

COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



Search Copy

Identifier OT18B/922
Land Registration District Otago
Date Issued 05 March 1998

Prior References

OT13D/246 OT21/176

Estate Fee Simple

Area 3.4022 hectares more or less

Legal Description Lot 1 Deposited Plan 26426 and Part

Section 5 Block XXI Shotover Survey

District

Proprietors

Shotover Property Investments Limited

Interests

Subject to Sections 241(2) & 242(1) and (2) Resource Management Act 1991 (affects DP 26426)

Lot 1 DP 26426 is subject to Part IV A Conservation Act 1987

Lot 1 DP 26426 is subject to Section 3 Petroleum Act 1937

Lot 1 DP 26426 is subject to Section 8 Atomic Energy Act 1945

Lot 1 DP 26426 is subject to Section 3 Geothermal Energy Act 1953

Lot 1 DP 26426 is subject to Section 6 Mining Act 1971

Lot 1 DP 26426 is subject to Section 8 Mining Act 1971

Lot 1 DP 26426 is subject to Section 5 Coal Mines Act 1979

Lot 1 DP 26426 is subject to Section 261 Coal Mines Act 1979

416858 Gazette Notice declaring State Highway No. 6 a limited access road - 21.1.1974 at 9.14 am

Fencing Covenant in Transfer 866485.1 - 4.10.1994 at 10.15 am (affects Lot 1 DP 26426)

885723 Transfer creating the following easements in gross - 30.6.1995 at 12.13 pm

Type Servient Tenement Easement Area Grantee Statutory Restriction
Convey water Part Section 5 Block D C Transfer Arrow Irrigation

Convey water Part Section 5 Block D C Transfer Arrow Irrigation XXI SHOTOVER 885723 Company Limited

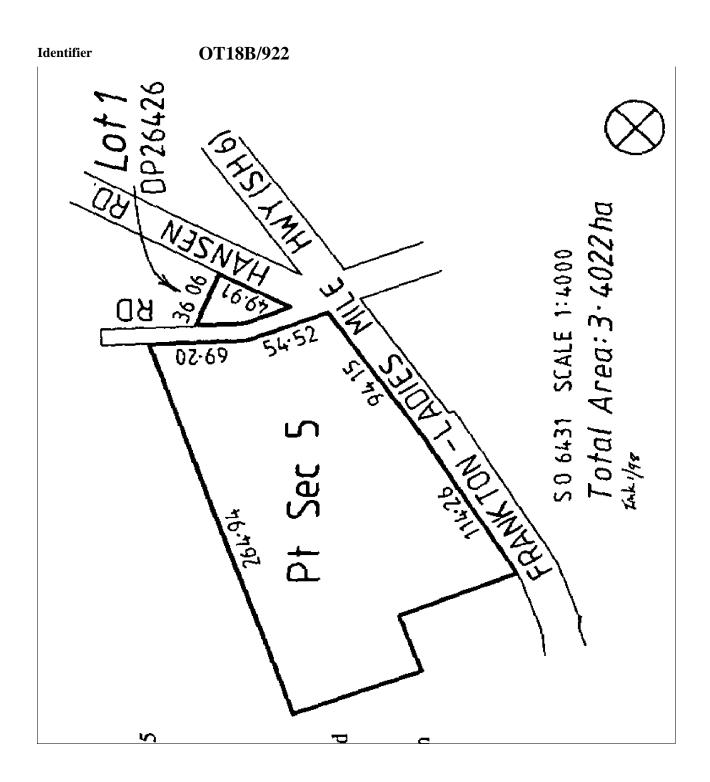
Survey District - herein

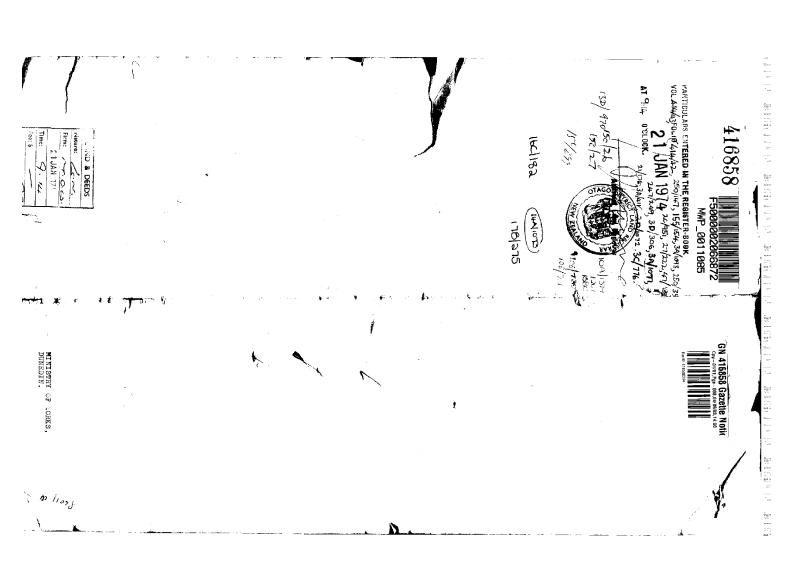
6971563.2 Mortgage to Southland Building Society - 2.8.2006 at 9:00 am

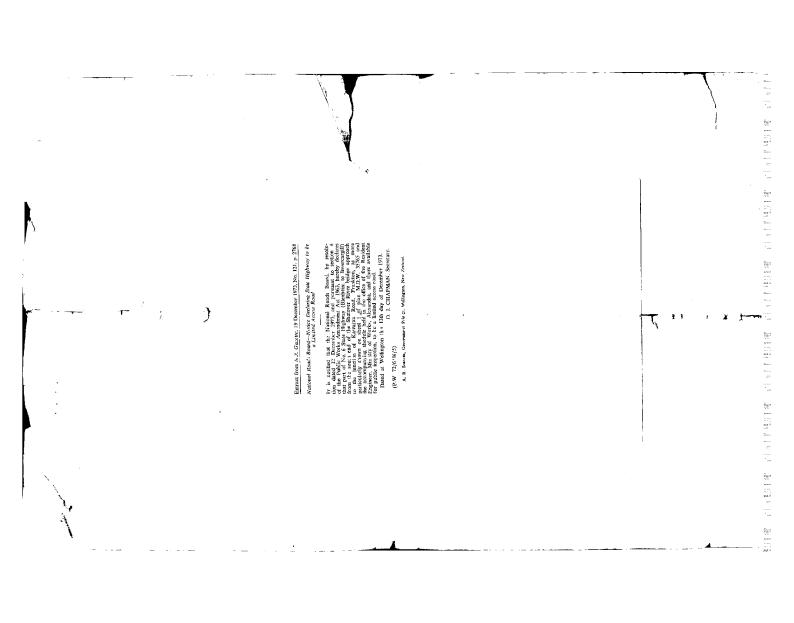
8477320.1 Mortgage to South Canterbury Finance Limited - 7.7.2010 at 2:21 pm

8546665.1 Variation of Mortgage 6971563.2 - 21.7.2010 at 9:46 am

Transaction Id 30376226
Client Reference tkeenan001







72/6/16/5

27 May 1986

District Land Registrar OTAGO

SUBDIVISION OF LIMITED ACCESS ROAD

S H 6: Shotover River - Frankton section was declared Limited Access Road by the New Zealand Gazette No. 121, P 2768, 19.12.73. By virtue of Section 158 of the Public Works Act 1981, that section of State Highway is, for certain purposes, deemed not to be a road except for such purpose to such extent and on such conditions as I may notify to you. I hereby give notice, at the request of the National Roads Board and in terms of Section 158 of the Public Works Act 1981 that that section of State Highway is a road for the purpose of the deposit of a plan of subdivision of Sec 128 BIK I Shotover S.D. and the issuing of titles for two lots as approved by the Lake County Council subject to the following conditions and restrictions:

- 1. Titles to all lots relying on the State Highway for frontage to be endorsed with the Limited Access Road restriction.
- 2. All conditions and restrictions as required by the Territorial Authority or by virtue of any enactment in force at this time.

/ |Minister of Works and Development

Co. iom

Signed by George Antony Town for and on behalf of the Minister of Works and Development pursuant to delegations to the Commissioner of Works from the Minister and in terms of Section 12(4) of the Public Works Act 1981.

SCHEDULE FOR LIMITED ACCESS ROAD DECLARATION NO. 6 STATE HIGHWAY: SHOTOVER TO FRANKTON R.M. 624.63 to 626.15COPY OF 35 76 55 Livitern (left) side properties. North to south M. O.W.

n Corner of Sec. 16	.63 Easter	Reginning of limited access road R.M. 624.63 Eastern Corner of Sec. 16	Baginning o
		Description	No.
Not for publication Registered Occupier Proprietor	M.O.W. Ref.	Access particulars as at April, 1973	tle description Ctago

Evan Meldrum Hansen	. 9	No existing access to S.H. Grossing place allocated.	54/47
Evan Keldrum Hansen	∞ 1	No existing access to S.H. Crossing place allocated	B.K I Shotover S.D.
Evan Meldrum Hansen	7	No existing access to S.H. Crossing place allocated	%ec. 70 .t.C.T. 414/43 %% I Chotover S.D.
Evan Meldrum Hansen	6	No existing access to S.H. Crossing place allocated	2.0.2. 414/43 2.0.2. 414/43 2.6.5. Loctover S.D.
Evan Meldrum Hansen	· V1	No existing access to S.H. Crossing place allocated	2t. Sec. 72 1t.C.T. 414/43 3 k I Inctover S.D.
Derek Montieth Fears Marion Joyce Pears (Tenants in common in equal shares)	. +0	Vehicle Access Vehicle Access	Lot 2 D.P. 9617 2 C.T. 444/42
Evan Keldrum Hansen	N	No existing access to S.H. Crossing place allocated	.ec. 73 Pt. 4-4/43
Evan Meldrum Hansen	د	No existing accesss to S.H. Grossing place allocated	74 114/43 15over S.D.
Evan Keldrum Hansen		No existing access to S.H. Access available to side road	3ec. 75 .1.C.T. 414/43 577 Shotover S.D.
			Unnamed road
Evan Meldrum Hansen		No existing access to S.H. Access available to side road	Sec. 134 Pt.C.T. 414/43 Blk I Shotover S.D.
Evan Keldrum Hansen		No existing access to S.H. Access available to side road	Sec. 135 Pt.C.T. 414/43 Blk I Shotover S.D.
Evan Meldrum Hansen		No existing access to S.H. Access available to side road	Sec. 136 Pt.C.T. 414/43
			Unnamed road
		and II Shotover S.D.	Boundary of Blk I
Evan Keldrum Hansen		No existing access to S.H. Access available to side road	Sec. 67 Pt.C.T. 414/43 Blk IT Shotover S.D.
a Corner of Sec. 16	3 Eastern	of limited access road R.M. 624.6 or Sec. 67 Blk II Shotover S.D.	Beginning o
		Description	Remistry) No.
Not for publication Registered Occupier Proprietor	M.C.W. Ref.	Access particulars as at April, 1973	tle description

SCHEDULE FOR LIMITED ACCESS ROAD DEGLAHÁTION NO. 6 STATE HIGHWÁY: SHOTOVER TO FRANKTON R.M. 624,63 TO 626,15

Eastern (left) side properties. North to south

Title description Access particulars as at P	M.O.W.	blica
No.		Proprietor
Sec. 67 Pt.C.T. 414/43 Crossing place allocated Blk I Shotover S.D.	ō	Evan Meldrum Hansen
. 66 Existing farm access onto C.T. 414/43 Grants Road I Shotover S.D.		Evan Meldrum Hansen
Road		
7 Existing farm access onto T. 414/43 Grants Road Shotover S.D.		Evan Meldrum Hansen
Sec. 56 No existing access to S.H. Pt.C.T. 414/43 Crossing place allocated Elk I Shotover S.D.	11	Evan Meldrum Hansen
Sec. 55 No existing access to S.H. Pt.C.T. 414/43 Crossing place allocated Blk I Shotover S.D.	12	Evan Meldrum Hansen
No existing access to S.H. Pr.C.T. 414/45 Crossing place allocated Blk I Shotover S.D.	13	Evan Meldrum Hansen
Sec. 53 Pt.C.T. 250/147 Rarm access Blk I Shotover S.D.	14 J	John Dearsley Grant) Tenants William John Grant) in common in equal shares
Sec. 52 Pt.C.T. 250/147 Crossing place allocated Blk I Shotover S.D.	16 %	John Dearsley Grant) Tenants in William John Grant) common in equal shares
Sec. 57 Existing farm access onto Pt.C.T. 250/147 † side road UIK I Shotover S.D.	•= ¢.	John Dearsley Grant) Tenants in William John Grant) common in equal shares
Unnamed road		
of Frankton Boundary and Block I Shotover S.D.		Boundary
Sec 5 2t. Frankton Existing farm access on Domain Gaz. 1957/1646 side road		Frankton Domain J.D.Grant
	17	Frankton Domain Wakatipu Golf Club
* 16390 ** ** ** ** ** ** ** ** ** **		
163	7 10 01	1 /0 /a/ 5/3/

NO. 6 STATE HIGHWAY: SHOTOVER TO FRANKTON R.M. 624.63 TO 626.15

·	· .	End of Limited Access Junction S.H. 6 and 6A	Lot 1 D.P. 11353 A C.T. 2D/1072	No. 1 No. 1 No. 1 No. 1	Pt. Sec. 5 G.T. 21/176 Blk XXI Shotover S.D.	Unnamed Road Boundary of Block I	Hansen Road	Sec. 125 Pt C.T. 3A/1077 Blk I Shotover S.D.	Lot 1 D.P. 11354 1 C.T. 3A/411	Lot 1 D.P.11785 4 1 C.T. 3C/776	Pt. Sec. 126 Pt G.T. 3D/306 V Blk I Shotover S.D.	Sec. 127 Pt.C.T. 3D/306 Blk I Shotover S.D. bh8	Sec. 128 Pt C.T. 3D/306 Blk I Shotover S.D.	Sec. 129 C.T. 247/249 Blk I Shotover S.D.	Registry) No.	Title description
		s Road R.M. 626.15 6A	Farm Access	Vehicle access	Vehicle access	& XXI Shotover S.D.		Vehicle access	Vehicle access	Vehicle access	No existing access to S.H. Crossing place allocated	Farm access	Tarm access	Vehicle access	Description	Access particulars as at
			5	5	39			38 Jo	37	36	35	34	33	32		M.O.W.
•			John Dearsley Grant	Frankton Gemetery Trust (Cemetery Ordinance 1865)	Russell Alan Henderson June Margaret Henderson			John Dearsley Grant) Tenants William John Grant) in common in equeal shares	Keimpe Hendrik Kramer	Otago Central Electric Power Board	William Kurray Hansen	William Murray Hansen	William Murray Hansen	Peter Leslie Hansen	70	Registered Occupier

IN THE MATTER of Public Works Amendment Act 1963

DISTRICT LAND REGISTRAR OF THE DISTRICT OF CTAGO

Pursuant to para. (c), Sub-sec. (10) sec. 4, Public Works Amendment Act 1963 the following is a statement giving descriptions and title reference of all parcels of lard affected by the Mational Roads Board's declaration of a portion of State Highway No.1 to be a limited Access Road as notified in N.Z. Gazette 19 December 1973, No. 121, p.2768.

Dated at Dunedin this 18% day of January 1974

District Commissioner of Works

Service Servic

CERTIFICATE OF NON-REVOCATION OF POWER OF ATTORNEY

I, CHRISTOPHER DEAN MOUAT of Christchurch, Corporate Solicitor

HEREBY CERTIFY-

866485.1

 THAT by Deed dated the 17th day of February 1994 copies of which are deposited in the Land Registry Offices at -

AUCKLAND (North Auckland Registry) and there numbered C581344/1 BLENHEIM (Marlborough Registry) and there numbered 173189/1 CHRISTCHURCH (Canterbury Registry) and there numbered A101502/1 DUNEDIN (Otago Registry) and there numbered 851694/10 GISBORNE (Poverty Bay Registry) and there numbered G196321/1 HAMILTON (South Auckland Registry) and there numbered B194469/1 HOKITIKA (Westland Registry) and there numbered 097461/1 INVERCARGILL (Southland Registry) and there numbered 218247.1 NAPIER (Hawkes Bay Registry) and there numbered 605516/1 NELSON (Nelson Registry) and there numbered 336353/1 NEW PLYMOUTH (Taranaki Registry) and there numbered 409253/1 WELLINGTON (Wellington Registry) and there numbered B349843/1

<u>LANDCORP PROPERTY LIMITED</u> 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 Deed.

- THAT at the date hereof I was Corporate Solicitor of <u>LAND CORPORATION LIMITED</u> at Wellington.
- 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 <u>LANDCORP PROPERTY</u>
 <u>LIMITED</u> or otherwise.

SIGNED at Christchurch	•)	4
this 15 day of Aucust)	- 20-1
1994	·)	



Approved by the Registrar-General of Land, Wellington: No. 693608.1/85

MEMORANDUM OF TRANSFER

TRANSFEROR

LANDOORP PROPERTY LIMITED at Wellington <

being registered as proprietor of an estate set out in the schedule below subject to such encumbrances, liens, and interests as are notified by memorandum underwritten or endorsed hereon, in all that piece of land described in the schedule below.

SCHEDULE A Land Registry: OTAGO < Lot No. & D.P. or other Legal Description, or Document Ref. C.T. Estate Section 120 Block I SHOTOVER SURVEY DISTRICT -13D/246 Fee Simple 3.6245 ha~ Encumbrances, liens, interests, and appurtenances Section 27B State Owned Enterprises Act 1986 > Subject to: Part 1VA Conservation Act 1987 Section 3 Petroleum Act 1937 4. Section 8 Atomic Energy Act 1945 Section 3 Geothermal Energy Act 1983^a 6. Sections 6 and 8 Mining Act 1971 Sections 5 and 261 Coal Mines Act 1979 - 8. Rights in Gross to Convey Water created by Transfer in consideration of the sum of \$ 183,000.00 835983 🗸 paid to the transferor by JONTY LIMITED at Auckland (hereinaster called the transferee) the receipt of which sum the transferor hereby acknowledges the transferor hereby transfers to the transferee all the estate and interest of the transferor in the land above described. PROVIDED THAT the IN WITNESS WHEREOF this transfer has been executed the day of Armenst 1994 EXECUTED by the transferor LANDCORP PROPERTY LIMITED SIGNED by LANDCORP PROPERTY LIMITED by its AttorneyChristopher Dean Mouat by its Attorney (by the affixing of its common seal) in the presence of Witness: NISEER, MORTGAGE, LEAS ASSIGNMENT and AGREEMENT Occupation: stamped with duty of

transferee shall be bound by a fencing covenant as defined in section 2 of the Fencing Act 1978 in favour of the transferor

Dist. Commissioner of Inland

MEMORANDUM OF TRÂNSFER®

of	Land
Ţ Ÿ ĬĎĊ	CORP PROPERTY LIMITED Transferor
Joht,	! LIMITED Transferee
Particu the dat	lars entered in the Register as shown herein on e and at the time endorsed below.
Assista	ant/District Land Registrar
of the	District of

Anderson Lloyd Barristers & Solicitors QUEENSTOWN

LT 26b Avon Publishing Ltd Auckland

(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

I hereby certify that 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





Certificate of Non-Revocation of Power of Attorney 885723

Form I

STEWART FRANCIS MAHON Queenstown Company Director in New Zealand. hereby certify: 1. That by deed dated 9 June 1994, JONTY LIMITED TO A XX at Auckland in New Zealand. its appointed me las attorney on the terms and subject to the conditions set out in the said deed, which was deposited in the Land Registry Office at Dunedin as Number 888373 2. That at the date hereof I have not received any notice or information of the revocation of that appointment by the JONTY LIMITED death of the said or otherwise. Signed at Queenstown

B-g. Muly.

IN THE MATTER of Section 4 of the Irrigation Schemes Act 1990 $\{ a_i \}$

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A N D

IN THE MATTER of Arrow Irrigation Company Limited

INSTRUMENT OF TRANSFER OF EASEMENTS IN GROSS FOR IRRIGATION WORKS

1.0 RECITALS

- 1.1 The Arrow Irrigation Company, a duly incorporated company having its registered office at Winton (called "the Irrigation Company") has purchased the Irrigation Scheme pursuant to a Sale and Purchase Agreement between Malcolm Henry Robins, Grant William Stalker and Roger Francis Monk as agents for the Irrigation Company then yet to be incorporated and David Francis Caygill and Colin James Moyle on behalf of the Crown, dated 6th November 1989 and subsequently adopted by the Irrigation Company as the purchaser. The Irrigation Scheme (called "the Irrigation Scheme") is defined by notices in the New Zealand Gazette Order in Council dated 8th March 1926 Page 655.
- 1.2 The Minister of Agriculture (called "the Minister") had the right immediately before the date of the 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 owners' land and in the manner, detailed in this instrument, for the purposes of the Irrigation Scheme.
- 1.3 Section 4 of the Irrigation Schemes Act 1990 provides the statutory mechanism to transfer from the owners of the land to the Irrigation Company, the same easement rights as the Crown previously had over the owners' land, and the owners and the Irrigation Company have agreed to the transfer of these easement rights to the Irrigation Company.

2.0 GRANT OF EASEMENT

2.1 The owners of land detailed below respectively <u>TRANSFER AND</u> <u>GRANT</u> to the Irrigation Company as an easement in gross forever pursuant to Section 4 of the Irrigation Schemes Act 1990 the right to convey water as detailed below over the owners' land described below.

OWNERS

DESCRIPTION OF OWNERS' LAND

Part Section 5 Block XXI Shotover

District containing 3.3007ha and

described in Certificate of Title 21/176

(Otago Land Registry)

EASEMENT

Right to Convey

water marked "DC"

on attached

easement plan

Estate - Fee Simple
Mortgage 872278/2

Subject to:

Which rights to convey water shall have attached to them the following rights, powers and obligations.

- 2.2 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 convey water unimpeded along the stipulated course on the landowners land on the plans <u>attached</u> and for this purpose to have the right to use, occupy and carry out and construct such works as the irrigation company considers necessary of desirable on the owners land along the stipulated course.
 - (b) To monitor and control its waterflows and the water source flows and to carry out viewing, surveillance and monitoring of its water supply works on the land.
 - (c) To enter the owners land and to have access across the owners land by the most practicable route.
 - (d) 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.
- 2.3 In exercising its rights and powers under this instrument, the Irrigation Company shall cause as little disruption and disturbance to the occupation and enjoyment by the owner of his land, as is reasonably possible and shall cause as little damage to the owners' land is as reasonably possible.

2.4 The owner shall not do anything which will prevent or interfere with the free passage of water along the stipulated course or prevent or interfere with the full use by the Irrigation Company of its rights created by the instrument.

DATED this 28th day of June

SIGNED by the ARROW IRRIGATION (COMPANY LIMITED by the affixing of (Its common seal in the presence of:

Director

Secretary

SIGNED by JONTY LIMITED as

Landowner by the affixing of its common

seal in the presence of:

The Common Seal of 1995

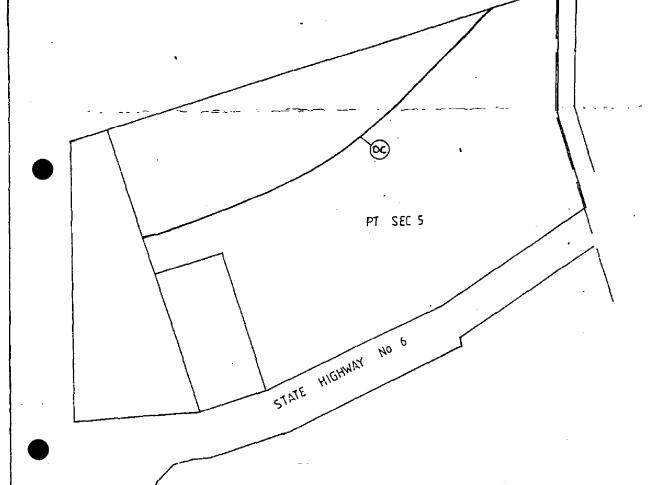
SIGNED by JONTY LIMITED by its Attorney STEWART FRANCIS MAHON in the presence of:

Atorney

8-8. ru

DIK AAL DIK 1

BLK XXI | BLK II SHOTOVER SD



PLAN 57.

<u> </u>	SCHEDU	E OF EASEMENTS	
PURPOSE	SHOWN	SERVIENT TENEMENT	GRANTEE
RIGHT TO	DC	PT SEC 5 BLK XXI	ARROW
CONVEY		SHUTOVER SO	IRRIGATION
WATER		1	CO. LTO

CT ZI/176 WAKATIPU BARK LTD.

Scotland Investments (1992) Limited

DIAGRAM OF IRRIGATION RIGHT PREPARED PURSUANT TO THE IRRIGATION SCHEMES ACT 1990.

Arrow Irrigation Co. Ltd.

Prepared By: Clark Fortune McDonald & Assoc's

9 Shotover Street Queenstown

Scale: 1: 2000 APPROX Date: Aug/99/ No: 57

INSTRUMENT OF TRANSFER OF EASEMENTS IN GROSS FOR IRRIGATION WORKS

Correct for the purposes of the Land Transfer Act

Solicitor for the Transferee

Particulars entered in the Register on the ARTICULARS ENTER AND REGISTRY OF THE ARTICULAR E

CHECKETTS McKAY LAWYERS WANAKA CENTRAL OTAGO

ARROW