 25010.25017.25018.25014.25020.25113.25114.28808.28804.29286.29287. <del>3d388 3d38d 3d3do 3d3dd xdн oo 3ddн9 3ddнн 3ddн2</del> 3oнd2 2oнd8 6FP6F hun 1568 E80EE 95112 25116 3500E 46h0E 4bh0E Elmales. Destrict Sand Baputeur Montgage 10029 produced 15 13 to 18 16 25 5 30 from Inter 13 DER Montgage 31613 perudured 5 September 1 194 2 101 Experience Washing USCHALLED DER Duanger of Hestinger 31613 produced Blane 1896 at 2 30 pres Blackson Managage 36269 pendured 20 July 1896 54 12 15 pm John B. ungger 3570 of Mentgage 10029, 31613 and 36269 he Reginals Brusie Dynter LUM Odeland, Sherifare Byster actaud. Bartin Keginals Verrylan Wills and Dudley activiti Malle enter ch 26 July 1899 with 30 pm See over Drawferrof Mingriger 10029.31612and 36269 produced 28 July 1844 we 1450 the Heginald Vandie Dyne Ochand Showson Vigne Ochand Butter Regular Vangham tools and Dudley Ochand Mills to Wather Edgin Granens Blue dec annussion 576 to George Starper and Sterry Duky leland Solicites and stughe Thomas Dyla teland nuclear practitioner all of thristolurche enter sufuly gob at 200 pres

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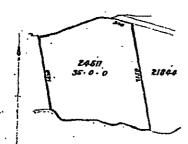
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