

Crown Pastoral Land Tenure Review

Lease name: THE FORKS

Lease number: PO 102

Due Diligence Report (including Status Report) - Part 4

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

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

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

July

09

From: LAND INFORMATION DUNEDIN

+64 3 474 5108

22/02/2002 13:06 #844 P.014/029

approved by District Land Registrar of Otago as No. 1964/42

MEMORANDUM OF TRANSFER

I AHMIE BROWN of Wellington, Widow being registered as proprietor of an estate in fee simple

subject however to such encumbrances

liens and interests as are notified by memoranda underwritten or endorsed hereon in all that piece of land situated in the Eurough of Onmaru

containing by admeasurement One (1) Rood

be the same a little more or less being Section J Block LXVII Town of Camaru and being all of the land comprised and described in Certificate of Title Register Book Volume 225 Folio 70 Limited as to Parcele (Otago Land Registry)

In consideration of my natural love and afrection for my nieces DORSEN MARGRETS LUNDBERG of Camaru Married Woman, ISOBELIA ANY EDMONDATOR of Camaru, Married Woman and JOAN EDITH VERA PATTRISON of Dunedin Married Woman and my nephew JAMES McGRATH of Timpru William

TOH, EACERY CHITTER CHISTORY,

It is horeby certified that the value of the land comprised in the within Transfer is under 41000.

In Consideration of the sum of

paid-tere=====by

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22/02/2002 13:07 #844 P.015/029

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he hereby transfer to the said Borean Margrate Lundberg, Isobelia Amy Edmondaton. Joan Edith Vers Patterson and James McGrath as tenants in common in equal shares are my estate and interest in the said piece of land

मीम्बन्नवर्गान्यसम्बन्धान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्यस्थान्

In Witness whereat	have hereunto subscribed	name	this
day of Justy one thousand nine hundr	ed and sixty Pive		
Figured by the above-named ARGIE DROWN	a Brown	distribution de la constitución de	LIVANÇTELET
as Transferor in the presence of	<u></u>		
Witness Cul-Cul-Cul-Cul-Cul-Cul-Cul-Cul-Cul-Cul-			
Address	- Gan		

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22/02/2002 13:07 #844 P.016/029

269082

TRANSFER OF

Section 5 block LXVII

Correct for the purposes of "The Land Transfer Act"

Solicitor for the Purchaser.

situated in the TOWN OF CAMARU

AMELIS BEGGES	teneracensylvitassevilv-sitevieses ribusses - ec	Vendor
CORDES MARGUETI	M Lindesko An	D. Purchaser =

PARTICULARS entered in the Register Book,

Vol. 225

Fol. 70

30 111 1965

at 11.30 o'clock.

CAGO. H.

Assistant/Bistrice-Land Registrar of the District of Otago.

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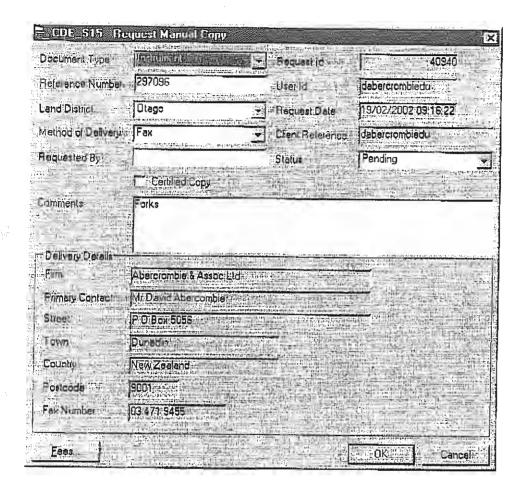
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CH, MACKAY, WALKER & SALISBURY, SOLICITORS

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From: LAND INFORMATION DUNEDIN

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22/02/2002 13:11 #844 P.021/029

Extract from N.Z. Gazette, 17 February 1986, No. 10, page 222

Declaring Road in Slocks V and VIII, Tevior Survey District, to be Government Road and to be Stopped

BERNARD FERGUSSON, Governor-General ORDER IN COUNCIL

At the Government House at Wellington this 7th day of Fobruary 1966

Prosent:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL PURSUANT to the Public Works Act 1928, His Excellency the Governor-General, unting by and with the advice and consent of the Executive Council, hareby

- (a) Declares the pieces of road described in the Schedule hereto to be Government Road, and
 (b) Stops the said pieces of road.

SCHEDULE

OTAGO LAND DISTRICT

All those pieces of mad situated in Teviot Survey District, described as follows:

Adjoining or passing through A. R. P. 3 36 3 Section 48, Block V | 12099)
0 11, Section 46, Block Coloured green on plans
V, and Sections P.W.D. 156299 (S.O. 12098)
10 and 51, Block and P.W.D. 156300 (S.O. VIII)

As the same are more particularly delineated on the plans marked and coloured to above-mentioned and deposited in the office of the Minister of Works at Wellington.

T. J. SHERRARD. Clerk of the Executive Council.

(P.W. 70/17/64/0; D.O. 72/\$/17/0/2)

R. B. Owan, Government Printer, Wellington, New Zealand.

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Assistant, Bayot Registron
OTAGO

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22/02/2002 13:14 #844 P.024/029

L. & S.—B.

CERTIFICATE OF ALTERATION UNDER SECTION 113, LAND ACT 1948

In the Matter of the Land Transfer Act 1952, and the Land Act 1948,

and

In the MATTER of lease (Heense) from HER MAJESTY THE QUEEN to MICHAEL JOSEPH CAHILL of Alexandra, farmer of all that piece of land containing by admeasurement 588.1350 hectares more or less being Part Run 502 and Section 58 Block VIII Teviot Survey District and being all the land comprised and described in Pastoral Lease No P 102

See Separate Sheet for Diagram

registered in Register Book

Vol 338

112 Otago

Land

Registry.

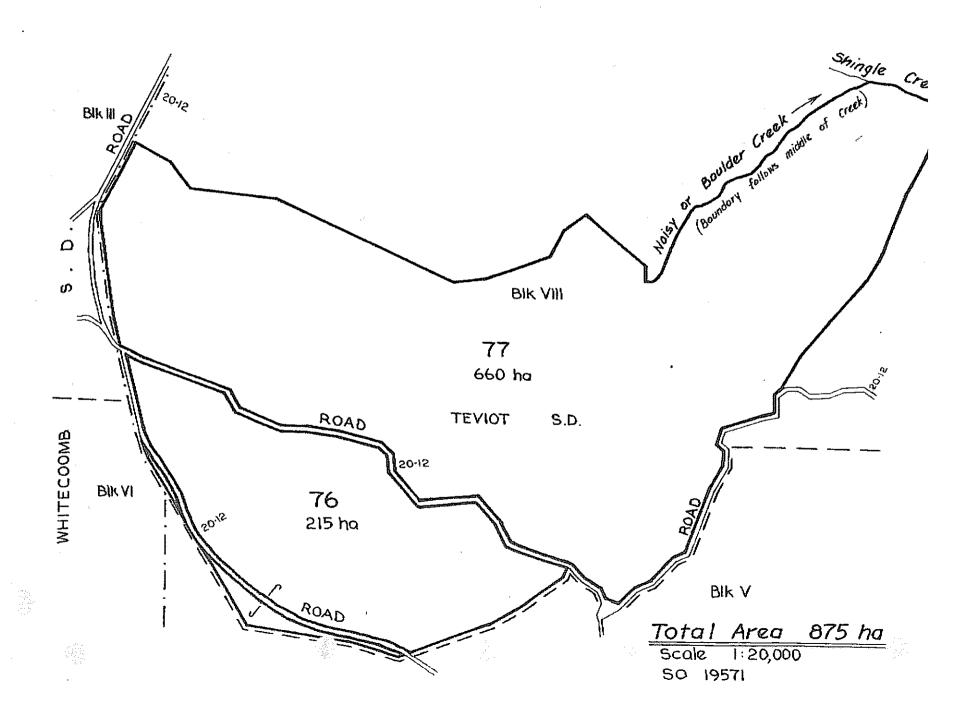
This is to tertify that pursuant to Section 54 Land Act 1948 the area of

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land included in the abovementioned Pastoral Lease has been increased by the incorporation therein of the land in the Schedule hereto as the same is more particularly delineated edged black on the plan hereon AND consequent upon the above incorporation the annual rent and stock limitation are increased to \$855.00 and 1816 sheep (including 320 breeding ewes) respectively from an inclusive of 1 July 1979.

Sections 76 and 77 Block VIII Teviot Survey District Area: 875 hectares.

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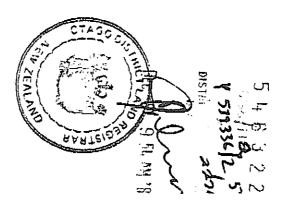


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DEPARTMENT OF LANDS AND SURVEY

TELEGRAPHIC ADDRESS: 'LANDS'

FOR VERBAL INQUIRIES
PLEASE ASK FOR M IS LOADET

TELEPHONE No. 770 650

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OUR REFERENCE: 3/35/1

YOUR REFERENCE:

DISTRICT OFFICE, P.O. BOX 995 DUNEDIN

24 September 1986

The District Land Registrar
Land and Deeds Division
Justice Department
DUNEDIN

ALTERATION TO DESCRIPTION

Please note the following alteration to description. A copy of the relevant plan is attached.

SO Plan 21866

Former Description

Section 58 and Pt Run 502 Block VIII

Block VIII
Teviot SD

Pt Run 502 Block VIII Teviot SD

Pt Run 502 Block VIII Teviot SD New Description

Section 80 Block VIII Teviot SD Area 568.10 ha

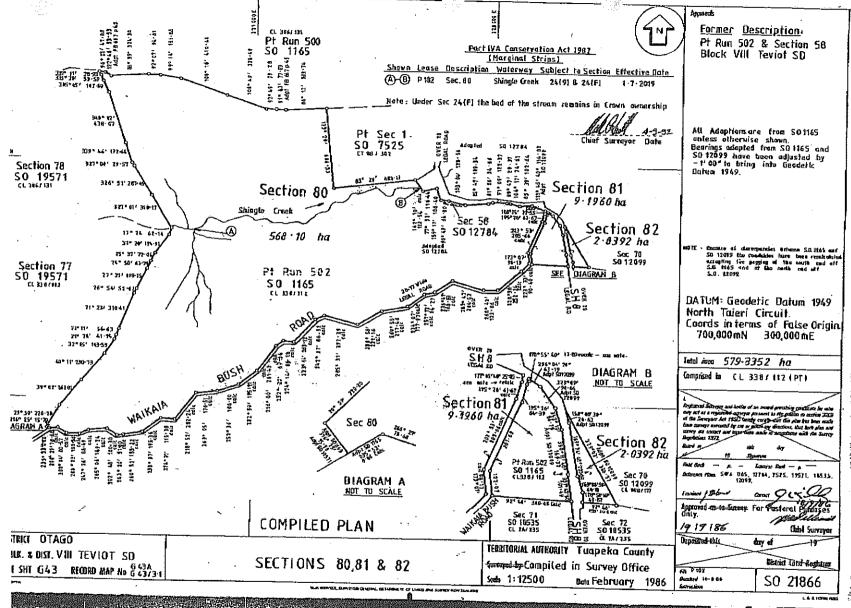
Section 81 Block VIII Teviot SD Area 9.1960 ha

Section 82 Block VIII Teviot SD Area 2.0392 ha

Total area 579.3352 ha

CL 338/112 (Pt)

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22/02/2002 13:16 #844 P.028/029

Extract from N.Z. Gazette, 16 October 1986, No. 165, page 4394

EVIDENCE of the loss of the outstanding duplicate of Crown pastoral lease described in the Schedule below having been lodged with the Land Settlement Board together with application for the issue of a new lease in lieu thereof, notice is hereby given of the board's intention to issue such new lease upon expiration of 14 days from the date of the Gazette containing this actice.

SCHEDULE

ALL that parcel of land situated in the Otago Land District containing 1463.1350 hectares, being Part Run 502, Teviot Survey District and Sections 58, 76 and 77, Block VIII. Teviot Survey District and being all the land comprised and described in Crown pastoral lease No. P 102, recorded as register, Volume 338, folio 112 (Otago Registry) in the names of Michael Joseph Cahill of Alexandra, farmer and Margaret Ann Cahill of Shingle Creek, married woman.

J. N. RODDA, Commissioner of Crown Lands.

Dunedin.

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From: LAND INFORMATION DUNEDIN

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21/02/2002 16:39 #819 P.001/014

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To:

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Page 1 of;

Our Ref:

Your Ref:

As above

Toitu te Land whenua Information

> Land Information NZ John Wickliffe House Princes Street Private Bag 1929 Dunadin New Zealand Tel 03-477 0650 Fax 03-477 3547 HTTP://www.linz.govt.nz

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21.02.0

Your manual LOL request/s

Subject:

Dear Client

Manual request/s

40874, 40877, 40879, 40880, 40882

40883, 40886, 40888, 40890, 40891

Please find following copy/s of manual requests received at this office.

We have searched extensively for your request/s but it cannot be found - Sorry.

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22/02/2002 13:03 #844 P.009/029

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I. Susan Jane Bunting of Dunedin , Property Officer

HEREBY CERTIFY -

 THAT by Deed dated the 12th day of June 1987 copies of which are deposited in the Land Registry Offices at -

AUCKLAND (North Auckland Registry) and there numbered B678573
BLENHEIM (Harlborough Registry) and there numbered 136439
CHRISTCHURCH (Canterbury Registry) and there numbered 686366/2
DUNEDIN (Otago Registry) and there numbered 681189/1
GISBORNE (Poverty Bay Registry) and there numbered 167089.2
HAMILTON (South Auckland Registry) and there numbered H734/77
HOKITIKA (Westland Registry) and there numbered 076748
INVERCARGILL (Southland Registry) and there numbered 141782
NAPIER (Hawkes Bay Registry) and there numbered 478751.2
NELSON (Nelson Registry) and there numbered 269962.1
NEW PLYMOUTH (Taranski Registry) and there numbered 341775
WELLINGTON (Wellington Registry) and there numbered 860782.2

LAND CORPORATION LIMITED at Wellington carrying on the business of land management appointed me its Attorney on the terms and subject to the conditions set out in the said Daed.

- THAT at the date hereof I was Property Officer of the said Corporation.
- 3. THAT at the date hereof I have not received any notice or information of the revocation of that appointment by the winding up or dissolution of the said LAND CORPORATION LIMITED or otherwise.

SIGNED at Duraction this 2rd day of July 1990

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. From:LAND INFORMATION DUNEDIN

+64 3 474 5108

22/02/2002 13:04 #844 P:010/029

MEMORANDUM OF RENEWAL AND VARIATION REGISTER OF PASTORAL LEASE

IN THE MATTER OF THE LAND ACT 1948

AND

IN THE MATTER OF PASTORAL LEASE NO P 102
REGISTERED AS REGISTER VOLUME
11B FOLIO 1148 OTAGO DISTRICT
LAND REGISTRY FROM HER MAJESTY
THE QUEEN TO MICHAEL JOSEPH
CAHILL OF ALEXANDRA FARMER AND
MARGARET ANN CAHILL OF SHINGLE
CREEK MARRIED WOMAN

IRSUANT TO SECTION 170 OF THE LAND ACT 1948 THE TERM OF THE ABOVEMENTIONED CASE REGISTERED IN VOLUME 11B FOLIO 1148 OTAGO LAND REGISTRY IS RENEWED OR A TERM OF 33 YEARS COMMENCING ON THE 1ST DAY OF JULY 1986. THE COVENANT PAY RENT AND THE RENTAL VALUE CONTAINED IN THE LEASE IS HEREBY VARIED BY SLETING THE SAID COVENANT AND SUBSTITUTING THE FOLLOWING:

YIELDING AND PAYING THEREFOR FOR THE FIRST 11 YEARS OF THE SAID TERM UNTO THE LAND CORPORATION LIMITED AT DUNEDIN THE ANNUAL RENT OF \$2.700.00 CALCULATED ON A RENTAL VALUE OF \$180,000.00 PAYABLE WITHOUT I AND BY EQUAL HALF YEARLY PAYMENTS IN ADVANCE ON THE FIRST 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.

WE AS HEREBY EXPRESSLY VARIED ALL THE COVENANTS CONDITIONS AND STRICTIONS CONTAINED OR IMPLIED IN THE SAID MEMORANDUM OF LEASE SHALL MAIN IN FULL FORCE.

WITHESS WHEREOF THE PARTIES HAVE HEREUNTO SUBSCRIBED THEIR NAMES THIS

200 DAY OF TOUR 1990.

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- From:LAND INFORMATION DUNEDIN

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THE OUTER PURSUANT TO A DEED LODGED WITHE OUTER PURSUANT TO A DEED LODGED WITHE STRICT LAND REGISTRAR AS NO 7500 BY LAND CORPORATION LIMITED BY ITS ATTORNEY SUSAN JAME BUNTING IN THE PRESENCE OF: WITNESS: OCCUPATION: 1000-1100-1100-1100-1100-1100-1100-110	TH) 40 .))))	LAND CORPORATION LIMITED BY ITS ATTEMOTISTER
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22/02/2002 13:05 #844 P.012/029

REGISTER

MEMORANDUM OF RENEWAL OF PASTORAL LEASE

PARTICULARS ENTERED IN THE REGISTER AS SHOWN HEREIN ON THE DATE AND AT THE TIME STAMPED BELOW.

HER MAJESTY THE QUEEN

LESSOR

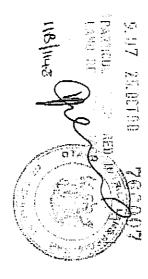
DISTRICT/ASSISTANT LAND REGISTRAR OF OTAGO

M J CAHILL M A CAHILL

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LAND CORPORATION LIMITED DUNEDIN

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21/02/2002 16:39 #819 P.001/014

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Company:

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New Zealand

Land Information NZ John Wickliffe House Princes Street Private Beg 1929 Dunedin New Zealand Tel 03-477 0550 Fax 03-477 3547 HTTP://www.iinz.govt.nz

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Subject:

Manual request/s

40874, 40877, 40879, 40880, 40882

Dear Client

40883, 40886, 40888, 40890, 40891

40892, 40941, 40943.

Please find following copy/s of manual requests received at this office.

Tony Jehny

[&]quot;e have searched extensively for your request/s but it cannot be found - Sorry.



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



Search Copy

Identifier

OT16B/48

Land Registration District Otago

Date Registered

30 June 1995 02:20 pm

Prior References OT11B/1148

Type

As described in the instrument

Area

1454.3352 hectares more or less

Legal Description Section 76 Block VIII Teviot Survey

District, Section 77 Block VIII Survey District Teviot and Section 80-82 Block

VIII Teviot Survey District

Proprietors

Her Majesty The Queen

Interests

Approved by the Registrar-General of Land, Wellington, No. B319989 1, 93

Memorandum of Transfer

therein called "the Transferor") being registered as proprietor of an estate

subject however to such encumbrances, liens and interests as are notified by memoranda underwritten or endorsed hereon in the piece or pieces of land situated in the Land District of containing

In Consideration of the sum of		,
paid to the Transferor by		
•		
thurson willed Wike Transfers "Victor arrays of the bar		·
(herein called "the Transferee") the receipt of which sum		fransfers to the
Transferee all the Transferor's estate and interest in the said pie-	ce or pieces of land	
In witness whereof these presents have been executed this	day of	19
Signed by the Transferor		
(by the affixing of its common scal)		
in4he-presence or		

7 November 1996

The National Bank of New Zealand Limited Regional Support Centre PO Box 5448 DUNEDIN

Attention: Dawn Couch

Dear Madam

RE: PASTORAL LEASE 11B/1148 MICHAEL JOSEPH AND MARGARET ANN CARTLL

I acknowledge production of the abovementioned Pastoral lease and now return it with easement 885850 memorial duly recorded against the title.

Yours faithfully

BRIAN YOUNG

for DISTRICT LAND REGISTRAR

Encl



REGIONAL SUPPORT CENTRE DUNEDIN 4th Floor National Mutual Building Cnr George & Bath Streets P O Box 5448 Moray Place Dunedin Ph 0-3-479 3730

Fax 0-3-479 3737

Ref: 917

1 November 1996

The District Land Registrar
Private Bag 1929

DUNEDIN

-5 ' 1005

Attention: B T Young

Dear Partners

PASTORAL LEASE 11B/1148
MICHAEL JOSEPH & MARGARET ANN CAHILL

Further to your letter dated 23 October 1996 we enclose Certificate of Title No 11B/1148 to enable registration of the transfer as requested

The Certificate of Title is sent to you on your undertaking that it will be :

- a) used for the sole purpose of registering the transfer
- b) returned to this office immediately registration has been completed.

Please note that Checketts McKay have never requested the Bank to produce this document because they understood that the Cahill's were unwilling to agree to the transfer

We should be pleased if you would acknowledge receipt of the Title, and confirm your undertaking as above, by signing and returning the duplicate of this letter.

Yours faithfully

Dawn Couch LENDING SERVICES 25 October 1996

The National Bank of New Zealand Limited Regional Support Centre P O Box 5448 DUNEDIN

Attention: Dawn Couch

Dear Madam

re: Pastoral Lease 11B/1148
Michael Joseph & Margaret Ann Cahill

- 1. Checketts McKay, Lawyers, Central Otago, have lodged for registration in this office a transfer (registration No. 885850) granting a right to convey water in gross pursuant to Section 4 of the Irrigation Schemes Act 1990 over Crown land containing 1454.3352 hectares being Sections 76, 77, 80, 81, 82 Block VIII Teviot Survey District in the names of Margaret Ann Cahill of Shingle Creek married woman and Michael Joseph Cahill of Alexandra farmer.
- The land has a Pastoral Lease No. 118/1148 registered against it and the outstanding copy of this lease is required to be produced to record the easement memorial.
- 3. Checketts McKay, Lawyers, have informed the District Land Registrar that you hold the outstanding copy of Pastoral Lease 11B/1148 as first mortgagee and have refused to produce the lease to enable the registration of Transfer 885850 to be recorded.
- 4. NOTICE is hereby given pursuant to Section 211B Land Transfer Act 1952 requiring you to produce the outstanding copy of Pastoral Lease 11B/1148 to this office by 4 pm on 8 November 1996 to enable the endorsement of the easement memorial.
- 5. The recording of Transfer 885850 will not change your security or priority as first mortgagee and the lease will be returned immediately following the entry of the easement memorial. If you have any gueries please telephone the writer of this letter.

Yours faithfully

💇 T Young

for DISTRICT LAND REGISTRAR

:Checketts McKay Lawyers Central Otago

By.

Cromwell Onice

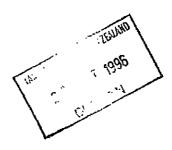
35 The Mail Cromule. Pio: Bos 154 Cromwell New Zealand (CS) 445 0025 (CB) 445 1656 3\Z 0209 (6 0007475 00 30-317-555

22 October 1996

Alan McKay

The District Land Registrar Land Information New Zealand Private Bag DUNEDIN

ATTENTION BRIAN YOUNG



Dear Sir

RE: REQUISITION 885850

We refer to our telephone conversation relating to this matter

We request that you obtain pursuant to Section 211(b) of the Land Transfer Act the outstanding pastoral lease to enable the easement granted by the Crown to be noted

We would be pleased if you could attend to this as soon as possible

Yours faithfully **CHECKETTS McKAY**

A B McKAY Partner

ABM JAS Encl

102296

R D Checkers LLB A B McKay bulb LLA Whanson LLB LJ G Rayrer LLB LJ G Fyre S A LLB atres

K E 101 · __ 3 Associate

Statt Solicitor | N. M. Carting, B.A. U., B.
Crices H. | Richtsight Alexandra Cromwell Warana



department of Justice

Land Registry Office Private Bag Fax No. 4778-993 Dunedin Telephone 4778-991, Ext. 731

icer for Inquiries: The Registration Receptionist

Date: 26 July 1995

> Messrs Checketts McKay Solicitors PO Box 41 ALEXANDRA

Dear Sir(s)/Mme(s)

(Pursuant to s.43, Land Transfer Act 1952) (In any correspondence, please quote "REQUISITION" and the instrument No(s).)

- (1) The registration of the instrument(s) lodged by you in this Registry and detailed in the schedule below cannot be completed until the rectifying action requested in the said schedule has been taken.
- (2) The Registry will be pleased to answer any queries regarding the requisition.
- (3) Would you please ensure that the requisition is satisfied or the instrument(s) is/are withdrawn from registration WITHIN ONE MONTH FROM THE DATE HEREOF.

TYPE & NO. OF INSTRUMENT PARTIES ACTION NEEDED, PLEASE — TE885850 Last Chance Irrigation Company Limited Produce CT 11B/1148	SCHEDULE		
Irrigation Company		PARTIES	ACTION NEEDED, PLEASE -
	TE885850	Irrigation Company	Produce CT 11B/1148

Regulation 12 of the Land Transfer Regulations 1966 reads

(1) The Registrie may refuse to register any instrument containing an

(1) The Regative may reluse to register any indicated role and an crossite or attention.

(2) Mist does should be corrected by deleting the words or figures stated in order and writing the correct words or figures above them.

(3) Where my such correcting interharation, or addition affects or could affect the interests of the persons executing the material witnesses. Where it affects or could affect the interests of the persons receiving the beautiful mater the transaction, it should be initialled by those persons in the material materials of the persons receiving in the materials acting on their Lenalt under the transaction, as the circumstances, and warrant.

The Assistant Land Registrar who issued this reguisition was

B BOYLE

Yours faithfully

K.Eaton

DISTRICT LAND REGISTRAR for

Checketts McKay
Lawyers Centrel Otago

- Айматаза Саточ

Had oss | 31 Tambet Street Alexandra | 954 | FO Bot 41 Alexandra | Nov. Zealand | 103 448 6069 | Tex | 1051 448 6069 | B 20 000 160 776 75 00 | S 7 Number | 300 165 165 | S 7 Number | 300 165 165 |

Pagen Ber ta

29 June 1995

John Williamson/ Bernadette Lanham

The District Land Registrar Private Bag DUNEDIN

Dear Sir

RE THE LAST CHANCE IRRIGATION COMPANY LIMITED - HER MAJESTY THE QUEEN

We have not made M J Cabill and M A Cabill a party to this transfer simply in the name of the Crown as owner

Yours faithfully CHECKETTS McKAY

J A Williamson LLB

Partner

111] -29 06-34

4450026

1.0 BACKGROUND

- 1 1 The Last Chance Irrigation Company Limited, at Alexandra (called "the Irrigation Company") has purchased the Last Chance Irrigation Scheme pursuant to a Sale and Purchase Agreement between John Begg Miller of Shingle Creek, Farmer Lewis Jackson McGregor of Alexandra Farmer and Charles Watson Harrex of Alexandra Orchardist as agents for the Irrigation Company then yet to be incorporated and David Francis Caygill, Minister of Finance and Colin James Moyle, Minister of Agriculture on behalf of the Crown, dated 16 November 1989 and subsequently adopted by the Irrigation Company as the Purchaser. The Last Chance Irrigation Scheme (called "the Irrigation Scheme") is defined by notices in the New Zealand Gazette Order dated 24 June 1923 and is described in the said Sale and Purchase Agreement.
- 12 HER MAJESTY THE QUEEN acting by and through the Commissioner of Crown Lands (called "the Crown") is the proprietor of that land containing 1454 3352 hectares more or less being Sections 76, 77, 80, 81 and 82, Block VIII, Teviot Survey District subject to Pastoral Lease (no number) comprised in Register Book Volume 11B Folio 1148 (Otago Land Registry) (called "the Crown's land")
- 1 3 MICHAEL JOSEPH CAHILL of Alexandra, farmer and MARGARET ANN

 CAHILL of Shingle Creek, married woman as tenants in common in equal shares (called "the Lessee") is registered as the lessee of the said Pastoral Lease
- 1.4 The Minister of Agriculture (called "the Minister") had the right immediately before the date of sale of the Irrigation Scheme to the Irrigation Company, pursuant to Section 223 of the Public Works Act 1981 or the corresponding

provisions of any former enactment relating to irrigation, to enter use, occupy, carry out work on, store water on, or convey water over the Crown's land and in the manner, detailed in this Instrument, for the purposes of the Irrigation Scheme

1 5 Section 4 of the Irrigation Schemes Act 1990 provides the statutory mechanism to transfer from the Landowners to the Irrigation Company, the same easement rights as the Crown previously had over the Crown's land and the Crown, lessee and the Irrigation Company have agreed to the transfer of these easement rights to the Irrigation Company

2.0 GRANT OF EASEMENT

The Crown pursuant to section 4 of the Irrigation Schemes Act 1990

TRANSFERS AND GRANTS to the Irrigation Company as an easement in gross forever, the right to convey water over the said Crown's land as marked "____" on the plan LC 23A annexed which right to convey water shall have attached to it the rights, powers and obligations detailed in the following clause 3.0

3.0 RIGHTS AND POWERS RELATING TO THE GRANT OF EASEMENT

The Irrigation Company together with any person (as defined in Section 4 of the Acts Interpretation Act 1924) acting with the authority, or on the instructions, of the Irrigation Company and together with all tools, implements, machinery, vehicles, equipment and materials of whatsoever nature shall have the uninterrupted and unrestricted rights

- (a) To situate and maintain water works and convey water unimpeded along the stipulated course on the Crown's land shown on the plan <u>attached</u> and for this purpose to have the right to use, occupy, construct, maintain, reconstruct and carry out such works (in this Instrument called "water works") as the Irrigation Company considers necessary or desirable on the Crown's land along the stipulated course including, but without limitation, structures and works for intakes, conveying water, water flow control and supply, turnouts, monitoring and discharges
- (b) To monitor and control its waterflows and the water source flows and to carry out viewing, surveillance and monitoring of its water works on the Crown's land
- (c) To enter the Crown's land and to have access across the Crown's land by the most practicable route
- (d) To erect and maintain such fixtures or markers as may be necessary to indicate the location of any pipeline and associated works provided that such fixtures or markers do not interfere with the reasonable management of the Crown's land
- (e) To generally do anything necessary or convenient for the full exercise of the rights under this instrument and to give full effect to the purposes of this instrument

It being acknowledged that the words "convey water" and "conveying water" include "bye-wash water" and "bye-washing water"

3.2 In exercising its rights and powers under this Instrument, the Irrigation Company shall

- (a) Cause as little disruption and disturbance to the occupation and enjoyment by the Crown and the lessee of the Crown's land, as is reasonably possible
- (b) Cause as little damage to the Crown's land and the fixtures on it and the surface of it as is reasonably possible
- (c) After exercising its rights and powers, restore the Crown's land and the fixtures on it as nearly as is reasonably possible to its former condition but as shall be reasonable in the circumstances having regard to the economic and amenity values to the Crown and the lessee of the land and the fixtures affected
- 3 3 (a) When the Irrigation Company requires entry with machinery on the Crown's land to carry out maintenance or construction works, it shall take reasonable steps to give to the lessee or occupier of the land not less than 24 hours notice by direct personal contact, ordinary letter, facsimile transmission, or telephone prior to such entry and works being undertaken unless there is an emergency and in which case no notice shall be required
 - (b) If the lessee or occupier has received such notice the lessee or occupier shall notify the Irrigation Company, prior to the entry and work being undertaken, of the presence of pipes or other underground facilities in the Crown's land and if the lessee or occupier fails to notify the Irrigation Company then the Irrigation Company will not be liable for any damage it may cause to such underground pipes or underground facilities

- 3 4 (a) It is acknowledged that the Irrigation Company shall not fence the boundaries of the easements
 - (b) The Crown and lessee shall not do, or permit to be done, anything, including planting trees or constructing works or buildings, which will prevent or interfere with the free passage of water along the stipulated course or prevent or interfere with the Irrigation Company's full rights of access and full use by it of its rights created by this Instrument and shall not interfere, or permit any interference, or allow trees, tree roots or other vegetation growing on or from the landowners land or stock pastured on the crown's land to interfere with the support, structure or integrity of the Irrigation Company's water works
 - (c) Without limiting the extent of this clause 3.4, the Crown and lessee shall not without the prior written consent of the Company, plant or permit to be planted trees or construct or permit to be constructed works or buildings within 4 metres of the centre line of a pipe or within 3 metres from the edge of a water race or other water works
- 3.5 The rights and powers contained in paragraphs 2 and 5 of the Seventh Schedule to the Land Transfer Act 1952 shall apply except insofar as they are varied by this instrument and with the deletion from both paragraphs 2 and 5 of the words "(in common with the grantor, his tenants and any other person lawfully entitled so to do)"
- Any right of action or remedy which shall at any time after the date of this instrument accrue to the irrigation company because of any breach or non-observance by or on behalf of the Lessee of any of the covenants expressed or implied in this instrument and to be observed or performed by the Crown shall be enforced only against the registered proprietor for the time

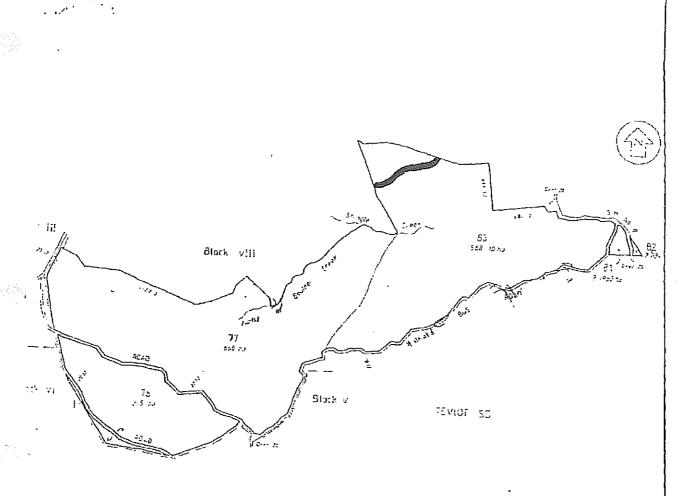
being of the Pastoral Lease in respect of which such breach or non-observance shall occur or against the lessee of the Pastoral Lease at the time of such occurrence aforesaid but to the intent that any lessee of the Pastoral Lease shall only be liable for acts or defaults occurring while that person is so registered

3 7 A reference to any party to this instrument includes that party and that parties transferees and successors

Sos

Dated the	2674	day of	Snē.	1995
SIGNED by and on be of HER MAJESTY THE QUEEN by the Commissioner of Crow Lands as landowner in the presence of Witness Milludge Occupation William Address	E) in) in) in () in (ie lorew Lud lyf	Kands Germadian	
SIGNED by the LAST CHANCE IRRIGATIO COMPANY LIMITED I the affixing of its commiseal in the presence of	<u>N</u>) by) mon)))	of Depth of the Control of the Contr	

GJD-689



59	19571	£	5/7	21 A . s.

	OPTIONAL EASEMENTS IN GROSS									
Purpose	Purpose Comprised in Shown Servient Tenement Grantee									
Right Convey Water	CL 11B / 1148		Secs 76,77,80,81 & 82 Blk VIII Teviot SD	Last Chance Irrigation Company Ltd						

Plan of Easement Over Sections 76, 77, 80, 81 & 82 Block VIII Teviot S.D.

	-
OTAGO LAND DISTRICT	
CENTRAL OTAGO D.C.	

SCALE 1 37,000 DATE September 1994 Prepared by MCGEORGE & ELDER SURVEYING CONSULTANTS

LC 23A

In right

MEMORANDUM OF TRANSFER

Here Massery The Owen Transferor

THE LAST CHANGE , Fransfered Irrangement Company Limited

Particulars entered in the Register as shown herein on the date and at the time endorsed below

Assistant / District Land Registrar of the

District of

Correct for the purposes of the Land Transfer Act 1952

SOLICITOR FOR THE TRANSFEREE

I hereby certify that this transaction does not contravene the provisions of Part IIA of the Land Settlement Promotion and Land Acquisition Act 1952

SOLICITOR FOR THE TRANSFEREE

Thereby certify for the purposes of the Stamp and Cheque Duties Act 1971 that no conveyance duty is payable on this instrument by reason of the application of Section 24(1) of the Act and that the provisions of subsection (2) of that section do not apply

SOLICITOR FOR THE TRANSFEREE

2.20 30.JUN 95 885850 ARTICULARS SHTERED WIREGISTER LAND REGISTER'S TAGO
ASST. LAND REGISTER'S TAGO
AS

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

54365 £ 54368

From:LAND INFORMATION DUNEDIN

+64 3 474 5108

- 18/04/2002 10:22 #344 P.001/003

Facsimile

To:

Company: Observeramble & Assoc.

Fax No: 03 4719455

From: Tony Fahey

Date: 18.04.02

Page 1 of: 3

Toitu te
Land whenua
Information
New Zealand

Land Information NZ
John Wickliffe House
Princes Streat
Private Bag 1929
Dunedin
New Zealand
Tel 03-477 0550
Fax 03-477 3547
KTTP://www.linz.govt.nz

Confidential

Our Ref:

Your Ref:

is lacatrule message contains information which is confidential and may be subject to said privilege. If you are not the intended recipient, you must not peruse, use, disseminate, distribute or copy this message. If you have received this message in error, please notify us immediately by facatralle or telephone and destroy the original message. Thank you.

Your manual LOL request/s

Subject:

Manual request/s

As above

Dear Client

Please find following copy/s of manual requests received at this office.

se have searched extensively for your request/s but it cannot be found - Sorry.

Tony

"RELEASED UNDER THE OFFICIAL INFORMATION ACT"

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From:LAND INFORMATION DUNEDIN +64 8 474 5108 18/04/2002 10:24 #344 P:003/003

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Secs 76 and 77 were incorporated as at 30/6/79

Stock limitation in lease - 1816 sheep (Plus 320 br/ewes)

- on Secs 76 and 77 - 1400 sheep from mid Dec to mid Apr

Sec 76 - 215ha " 77 - 660ha

- On Sec 58 and Run 507
2000 sheep (incl 1500 br/ewes)
60 cattle (incl 50 br/cous)

Secs 80,81,82 - Previously Pt Run 502 + Sec 58, BILL VIII Teviot S.D.

Master Details Menu

divisions

Sales

General Maintenance

Update Assessment

Property Groups

Separate Properties

SRA Values

View Action Records

View Change History

Objections

Consents



Public Roll Enquiry **District Valuation Roll**

Enquiry

Public Single Property Sales History

Single Property Sales

History

Property Inspection



View My Reports



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Quotable)///

commercial

EJEATOUD 0080

residential rural

Professional valuers of

& specialist property

plus plant & machinery

We recognise the value so you can realisa the potential.

Cail us for a se obligation quote.

Master Details

Qpid:

1448809

Val.Ref.:

28472 / 28400

Situation:

Date Revised:

No. of Extensions:

Territorial Authority:

0 WAIKAIA BUSH Road 69 Central Otago District

Property Name:

Category:

PFB Pastoral-Fattening-av

01/09/2001

Nature of Imp.:

DWG OI FG OBS

Plan:

Objections: No No Subdivisions: Consents: Valuations Capital Land Improvements Rating Valuation: (Worksheet) 740000 540000 200000 Special Rating Valuation:

Special Rating Revision Valuation:

Revision Valuation:

Owner/Occupier Details

Type Ownerl

Owner2

Occupier

Land Information New Zealand

C/o Knight Frank (Nz) Ltd P O Box 27 Alexandra 9

Land Information New Zealand Ashley Alton McGregor

P O Box 27 Alexandra 9181

Shingle Creek State Hway 8 Alexandra 9181

Complete Owner/Occupier Details,

Certificate of Titles: 11 / 11B / 1148

Legal Descriptions: P102 SECS 76-77 80-82 BLK VIII TEVIOT SD - THE FORKS - INCL WATER RIGH

Land Area 1463.1350Ha

TORAS

Code:33100

Tenure Ownership Rateability Rateable

Apportionment

Clearly Leased

Crown-Ministries/Departments

NOT APPLICABLE

Land Use Data

Zone:

Use:

Stock Fattening

Units: Car Parks:

ΙA l 0

Sub:

0

560

Ols

Maori Land:

Age:

Wall Cond .:

Roof Cond.:

Wall Const.:

Roof Const.:

Site:

Floor Area;

Land Area:

MAS Appraisal Data

Main

0

CSI

Lot Position

560

1463.1350Ha

Contour

Landscaping

View

View Scope

Fdn

House Type

Modernisation

EYB

Total 0

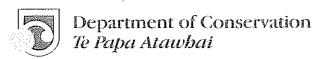
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LDY

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0



Our ref: P 102

18 February 2002

Abercrombie and Associates Consultants Box 5056 CHRISTCHURCH

Dear Sir

TENURE REVIEW: THE FORKS

I refer to your letter of 14 February 2002.

There is no public conservation land within the boundaries of the lease.

The attached plan shows an area of conservation land on the boundary of the lease. The conservation area which is held under section 62 Conservation Act is shown as conservation units G43001 and G43003. There are no concessions over this land.

As the department has not always received advice from LINZ when marginal strips are created the department is not able with certainty to say whether there are any other marginal strips affecting this property.

Yours faithfully

Ken Stewart

Community Relations Supervisor

For Conservator