

MAORI LAND COURT

WAIARIKI

DISTRICT

Date of Receipt: 5-7-88 Land: HOUPOTO TE PUA 1 AND 2 File No. 32272-060

Applicant: HANNAH GRANT & GILBERT ON BEHALF OF TRUSTEES -
(P.O. Box 645, ROTORUA)

Subject: SEC. 66/56 - APPLN FOR DIRECTIONS

MEMORANDA

Ordered/Dismissed

13

92

2 Aug 1988

Adjourned Rotorua

63 Opo. 199

10

a. Direction section 66 Trustee Act 1956

b. Krueli Koopu Lease Adjourned.

Opo. 63/204 of 10 August.

PT Search psc

den to Judge K

dir

M.A. 172

WP 1245C Disk 76C 24. 8.87 (400)

Telegraphic Address: MAORIFAIRS

Fax 073 85019



Our reference: App'n 32272

Your reference:

MAORI LAND COURT
WAIARIKI DISTRICT

Government Buildings
Arawa Street
Telephone: 82 189

Private Bag,
ROTORUA.

17. 11. 1988

The Maori Trustees Copies also sent to Trustees whose
ROTORUA addresses are known

Attention: Aho

Dear Sir/Madam

Haysto, Haysto Te Rua No 1 and Haysto Te Rua No. 2

Please find attached for your information a copy of the following
Order(s) made at Rotorua
on the 10th day of August 1988

Yours faithfully

M. Dittmer
for Registrar

Encl

63 Opotiki MB 204

ORDER ISSUING DIRECTIONS
The Trustee Act 1956, Section 66

In the Maori Land Court
of New Zealand
Waiariki District

IN THE MATTER of the Maori freehold
land known as Houpoto, Houpoto
Te Pua No 1 and Houpoto Te Pua
No 2

AT a sitting of the Court held at Rotorua on the 10th day of
August 1988 before Heta Kenneth Hingston, Esquire, Judge

WHEREAS the Court did vest on the 4th day of November 1987 the
said Maori freehold land in Trustees pursuant to Section 438
of the Maori Affairs Act 1953

AND UPON HEARING an application by Counsel for Trustees for an
Order pursuant to Section 66 of the Trustee Act 1956 issuing
directions that the Trustees may purchase the lease to P R Collier
over the Maori freehold land known as Maraenui A2 for One Hundred & Ten
Thousand Dollars (\$110,000.00)

AND WHEREAS the Court is satisfied as to all matters upon which
it is required by law to be satisfied

NOW THEREFORE the Court DOTH HEREBY DIRECT:

That the Trustees as listed in the Schedule hereto of the said
Maori freehold lands may purchase the lease to P R Collier over
the Maori freehold land known as Maraenui A2 for One Hundred & Ten
Thousand Dollars (\$110,000.00)

AS witness the hand of the Judge and Seal of the Court



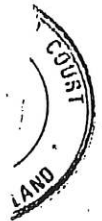
Judge



63 Opotiki MB 204

SCHEDULE

Erueti Tiketikeirangi Koopu
Tamehana Wharepapa
Te Kahautu Maxwell
William Takamoana Delamere
Koro Tawhai
Larry Takamoana Delamere
Danny Craven Poihipi



63 Opotiki MB 204.
ORDER ISSUING DIRECTIONS
The Trustee Act 1956, section 66,

In the Maori Land Court
of New Zealand
Waianaki District

In the Matter of the Maori Freehold
land known as Houpoto,
Houpoto Te Pua No 1 and
Houpoto Te Pua No. 2.

the Court

AT a sitting of held at Rotorua on the 10th day of
August 1988, before Heta Kenneth Hingston, Esquire, Judge.

WHEREAS the Court did on the 11th day of November 1987
land in trustees pursuant to section 438 of the
Maori Affairs Act 1953. ~~and~~ subject to.

AND UPON HEARING an application by Counsel for
Trustees for an order pursuant to section 66 of
the Trustee Act 1956 issuing directions that the
Trustees may purchase the lease to P.R. Collier
over the Maori freehold land known as Maraenui A2
for \$ one hundred ^{and ten} thousand dollars (\$100,000.00)

AND WHEREAS the Court is satisfied as to all matters upon
which it is required by law to be satisfied

NOW THEREFORE the Court DOETH HEREBY DIRECT:

That the Trustees as listed in the Schedule hereto
of the said Maori freehold lands may purchase

M.A. 172

WP 1050C Disk 72C 5.12.85 (500)

Telephic Address: MAORIFAIRS



Our reference: 32272

Your reference:

MAORI LAND COURT
WAIARIKI DISTRICT

Government Buildings
Arawa Street
Telephone: 82 189

Private Bag,
'ROTORUA.

17 . 8 .19

Hannah Grant & Gilbert
Barristers & Solicitors
NZ Post Box 643
Rotorua.

Attention: Mr Grant

Dear Sirs

APPLICATION: _____

Herewith is a copy of the Court's minute dated
(M B /)
above matter.

.19) in respect of the

Would you please note:

Yours faithfully

M. Johnston

for Registrar

Encl.

63 OPOTIKI MINUTE BOOK 204

At Rotorua - Wed 10 August 1988

Present - H K Hingston, Judge
R Waiapu, Clerk

32272 HOUPOTO TE PUA 1 AND 2

- s 66/56

Mr Grant, Solicitor, in support - with him Mr Alister Hall -
Refer 63 Opotiki MB 198 & 199.

The various matters pertaining to the purchase of the Collier lease were discussed and Mr Hall advised Court that notwithstanding his report of 17 May 1988 wherein he suggested a purchase figure of \$100,000 because since then the Trustees have landed a good share-milker with an above-average herd as well dairy produce prices are on the up-swing he believes \$110,000 for the lease would be in order.

Court:

With some reluctance makes a direction s 66 Trustee Act 1956 that the Trustees may purchase the Collier lease at \$110,000.

As to the E Koopu lease this matter adjourned -
to be brought before Judge on 24 hour's notice.

Court directs the Trustees to proceed forthwith with an application to aggregate the freehold of the Collier lease with -
Houpoto, Houpoto Te Pua No 1 & Houpoto Te Pua No 2.

Copy minute to Mr Grant.

31996 WILLIAM KING WILLIAMS - Deceased - s 78A/67

Miss M Kahlenberg for Registrar:

I refer Court to previous evidence as set out at 63 Opo MB 168 of 3 May 1988. Orders were to be made when original Will came to hand - that Will is now to hand.

I therefore ask for Orders s 78A/67 vesting the interests of the deceased in Te Kuatau Violet Williams, solely in terms of Will. I also ask for Orders s 213/53 vesting the acquired interests of Te Kuatau Violet Williams in Tawhiri-Matea Rewita Te Auripo Williams, solely.

Court:

Person entitled is Te Kuatau Violet Williams, solely in terms of Will. No objections - Orders s 78A/67 accordingly.

At request of widow, interests transferred pursuant to s 213/53 to Tawhiri-Matea Rewita TE Auripo Williams, solely. No objections. Orders accordingly.


Judge

Opo 12.13
at 12m
Wed. 10/8/88

Houputo Te Puna No 1 & 2
S 30(1) 153 and S 66 T. Area
H. "

MR. G. J. Smith in
supplied with him in M. H. A. Hall
Hall - ref 63 opp 1950 199

The various matters
pertaining to the purchase
of the Collier lease were
discussed at the Hall
addressed last night
notwithstanding his departure
on 17 May 1988 when he
suggested a price figure
of \$1,000,000 because since
then the Turkeys have
landed a good share with
that with an above average
yield as well during
produce prices are on
the upswing he believes
\$110,000 for the lease
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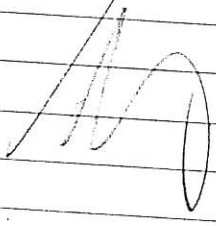
CT will be some reluctance
to make a direction S 66/Turkey
Act 1956 that the Turkey
may purchase the Collier
lease ~~at~~ for \$110,000.

As to the E. Koopers
lease this matter adjourned
to be brought before Judge.

was 24 lun water.

~~The two records of the
view held to be
The carbon directs the
Tribunal to proceed
find with with an
application for aggrieved
to be included in the
copy leave with
Hampden, Hampden in Power
No 1 and Hampden to pay
No 2.~~

copy to the yard.



63 OPOTIKI MINUTE BOOK 198

At Opotiki - Tues 2 August 1988

Present - H K Hingston, Judge
R Waiapu, Clerk

93 HOUPOTO TE PUA NO 1 AND NO 2 - s 438(3)(a)/53

Mr Grant: I filed application following meeting of owners held 24.4.1988 at Maraenui Marae.

I produce copy of minutes of meeting - I submit that in a meeting of owners a Trust resolution not binding on Trustees but rather to give owners a choice to consider persons available.

Thus A.G.M. notices and advertising of time and venue - this sufficient to give owners a chance to be heard.

As to ownership lists - the list obtained from Court was incorrect, some successions not recorded - in terms of lists from Court 13 owners present but I believe there were more.

Court: Should Trustees be increased?

Mr Grant: Land leased for Forestry, there are proposals - further application before Court for Trust to purchase further land.

Dealing with points in letter of Mrs R Martin -

- (i) proposed Trustees are present in Court;
- (ii) no need for scrutineer - voting by show of hands;
- (iii) Proxies were put to Chairman at meeting, he accepted all but two. This the proper procedure;
- (iv) List of owners covered earlier;
- (v) quorum - referred to earlier.

T K Maxwell:

The new Trustees proposed have excellent record of attending meetings.

Court:

I accept answers to Mrs Martin's letter.
However, I wonder whether 7 Trustees too many?

Discussion by persons in contradiction to this.

Mr Grant:

A large pool of Trustees makes for ease of sub-committees to deal with various matters arising out of the Trust.

Court: Stood down until Case 92 dealt with.

Continued folio 199 -

92 HOUPOTO TE PUA NO 1 and 2 - s 66/56

Mr Grant: Mr Koopu has applied on behalf of Trustees.

- (1) Proposed purchase of freehold land - Lockwoods property - this was once Maori land in much the same ownership as Trust - Lockwoods wants to sell - area 460.5272 ha.
Tunapahore 3 - I produce valuation of Atkinson & Boyes dated 11 July 1988. The value is \$210,000 as per report - Vendor asking \$320,000.

General discussion about price.

Court: Court prepared to direct that Trustees proceed up to 10% more than valuation produced.

Order s 66 Trustees Act accordingly.

Mr Grant: Also Collier property - this is land leased to Mr Collier - he wishes to sell lease to Trustees.

Mr Alister Hall has prepared report indicating property viable - agreement is for \$110,000. Mr Hall suggests \$100,000 for lease - Block is Maraenui 62 & Pt A2.

Mr Erueti Koopu: This is again an opportunity to get land back - the land is deteriorating D.M.A. considering.

General discussion about proposals and aggregation of ownership.

Mr Grant: Mr Koopu's lease - it could help if it was taken over.

Court: The Court is not against the proposals. However, if Mr Koopu's lease is included, and it appears good sense that it is, then there are two factors:-

- (i) eventual ownership (suggested aggregation);
- (ii) borrowing finance to accomplish this.

As it appears D.M.A. will come out of this exercise better off because it will have a better lessee - i.e. the Trust. I am of the view that it should assist with mortgage finance at attractive interest.

I also believe that any purchase of these leases must be accompanied by aggregation of the freehold with the Trust.

Adjourned to Rotorua to allow Trustees, Mr Grant and Judge to discuss with D.M.A.

93 As to Trusteeship -

Court: In view of what is being contemplated Court agrees to increase Trustees, therefore -

Order s 438(3)(a)/53 as sought in application 93.


Judge

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Order s 438(3)(a)/53 as sought in application 93.


Judge

M.A. 172

Telegraphic Address: MAORIFAIRS



Our reference: Application

32272

Your reference:

MAORI LAND COURT
WAIARIKI DISTRICT

Government Buildings
Arawa Street
Telephone: 82 189

Private Bag,
ROTORUA.

19 July 1988

Hannah Grant & Culbert
P.O. Box 645
ROTORUA

Attention: Mr Grant

Dear Sir/~~Madam~~

Houpaob Te Rua Land 2

This is to advise that your application under section 66/56
has been set down for hearing as follows:

Time: 11.30 am

Date: 2 August 1988

Venue: St Mary's Parish Centre, 23 Kelly Street, Opotiki

Please note that the address for St Mary's Parish Centre is 23 Kelly Street, Opotiki and not Elliott Street as previously advised.

Yours faithfully

B G Hubner
for Mrs B G Hubner
for Registrar

* Disregard our notice of 15.7.88 as the venue was incorrect.

PARTICULARS OF TITLE TO LAND

Name and description of land: MARAENUI A 2
Nature and date of Court Order: Partition Order 18.9.74
Area: 3106.50000

Block and survey district: County:

Number of owners: 540

Names and shares, minors' ages, and trustees, where not more than 10 owners:
(Where more than 10 owners, number of owners to be stated.)

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
- (i)
- (j)

Whether land surveyed: NIL

What parent block is last surveyed: -

Survey charges due: -

Rate charging orders: -

Succession duty due: -

Court fees due: -

Whether partition orders have gone through to District Land Registrar - L.T. Ref: Vol. Fol.

Any former existing Land Transfer Title: -

Alienations completed or pending: -

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:

Refer to copies of memorial schedules

Sinking Fund at 1 - 1 - N/A

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):
Nil

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:
-

Whether subject to any restrictions: -

Existing Government valuation: C.V. 336000 L.V. 245500 Imp.: 90500 Date: 1.10.81

Prepared by	<i>[Signature]</i>
Checked by	<i>[Signature]</i>

MEMORIAL SCHEDULE

NAME OF BLOCK: MARAENUI A2

N.B. - The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Checked	Reference
MEMORANDUM OF TRANSFER OF LEASEHOLD FROM T. HEREWINI TO P. & R. COLLIER FOR A CONSIDERATION OF \$209,694.00 ENDOSED PURSUANT TO SEC 233/53 (FARM No. 3)	2-3-82	X	TN 14464 TN 14445
MEMORANDUM OF DISCHARGE OF MORTGAGE FROM MAORI LAND BOARD TO TUTENGAHE HEREWINI (FARM No. 3) ENDOSED PURSUANT TO SEC 233/53	7-4-82	X	TN 14511
DISCHARGE OF MORTGAGE (FARM 1 - 43.7400 & FARM 2 52.6500) FROM MAORI LAND BOARD TO ERUETI T. KOOPU ENDOSED PURSUANT TO SEC 233/53	24.8.82	X	TN 14714
FARM 1 (43.7400) - FARM 2 (52.6500) MEMORANDUM OF MORTGAGE FROM MAORI LAND BOARD TO ERUETI T. KOOPU FOR A CONSIDERATION \$97,598.00 ENDOSED PURSUANT TO SEC. 233/53	24.8.82	X	TN 14715
FARM 3 (73.8551 ha) MEMORANDUM OF MORTGAGE FROM MAORI LAND BOARD TO P. & R. COLLIER FOR A CONSIDERATION \$64,150.00 ENDOSED PURSUANT TO SEC. 233/53	29.11.82	X	TN 14844
Pending 32272 sec 66/4/6 - by Herewini and P. & R. COLLIER	5-7-88	X	

MEMORIAL SCHEDULE

NAME OF BLOCK: Maraeui A2

N.B. - The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Checked	Reference
<p>Farm 3 Maraeui A2 containing an area of 73.8551 ha. - Memorandum of Mortgage of Leasehold under and by virtue of Memoranda of Lease DATED - 4 October 1973. MORTGAGEE: HM the Queen acting through the Board of Maori Affairs. MORTGAGOR - Tutengaehe Herewini. Principal - \$34,750.00. Advanced - 1 August 73. Rate of interest at 5 1/2 % p.a. Endorsed See 233/53.</p>	13-3-79	<input checked="" type="checkbox"/>	12/0000/22 TN 13050
<p>Farm 3 Maraeui A2 containing an area of 73.8551 ha. - Memorandum of Variation of Mortgage of Leasehold Dated 4 October 1973 - DATED 5 March 75. MORTGAGEE: HM the Queen through the Board of Maori Affairs MORTGAGOR - Tutengaehe Herewini. Principal sum increased by a further advance of \$5875.00 to \$40,625.00 as from 1 Feb. 1975. Interest of \$5.50% p.a. payable upon \$5875.00. Clause 2 of original mortgage is varied. Further advance of \$5875.00 is secured under further advances provisions of Instrument by way of Security registered as No. 8065/73 Hamilton Registry. Endorsed under See 233/53.</p>	14-3-79	<input checked="" type="checkbox"/>	12/0000/22 TN 13051
<p>Farm 3 Maraeui A2 containing an area of 73.8551 ha - Memorandum of Variation of Mortgage of Leasehold DATED - 12 January 1979. MORTGAGEE: HM the Queen acting through Maori Land Board MORTGAGOR: Tutengaehe Herewini. The principal sum intended to be secured by the Mortgage after having been reduced by repayment to \$39,237.00 is increased to \$55,357.00 as from 1 Feb 79. Rate of interest increased to 8.50% p.a. Clause 2 of mortgage varied by replacing sum of \$3396.00 with \$5471.00. Endorsed vide See 233/53.</p>	14-3-79	<input checked="" type="checkbox"/>	12/0000/22 TN 13052
DISCHARGED			

MEMORIAL SCHEDULE

NAME OF BLOCK: Maruenu A2

N.B. - The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Checked	Reference
Farm 1 (43.74ha); Farm 2 (52.65ha) Memorandum of Mortgage dated 2 March 1980. Mortgagee - Rural Banking & Finance Corporation of N.Z. Mortgagor - Eruei Tiketikeirangi Koopu. Consideration - \$2,500.00. Interest rate 9%. subject to the conditions set out. Endorsed pursuant to sec. 233/53.			TN 13687 12/0000/22
* FARM 1 (108A/R 25p) FARM 2 (130A OR 35p) MEMORANDUM OF MORTGAGE DATED MORTGAGEE H.M. THE GOVERN BY AND THROUGH THE MAORI LAND BOARD MORTGAGOR ERUEI TIKETIKEIRANGI KOOPU CONSIDERATION \$59,500.00 INTEREST RATE 7.5% ENDORSED PURSUANT TO SEC 233/53. <p style="text-align: center;">DISCHARGED</p>	1. 5. 76	<i>[initials]</i>	TN 13953 12/0000/22
* MEMORANDUM OF VARIATION OF MORTGAGE, MORTGAGEE H.M. THE GOVERN BY AND THROUGH THE MAORI LAND BOARD. MORTGAGOR ERUEI TIKETIKEIRANGI KOOPU. THAT THE REPAYMENTS BE INCREASED TO \$50 SEP. AS AT 1-12-80. AND THE RATE OF INTEREST PAYABLE ON \$44,981 PREVIOUSLY OWING REMAIN UNCHANGED, THE \$7300.00 BE PAID AT 9% AND REDUCED TO 7.5% UP TILL MAY 1981. ENDORSED PURSUANT TO SEC 233/1953 <p style="text-align: center;">DISCHARGED</p>		<i>[initials]</i>	TN 13954 12/0000/22
Roll/Special Valuation: Valn Ref: 7650/401,403 7650/402,402/2 Date: 11/10/76 C.V. \$ 142,400 L.V. \$ 107,000 I.V. \$ 35,400 Entered by: <i>[initials]</i> Checked by <i>[initials]</i>			
Roll/Special Valuation: Valn Ref: 7650/401,403 402,402/2 Date: 1/10/81 C.V. \$ 336,000 L.V. \$ 245,500 I.V. \$ 90,500 Entered by: <i>[initials]</i> Checked by <i>[initials]</i>			

MEMORIAL SCHEDULE

NAME OF BLOCK: Maraenui A2

N.B. - The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Checked	Reference
* (a) Part (known as Farm No. 1) containing 108a:1r:25P leased to Takataka Koopu for 21 years from 1.7.54 with R.O.R. 21 years. Mortgage over leasehold in favour of B.M.A. (H.M.Q.) Variation of Mortgage Principal increased from \$2744 to \$3272 from 1.9.67	Lease 1.21.75 from 1.7.54	✓	TN 11829 M.A. 6339
	10.1.68		TN 6202
(b) Part (known as Farm No. 2) containing 130a:0r:35p leased to Takataka Koopu for 27 years from 1.7.69	10.3.70		M.A. 6339 TN 8051
(c) Part (known as Farm No. 3) containing 182a:2r:00p leased to Alamein Toopi for 21 years from 1.7.54 with R.O.R. for 21 years.	5.12.67		TN 6162
<i>See below for ROR of lease extension</i>			
Farm No. 3 Above: Lease transferred from A. Toopi to Tutengaehe Herewini. Mortgage on Demand \$34,750 X 5 1/2% from 1.8.73. Secured on T. Herewini's leasehold interests.	Confirmed		TN 11809
Note: These areas aggregate 424:1:30. Title shares shows 416:0:17. These to be reconciled when survey plans received.			
H.P. Martin - Dep. Reg. 20.9.66			
Order Sec. 60/53 amending title to include former Maraenui 113B1 and Maraenui 137 and relative amendments.	11.10.67		Opo 43/30
Part 182a:2r:00P subject to Part XXIV. N.Z.G. 39 P 861	3.5.73		TN 10717
Part 3a:1r:10p subject to Part XXIV. N.Z.G. 39 P862	3.5.73		TN 10721
<i>Relates to Maraenui A1 Block</i>			
Part 238a:2r:20p subject to Part XXIV. N.Z.G. 39 P. 861	3.5.73		TN 10715
Part 182a:2r:00p	3.5.73		10717
* Farm 3 - Maraenui Apart. leased to Tutengaehe Herewini 21 yrs from 1.7.71. Rent \$80 pa. + Inv. term \$1-90	3.11.75	✓	TN 11809
(Farm 1) (43:3:74:10a)			
* Transfer of lease to Eruehiki Tike Tikerangi Koopu for 21 years from 1.7.75 at \$123 pa. 75% Compensation	1.6.76	✓	TN 12089
(Farm 2) (52:65:4a)			
Transfer of lease to Eruehiki Tike Tikerangi Koopu for 21 years from 1.7.69 at \$351 pa. No compensation.	1.6.76	✓	TN 12089

PARTICULARS OF TITLE TO LAND

Name and description of land: Tunapahore 3 (European Land - TN 6948)

Nature and date of Court Order:

Area:

Block and survey district: County:

Number of owners:

Names and shares, minors' ages, and trustees, where not more than 10 owners:
(Where more than 10 owners, number of owners to be stated.)

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
- (i)
- (j)

Whether land surveyed:

What parent block is last surveyed:

Survey charges due:

Rate charging orders:

Succession duty due:

Court fees due:

Whether partition orders have gone through to District Land Registrar L.T. Ref: Vol. Fol.

Any former existing Land Transfer Title:

Alienations completed or pending:

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:
.....
.....

Sinking Fund at / /

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):
.....

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:
.....

Whether subject to any restrictions:

Existing Government valuation: C.V. L.V. Imp.: Date:

Prepared by	
Checked by	

M.A. 838

32232B-5,000/6/79 M

29 Taare (Charles) Riley

1056.57 m

49,36862

[Handwritten signature]

TUNAPAHORE 3

1	Adeline Ganley	1053	f.	49.36862
2	Ani Huhana Haweti	1060-61	f	185.70590
3	^K Aramata Hava Haweti		f	66.51983
4	Te Arani Haweti		f	108.21170
5	Arthur Auckland Riley	1055	m	49.36862
6	Ata Peneamine Haweti	1054	m	451.21787
7	Dulcie Evelyn Savage or Bigwood	1041	f	4451.30824
8	Eddie Ganley		m	49.36862
9	Eileen Waller		f	49.36862
10	Elsie Riley	1047	f	49.36862
11	Ema Paranihi Haweti or Ema Paranihi	1042	f	155.02178
12	Emere Haweti	1058	f	167.80786
13	Emily Savage		f	49.36862
14	Erehi Wiwiana Haweti	1059	f	155.02178
15	Te Haukamou Hori Haweti		m	71.63795
16	Hilda Ganley		f	49.36862
17	Hilda Savage II		f	49.36862
18	Hira Haweti	1075-75	f	451.57478
19	^{19.4.61} Huhana Haweti	1071-72	f	352.84896
20	^{19.4.61} Irihapeti Haweti	1045	f	178.04410
21	James Savage	1089-91	m	39.49550
22	Leone Dittmar (Reone or Leone Davis)	1050	f	49.36862
23	Te Nguru Ema		m	49.36862
24	Norman Ganley		m	49.36862
25	Pererika Haweti		m	476.25777
26	Rahera Haweti	1062-63	f	178.04410
27	Reginald Savage		m	49.36862
28	Rina Haweti	1043	f	155.02177
29	Taare (Charles) Riley	1056-57	m	49.36862

Am

TUNAPAHORE 3

30	Taina Haweti	To AI	m	253.95379
31	Teini Takurua Haweti		m	49.36862
32	Tiwi Haweti <i>12/1/01</i>	To 49	m	193.38001
33	Timi Takurua Haweti		m	65.51983
34	Valentine Savago Jnr		m	49.36862
35	Valentine Stogall		m	49.36862
36	Valentine Waller	To AA	m	49.36862
37	Virgie Waller		f	49.36862
38	Walter Apanui Savage		m	49.36862
39	Ware Haweti	To 48.5A	m	155.03408
40	Wilfred Ganley	To 16	m	49.36862
		TOTAL SHARES		9300.00000

R.T. *✓*

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SCHEDULE OF OWNERSHIP ORDERS

TITLE: P/O 25/7/1966

NUMBER OF ORIGINAL OWNERS: 4-0

BLOCK: TUNAPAHORE 3

AREA: 1136-0-00

SHARES: 9300.00000

(The orders themselves should be referred to for search purposes)

List No.	Owners	Sex and Age	Ratio	Shares in Block			To	
				Already Owned From	Number	New Acquired Number		Total
	DECEASED OR TRANSFEROR TAINA HAWETI LIST No. 30 SHARES 253.95379 DATE 25/8/66 SUCCESSION							
A1	DULCIE EVELYN BIGWOOD	f	solely	7	1457.30824	253.95379	1905.26203	A2
	DECEASED OR TRANSFEROR EMA PARAKIHI HAWETI LIST No. 11 SHARES 155.02788 DATE 25/8/66 SUCCESSION							
A2	DULCIE EVELYN BIGWOOD	f	solely	11	1705.26203	155.02788	1860.28991	A3
	DECEASED OR TRANSFEROR AINA HAWETI LIST No. 28 SHARES 153.02177 DATE 25/8/66 SUCCESSION							
A3	DULCIE EVELYN BIGWOOD	f	solely	22	1860.28991	153.02177	2013.31168	A4
	DECEASED OR TRANSFEROR VALENTINE WATLER LIST No. 36 SHARES 49.36862 DATE 25/8/66 SUCCESSION							
A4	DULCIE EVELYN BIGWOOD	f	solely	23	5015.36538	49.36862	5064.73400	A5
	DECEASED OR TRANSFEROR IRIHAPETI HAWETI LIST No. 20 SHARES 178.04410 DATE 25/8/66 SUCCESSION							
A5	DULCIE EVELYN BIGWOOD	f	solely	24	5064.73400	178.04410	5242.77810	A6
	DECEASED OR TRANSFEROR WILFRED GANZEN LIST No. 40 SHARES 49.36862 DATE 9/9/1967 SUCCESSION							
A6	DULCIE EVELYN BIGWOOD	f	solely	25	5242.77810	49.36862	5292.14672	A7
	DECEASED OR TRANSFEROR ELSIE RILEY LIST No. 10 SHARES 49.36862 DATE 24/4/1967 SUCCESSION							
A7	MAJORIE WILD	f	solely				49.36862	5292.14672

SCHEDULE OF OWNERSHIP ORDERS

TITLE: P/O 25/7/1966

NUMBER OF ORIGINAL OWNERS: 11

BLOCK: LUNDAHORE 3

AREA: 1137:3:38 SHARES: 9300.00000

(The orders themselves should be referred to for search purposes)

List No.	Owners	Sex and Age	Ratio	Shares in Block			To
				Already Owned From	Number	Now Acquired Number	
	WARE HAWETI						
	39 SHARES 155.034080		R.O.T. 12/0/63				
	SUCCESSION DATE 9/9/1967						
48	DULCIE EVELYN BIGWOOD	f	63/100	16	5292.05692	97.67112	5389.75834 58
49	TILWI HAWETI	f	1/10	32	193.38001	15.50342	208.88343 76 88
50	LEONE DITTMAR		1/20	22	49.36862	7.75171	57.12033 5
51	BRIAN FRANK RILEY		1/20			7.75171	7.75171 55
52	MARTORIE WILD		1/20	47	49.36862	7.75171	57.12033 57
53	ADELINE MAUDE HARRIS OR SANLEY		1/50	1	49.36862	3.10069	52.46931 60
54	ATA RIVERMINE HAWETI		1/10	6	451.2178	15.50342	466.72129 5
	FOR ARTHUR AUCKLAND RILEY						
	5 SHARES 49.36862		R.O.T. 12/0/65				
	SUCCESSION DATE 29/9/1967						
55	BRIAN FRANK RILEY	m	56/100	51	7.75171	49.36862	57.12033 56
	FOR THARE (CHARLES) RILEY						
	29 SHARES 49.36862		R.O.T. 12/0/65				
	SUCCESSION DATE 29/9/67						
56	BRIAN FRANK RILEY	m		55	57.12033	24.68431	81.80464 62
57	MARTORIE WILD	f	Equally	52	57.12033	24.68431	81.80464 63
	FOR EMERE HAWETI						
	12 SHARES 167.80786		R.O.T. 12/0/64				
	SUCCESSION DATE 9/9/1967						
58	DULCIE EVELYN BIGWOOD	f	Solely	48	5389.75834	167.80786	5557.56620 59
	FOR EREHI WIMIANA HAWETI						
	14 SHARES 155.02178		R.O.T. 12/0/64				
	SUCCESSION DATE 9/9/1967						
59	DULCIE EVELYN BIGWOOD	f	Solely	58	5557.56620	155.02178	5712.58798 60 61
	FOR ANI MUMAHIA HAWETI						
	2 SHARES 185.78900		R.O.T. 12/0/64				
	SUCCESSION DATE 9/9/67						
60	ADELINE MAUDE HARRIS OR SANLEY	f		53	52.46931	37.12118	89.61049 5
61	DULCIE EVELYN BIGWOOD	f		59	5712.58798	148.56472	5861.15270 64

SCHEDULE OF OWNERSHIP ORDERS

TITLE: A/O 25/7/1966

NUMBER OF ORIGINAL OWNERS: 10

BLOCK: TUNAPPORE 3

AREA: 1137.3.38 SHARES: 9300.00000

(The orders themselves should be referred to for search purposes)

List No.	Owners	Sex and Age	Ratio	Shares in Block			To	
				Already Owned		Now Acquired Number		Total
				From	Number			
	RAHEEM HAVETI							
	26 SHARE 178.00000	REF.	R.O.T. 190/65					
	SUCCESSION		DATE 29/9/1967					
62	BRIAN FRANK RILEY	m	56	81.80464	89.02205	170.82669		
63	MARJORIE WILD	f	Equally 57	81.80464	89.02205	170.82669		
	VALENTINE STEGALL							
	35 49.36862		C.P. 43/12					
	VESTING SEC 213		DATE 9/10/1967					
64	DULCIE EVELYN BIGWOOD	fa	50/51	5561.15276	49.36862	5411.52132		
	NORMAN GANLEY							
	24 49.36862		C.P. 43/12					
	VESTING SEC 213		DATE 9/10/1967					
65	DULCIE EVELYN BIGWOOD	fa	solely 64	5910.52132	49.36862	5959.88994		
	VIRGIE WALLER							
	37 49.36862		O.P. 43/12					
	VESTING SEC 213		DATE 9/10/1967					
66	DULCIE EVELYN BIGWOOD	fa	solely 65	5959.88994	49.36862	6009.25856		
	HILDA GANLEY							
	16 49.36862		C.P. 43/12					
	SUCCESSION		DATE 9/10/1967					
67	DULCIE EVELYN BIGWOOD	fa	solely 66	6009.25856	49.36862	6058.62718		
	EILEEN WALLER							
	9 49.36862		C.P. 43/12					
	VESTING SEC 213		DATE 9/10/1967					
68	DULCIE EVELYN BIGWOOD	fa	solely 67	6058.62718	49.36862	6107.99580		
	EDDIE GANLEY							
	8 49.36862		O.P. 43/12					
	VESTING SEC 213		DATE 9/10/1967					
69	DULCIE EVELYN BIGWOOD	fa	solely 68	6107.99580	49.36862	6157.36442		

SCHEDULE OF OWNERSHIP ORDERS

TITLE: P/C 25/7/1966

NUMBER OF ORIGINAL OWNERS: 1.0

BLOCK: TUNARAHORE 3

AREA: 1/37.3.38 SHARES: 9302.0000

(The orders themselves should be referred to for search purposes)

List No.	Owners	Sex and Age	Ratio	Shares in Block			To
				Already Owned From	Number	Now Acquired Number	
	HILDA SAVAGE II						
	17 4936562		1/10				
	VESTING SEC 213		DATE 9/10/1967				
70	DULCIE EVELYN BIGWOOD	f	scd. by	65	657.3042	1936562	6206.7330
	DECEASED OR TRANSFEROR	HUGHANA HAWAETI					
	LIST No. 19 35284896		B. REF. 41/215				
	ORDER SUCCESSION		DATE 10/10/1967				
71	JOHN THARARA						
	SAVAGE OR HAWAETI	IV				176.02048	176.02048
72	HAMIARA SAVAGE OR HAWAETI	IV	Equally			176.02048	176.02048
	DECEASED OR TRANSFEROR	HIRA HAWAETI					
	LIST No. 18 45757478		B. REF. 41/214-215				
	ORDER SUCCESSION		DATE 10/10/1967				
73	NORRIS KAWAERANGI ELLIS (MRS NORRIS KAWAERANGI)	f				150.52492	150.52492
74	WILLIAM GEORGE ELLIS	IV				150.52493	150.52493
75	DAPHNE GWYN ELLIS (MRS)	f	Equally			150.52493	150.52493
	As devisee under the will of FRANCIS TREVOR ELLIS, dec'd						
	DECEASED OR TRANSFEROR	TITWI HAWAETI					
	LIST No. 49 20888343		B. REF. 122/621				
	ORDER SUCCESSION		DATE 12/3/1968				
76	EMILY ELIZABETH HENRIETTA	f				16.06796	16.06796
77	VALENTINE GEORGE ALFRED FRITZ	IV				16.06796	16.06796
78	RAYMOND SAVAGE JORDON	IV				16.06796	16.06796
79	DULCIE EVELYN BIGWOOD	f				16.06796	16.06796
80	WALTER HARAU ANITA TUTARA COLCHESTER	IV				70 6206.7330A	6222.80100
81	ADA SELMANA HARGETON	f				16.06796	16.06796
82	ANNETTE IRENE HELENA BOSCHWEN	f				16.06796	16.06796
83	MUNOKOA TENIK HESTER	f				16.06796	16.06796
84	TOTO KAITARA HENRY	IV				16.06795	16.06795
85	TELEVANO MUNOKOA KARA	IV				16.06795	16.06795
86	GEORGE MUNOKOA ARTHUR WILLIAMS	IV				16.06795	16.06795
87	ANNIE TUPOU MOHARA	f				16.06795	16.06795
88	NGOTUPUNA-O-TARITA	f				16.06795	16.06795
	EVELINE	f	Equally			16.06795	16.06795

SCHEDULE OF OWNERSHIP ORDERS

NAME: P/O 25/7/1966.
 TITLE: Tuna Bayore 3

NUMBER OF ORIGINAL OWNERS: AREA: 37A, 38, 39
 SHARES: 930

(The orders themselves should be referred to for search purposes)

List No.	Owners	Sex and Age	Ratio	Shares in Block				Total
				Already Owned		Now Acquired Number	Total	
				From	Number			
1	Doris Evelyn Bigwood.	m	5.					
	DECEASED OR							
	JAMES SAVAGE							
	39-49550							
	21 SHARES							
	M.B. REF							
	DATE							
	SUCCESSION DATE							
89	GEORGE OWEN WALKER	ma	1/3			13-16517	13-16517	
90	BILL ELLIS	ma	1/3			13-16517	13-16517	
91	HAMORA SAVAGE	ma	1/3			13-16516	13-16516	

CHECKED BY [Signature]

PARTITION ORDER

The Maori Affairs Act 1953

Section 176

IN THE MAORI LAND COURT
OF NEW ZEALAND,

Waiariki

DISTRICT.

TUNAPAHORE 3

BLOCK.

IN THE MATTER of the partition of the land known as Tunapahore North 1A1, Tunapahore North 1A2, Tunapahore North 1B, Tunapahore South A, Tunapahore South B1A, Tunapahore South B1B, Tunapahore South B1CA, Tunapahore South B1CB, Tunapahore South B1D, Tunapahore South B1E Blocks

heretofore held under Order pursuant to Section 10 of the Native Purposes Act, 1938 dated the 7th day of May 1953

At a sitting of the Court held at Rotorua on the 25th day of July 1966 before Kenneth Gillanders Scott, Esquire, Judge.

IT IS, as part of the said partition, HEREBY ORDERED AND DECLARED that the several persons whose names appear in the first column of the Schedule ~~endorsed heron~~ annexed hereto, and therein numbered one to forty both inclusive, are the owners, in the relative shares or proportions set out in the second column of the said Schedule, of that part of the said land containing 1137a: 3r: 38p

named by the Court

Tunapahore 3

and which part is particularly delineated on the plan attached hereto.

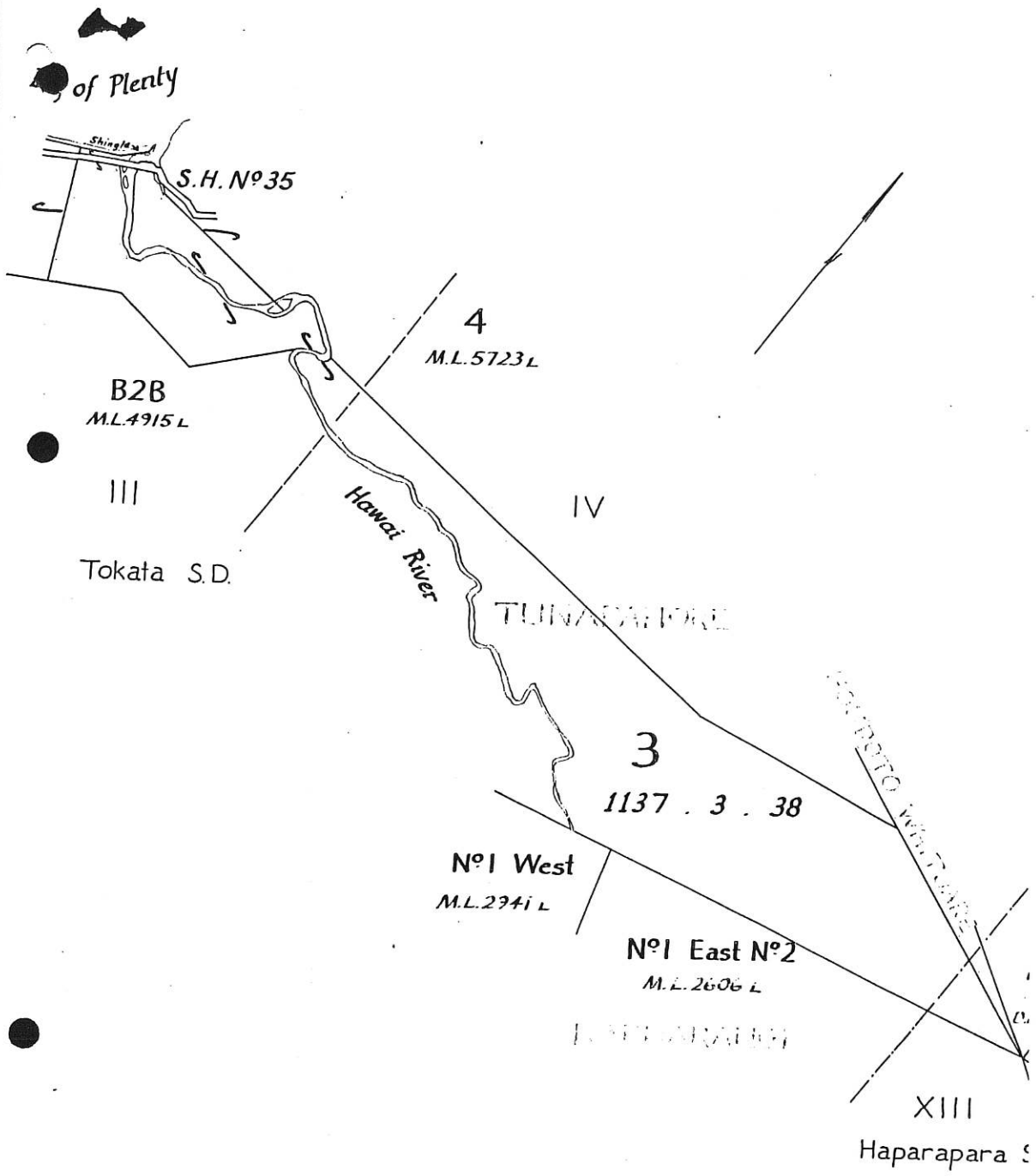
As witness the hand of the Judge and the seal of the Court.

Map filed and registered
Land Registrar's Office
Tunapahore C.C. 19/12/68
F.137



Alan Gordon
District Judge.

Amr



Tunapahore 3 Block

Blocks III & IV Tokata S.D. & XIII Haparapara S.D.

Gisborne Land District. Opotiki County Council

Compiled in Survey Office. Dec, 1966

Scale : 40 chains to an inch

M.L. 5723

M.A. 172 X 115 13.5.86 (150)

Telegraphic Address: MAORIFAIRS



Application

No. 32272

Please quote this reference in your reply

MAORI LAND COURT

WAIARIKI DISTRICT

Government Buildings
Arawa Street
Telephone 82 189

Private Bag,
ROTORUA.

15.7.1988

Hannah Crant & Gilbert

P.O. Box 645

ROTORUA

Attn: Mr Crant
Dear Sir/~~Madam~~

APPLICATION SECTION 66/56

Huapoto Te Rua 1 & 2

BLOCK

The above application has been set down for hearing at the Maori Land Courthouse, Government Buildings, Haupapa Street, Rotorua on Tues 2 August 1988 at 11.30 am/PM.

Yours faithfully,


R. Waipari
for Registrar

Panui or Appln No: 32272 - OPO (P.No. 92)

Block: HouPOTO Te PUA 1 & 2.

2.8.88
11.30am
OPO.

S 66/56 Applicant: Hannah Grant & Gilbert on behalf of Trustees.

- 1 Set down for hearing at next Aug 10
- 2 The applicant(s) ~~solicitor~~ to serve all owners whose addresses he/she knows and whose address can be ascertained from a search of Maori Trustee and Court records, with copy of application, _____ and date of hearing.
- 3 Applicant to file affidavit of service covering (2) above at or before hearing.
- 4 Applicant to be advised that failure to comply with these directions will result in application being adjourned.
- 5 Other directions

H K Hingston
 Judge
 7.19 88

PARTICULARS OF TITLE TO LAND

Name and description of land: Houpoto, Houpoto Te Pua No 1 & Houpoto Te Pua No 2.
Nature and date of Court Order: Order vesting land of Body Corporate in Beneficiaries 59 OPO 370
Area: 5254.0788 ha 31.3.83.
Block and survey district: I, III, II, IV Tokata S.D.; IX, XIII, XIV Haparapara S.D.
IX, X, XIII, XIV Haparapara S.D. County: OPOTIKI
Number of owners: 615 Approx

Names and shares, minors' ages, and trustees, where not more than 10 owners:
(Where more than 10 owners, number of owners to be stated.)

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)
- (h)
- (i)
- (j)

Whether land surveyed: - Notes: Attached
What parent block is last surveyed: - MB. OPO 61/18
Survey charges due: - OPO 63/95
Rate charging orders: - Memorial Schedules
Succession duty due: - OPO 59/370
Court fees due: -

Whether partition orders have gone through to District Land Registrar - L.T. Ref: Vol. Fol.

Any former existing Land Transfer Title:

Alienations completed or pending:

Where leased, name of lessee, term of lease, date from which lease runs, annual rental, whether right of renewal or to compensation for improvements, and whether any purchasing clause:

Leased 99 years w.e.f. 14.76 to Houpoto Te Pua Forest Ltd. TN 163 46

Sinking Fund at / /

Whether further applications pending in respect of land (partitions, appeals, exchanges, etc):

Oppn 32158 Sec 438(3)(a) Pending: Lodged 6.5.88 by Erueti Koopu.

Whether incorporated (give date) or subject to provisions of particular part of Maori Affairs Act 1953 and whether for sale or lease:

Incorp. wound up. 59 OPO 370 : Sec 438 Trustees Erueti Koopu & 4 others contd

Whether subject to any restrictions: → 63 OPO 95; Terms of Trust 61 OPO 10.

Existing Government valuation: C.V. NIL Available. L.V. Imp.: Date:

Prepared by [Signature]
Checked by [Signature]

OPOTIKI MINUTE BOOK VOLUME 61 FOLIO 18

AT ROTORUA - MONDAY 27 AUGUST 1984

Present - N F Smith, Judge
SCP Bloor, Clerk

27296 HOUPOTO TE PUA NO 1 & 2 AND OTHER BLOCKS

Section 438/53

Court: On 31 March 1983 at Opotiki MB 59/370 the Court made an order in terms of Section 438(5)/53 defining the terms of trust for the above blocks.

At the A.G.M. of the beneficial owners held on the 18 August 1984 at Maraenui Marae the owners resolved:-

- "(i) That the trustees be empowered to subscribe to the Maori International Prospectus.
- (ii) That the trustees be empowered to invest in the special partnership of Cumberland Properties Limited & Co. "

The above application is revived.

Neither of the proposed investments are "Trustee Investments" within the provisions of the Companies Act 1956.

Maori International Limited is known to the Court and has a definite empathy with things Maori.

Cumberland Properties Limited & Company comprises a joint venture partnership with the objects of acquiring and developing land.

The Solicitor for the trust attended the A.G.M. and advised the owners on both matters. It is clear that consensus was achieved.

Order Section 438(3)(b)/53 varying the terms of trust by adding to sub-clause 3 (b) (vii) the following :-

"and to invest funds of the trust in any such investments not being Trustee Investments in terms of the Trustee Act 1956 as are from time to time approved by the beneficial owners by resolution at a properly constituted meeting of the said beneficial owners, AND in particular to invest in Maori International Limited and the business or partnership trading or intending to trade under the name or style of Cumberland Properties Limited and Company."

and by deleting the words from -

"Provided however"

in line 2 of Clause 3 (b)(1) to the end of that sub-clause.

X Order Section 34(10)/53 for immediate release.

Copy minute to Mr E Koopu,
Mr J Grant.


Judge

63 OPOTIKI MINUTE BOOK 95

At Opotiki - Wed 4 Nov 1987

Present - H K Hingston, Judge
L Makene, Clerk

93 TE KAHA 2B - s 438(3)(b)/53

Mr P R Hunt, Deputy Registrar:

Same type of application as previous ones. One of the Trustees is present, Mr Petera Matiu. He has no objection.

Court explains application to Mr Matiu.

Court: Adjourned to first Opotiki Court in June 1988.

94 TE KAHA B6P1B, B6P, 30B2 AND RANGITAIKI 28B6A - s 438(3)(b)/53

Mr PR Hunt, Deputy Registrar: Present is Mr Leo Pirini.

On file we have a letter from Mr Mani Pirini resigning from the Trust. Once again we have the incorrect spelling of Cretina Keepa shown as Cretna Keepa as Trustee.

Judge explains application to Leo Pirini. No objection.

Court: Insofar as the Trustees are concerned the Court on its own motion s 27(2)/53 invokes jurisdiction pursuant to s 438(3)(a)/53 and recognising that Mr Mani Pirini is desirous of resigning makes an order in respect of the above blocks reducing the Trustees by vesting the land again in - Cretina Keepa and Mr Leo Pirini; subject to the present Trust.

Application adjourned to first Court sitting at Whakatane in June 1988.

84 HOUPOTO, HOUPOTO TE PUA NO 1 & 2 - s 438(3)(b)/53

Mr P R Hunt, Deputy Registrar -

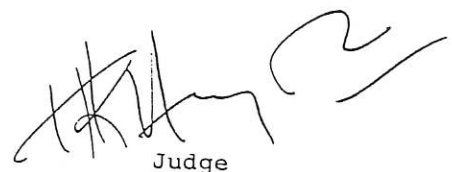
No Trustees are present. Mr Paratene Walton-on-Thames Paora, an owner is present. Also Takataka Koopu is deceased.

Court explains application. No objection.

Court: The Court is well aware that Takataka Koopu is now deceased of its own motion s 27(2)/53 invokes jurisdiction under s 438(3)(a)/53 reduces the Trustees by vesting the land in the present Trustees less Takataka Orangi Koopu subject to the same Trusts.

Adjourned to first sitting in June 1988 at Opotiki.

Copy minute to: Mr Paora
Erueti Tiketikerangi Koopu.



Judge

MEMORIAL SCHEDULE

①

NAME OF BLOCK: Hauopoto, Hauopoto Te Rua No.1 and No.2

N.B. - The order or title notice should be referred to for search purposes.

Nature of Order or Instrument	Date	Checked	Reference
Order Sec 438 vesting in -	31-3-83	<input checked="" type="checkbox"/>	Opo. 59/37
Eruti Tiketikerangi - Koopu			
Takataka Orangi - Koopu			
Kiwa Ngamoki			
Tamehana Wharepapa			
Te Kahautu Maxwell			
William Takamoana Delamere			
Koro Tawhai			
Order Sec. 438 (5) setting out Terms of Trust	31-3-83	<input checked="" type="checkbox"/>	Opo. 59/37c
Order Sec. 438 (3)(b) varying the Terms of Trust.	27-8-84	<input checked="" type="checkbox"/>	Opo. 61/18
Memo of Lease to Hauopoto Te Rua Forest Ltd. Term 99 yrs with P. 1.4.1976. Endorsed pursuant to S.223/53	20.11.85		T.N 16346
Order S. 438 (3)(a) vesting land in alternative Trustees, namely: -	6.9.85	<input checked="" type="checkbox"/>	OPO 62/10a
Eruti Tiketikerangi, Koopu - P.B. 100, OPOKI	} Superceded at OPO 63/95		
Takataka Orangi, Koopu - P.B. 25, OPOKI			
Tamehana Wharepapa			
Te Kahautu Maxwell			
William Takamoana Delamere			
Koro Tawhai			
Order section 50(1)(d) - Interlocutory Injunction Against the HOROUTA TIMBER CO.	7-12-87	<input checked="" type="checkbox"/>	720 P&MB 9 S. FOREST CO. LTD.
Order section 50(1)(d) Interlocutory Injunction is dissolved	8-2-88	<input checked="" type="checkbox"/>	63 Opo. 125

FIRST SCHEDULE

HOUPTO TE PUA NO 2 BLOCK containing 2547.4961 hectares more or less and situated in Blocks II, IV Tokata Survey District and Blocks IX, XIII, XIV Haparapara Survey District and being all of the land contained in Certificate of Title volume 2D folio 648 Gisborne Land Registry.

HOUPTO TE PUA NO 1 BLOCK containing 985.2651 hectares more or less and situated in Block IX, X, XIII, XIV Haparapara Survey District and being all of the land contained in Certificate of Title Volume 2D folio 647 Gisborne Land Registry.

HOUPTO BLOCK containing 1721.3176 hectares more or less and situated in Blocks II, III, IV Tokata Survey District and in Blocks XIII Haparapara Survey District and being all the land contained in Certificate of Title Volume 2D folio 646 Gisborne Land Registry.



D

ORDER VESTING LAND OF BODY CORPORATE IN THE BENEFICIARIES

The Maori Affairs Amendment Act 1967, Section 65 (5)

In the Maori Land Court
of New Zealand
Waiariki District

IN THE MATTER of the Body Corporate
known as The Proprietors
of Houpoto, Houpoto Te
Pua No 1 and Houpoto
Te Pua No 2

AT a sitting of the Court held at Rotorua on the 31st day of
March 1983 before Norman Francis Smith, Esquire, Judge

WHEREAS the Court on the 31st day of March 1983 did order
the winding up of the Body Corporate established under
section 122 of the Native Land Act 1894, known as The
Proprietors of Houpoto, Houpoto Te Pua No. 1 and Houpoto
Te Pua No 2

AND WHEREAS the land as set out in the First Schedule
hereto was at the making of the said order vested in the
said Body Corporate

NOW THEREFORE IT IS HEREBY ORDERED that the said land be
and the same is hereby vested for an estate in fee simple
in the persons whose names are set out in the Second Schedule
hereto being the persons beneficially entitled thereto as
tenants in common in the shares set out opposite their names
respectively.

AS witness the hand of Heta Kenneth Hingston, a Judge and
seal of the Court.



WP 1280C Disk 76C 5.1.88 (120)

APPLICATION FOR DIRECTIONS IN RESPECT OF THE

EXERCISE OF POWER TO ACQUIRE A LEASEHOLD AND
FREEHOLD INTEREST IN LAND

The Maori Affairs Act 1953, section 30(1)(L) and
The Trustee Act 1956, Section 66.

In the Maori Land Court
of New Zealand
Waiariki District

IN THE MATTER of Haupoto, Houpoto
Te Pua No.1
and Haupoto TePua
No.2 Blocks

APPLICATION is hereby made for an Order under section 66 of the
~~Maori Affairs Act 1953 that~~ Trustee Act 1956 directing that the
Trustees in whom the above lands are vested be authorised to acquire
the leasehold of Maraenui A.2 and the freehold of Tunapahore 3

UPON THE GROUNDS that:

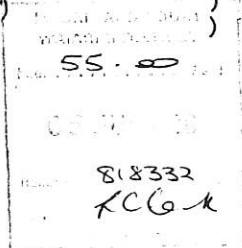
1. Maraenui A.2 has common ownership with the Trust.
2. Tunapahore 3 was once in common ownership with the Trust.

This application is made by John Alexander Grant
of Hannah Grant & Gilbert whose address for service is:

Legal Chambers
59-61 Haupapa Street (P.O. Box 645)
ROTORUA

SIGNED by the applicant on the)
15 day of July)
1988)

Fee: \$



[Signature]
Signature

*Accepted
5.7.88*

HANNAH GRANT & GILBERT

PARTNERS:
JOHN HANNAH LL.B.
JOHN ALEXANDER GRANT LL.B.
CHRISTOPHER WILLIAM GILBERT LL.B.

ASSOCIATE:
HAROLD STEWART EDWARD B.Ed. LL.B.

BARRISTERS & SOLICITORS

LEGAL CHAMBERS
59-61 HAUPAPA STREET
ROTORUA
N.Z.

TELEPHONE (073) 88-079
FAX NO. (073) 460-673
N.Z. POST BOX 645
ROTORUA

DELIVER

4th July 1988

The Registrar,
Maori Land Court,
Private Bag,
ROTORUA

Our ref: Mr Grant/Mrs Hart

Your ref:

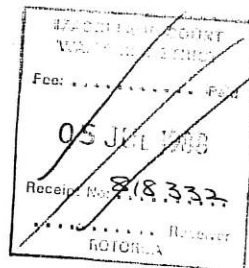
Dear Sir,

re: Houpoto Trust

We enclose herewith application for an Order under Section 66 of the Trustee Act 1956 for lodging in the Court for your August sitting. We also enclose our cheque for \$55.00 application fee.

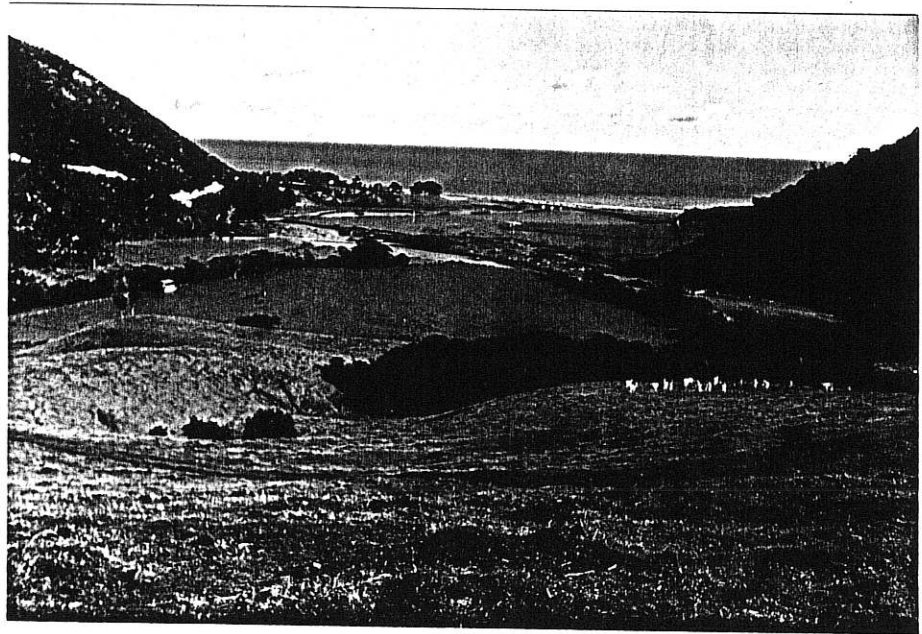
Yours faithfully,
HANNAH GRANT & GILBERT

Per:
enc



ATKINSON & BOYES
REGISTERED RURAL & URBAN VALUERS
FINANCIAL & PROPERTY CONSULTANTS

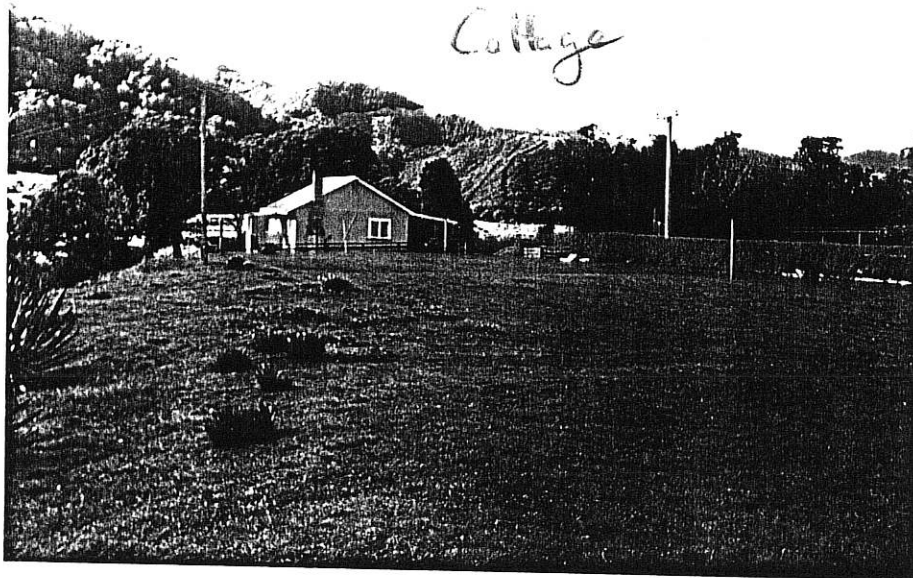


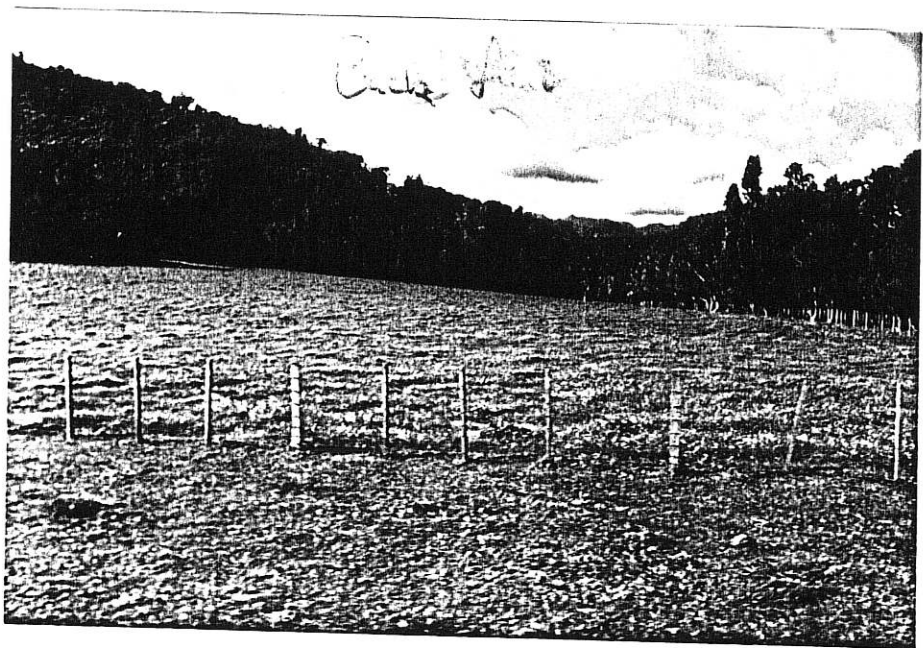


View of undeveloped land

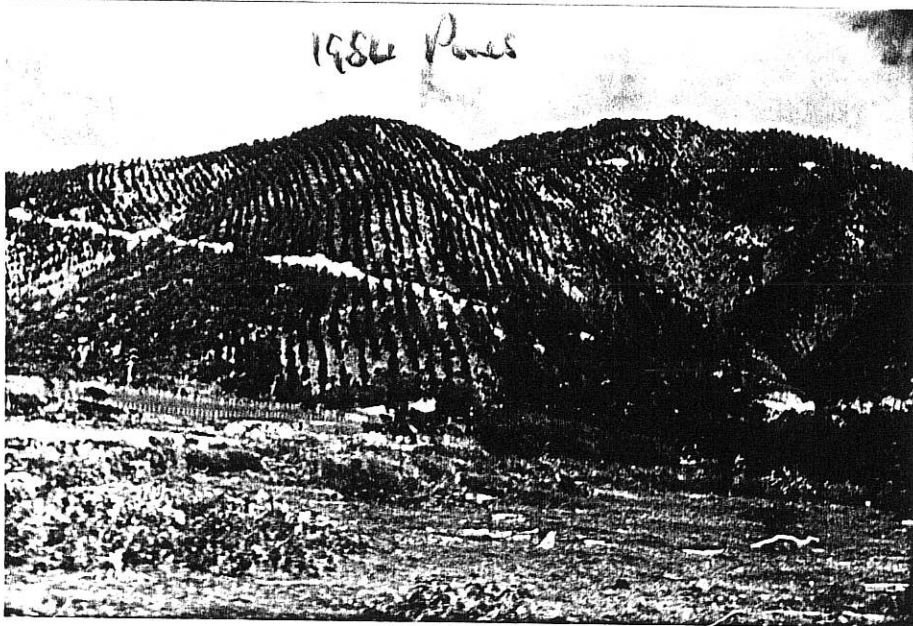








1984 Pines





(Incorporated by Act of Parliament)

Principals:

D. T. ATKINSON
DIP. V.F.M., A.N.Z.I.V.Z

M. J. BOYES
DIP. URB. VAL., A.N.Z.I.V.

Associate:

D. R. CAMPBELL
V.P. RUR, V.P. URB., A.N.Z.I.V.

ATKINSON & BOYES

REGISTERED RURAL & URBAN VALUERS
FINANCIAL & PROPERTY CONSULTANTS

Business Phones:
Whk 85-387, 88-919
(STD Code: 076)

National Bank Building,
The Strand,
P.O. Box 571,
Whakatane.

11 July 1988

YOUR REF:
OUR REF: DK82/15

The Secretary
The Houpoto Trust
C/- Mr E T Koopu
P O Box 100
OPOTIKI

Dear Sir

VALUATION OF TUNAPAHORE 3 BLOCK

In accordance with your request, I inspected the above property on the 6th July 1988 and report as follows.

Purpose of Valuation The purpose of valuation is to establish the fair market value of the property. It does not purport to be a structural survey.

I have established as far as possible, without verification by professional survey, that the improvements are situated within the boundaries of the land.

Date of Valuation 6th July 1988.

Owner Hawaii Holdings Limited.

Legal Description 460.5272 hectares more or less being Tunapahore 3 Block situated in Blocks III and IV Tokata Survey District and Block XII Haparapara Survey District. All land contained within Certificate of Title 2B/1325, Gisborne Land Registry.

Address State Highway 35, Opotiki.

../2

Summary of Valuation Value of Improvements: \$ 80,000
Land Value: \$130,000
Current Market Value: \$210,000

Note that chattels associated with the property have not been valued.

A detailed valuation is to be found at the conclusion of this report.

Loan Recommendation I recommend a maximum advance on first mortgage of One Hundred and Forty Thousand Dollars (\$140,000) being two thirds of valuation, for a term of Twenty-five (25) years.

Summary of Property The property is situated on the Coast and adjoining the Hawai River. It consists of a relatively small farm area containing a basic range of improvements, with the bulk of the property being in steep remote native bush.

Zoning The farmed portion of the property is situated within the Rural 'B' zone under the Proposed Second Review to the Opotiki District Scheme. This zone provides for farming and horticulture as predominant uses, with production forestry being a conditional use.

The balance of the property lies within the Rural 'C' zone, which provides for farming and production forestry as predominant uses.

Location The property is located on State Highway 35 at the mouth of the Hawai River, being some 28 kilometres north-east of Opotiki. In this locality, the easy plateau land has been developed for farming, along with some horticulture, while much of the steep hill country has been developed for exotic forestry.

I understand that this is the only property in the locality which is not under Maori ownership.

Primary schooling is available at nearby Torere, with secondary schooling in Opotiki which also provides a full range of commercial facilities.



Land

General: The property has a relatively narrow frontage to State Highway 35, and from there follows the Hawai River which intersects the farmed part of the property and which forms the boundary for part of the undeveloped land. The block in total is very long and narrow.

Contour: Situated adjoining the Highway is a small area of flat which rises to an area of very easy undulating plateau which contains the homestead and cottage. The beach is immediately across the Highway, and good coastal views are obtained from the homestead area.

There are some 8 hectares in the above, from where the land falls through a short escarpment to floodable and erodable flats adjoining the Hawai River, a total of some 2.7 hectares in all.

Adjoining State Highway 35 and on the other side of the Hawai River is an area of good alluvial flats being some 14.3 hectares in area, with a further 8 hectares of good flats towards the middle and rear of the farmed area.

Situated towards the rear of the farmed area is some 7 hectares of workable to easy hill.

All of the above areas are in pasture, generally of fair to average quality.

There are some 33 hectares of medium to steep hill which have been developed for exotic forestry, being radiata pine, with 7 hectares having been planted in approximately 1979 and a further 26 hectares planted in 1984.

Within the farmed area are some 19 hectares of shingle riverbed and floodable river margins, generally with weed cover.

The balance of the area, being some 368 hectares, is steep to very steep hill country with a cover of native bush. There may be some millable timber, but the sensitivity of the Hawai water catchment would preclude logging operations.

Land cont'd

Soils: The soils of the flats are derived from alluvium, while the soils of the undulating plateau are derived from volcanic ash and are suitable for development for horticultural purposes. The hill soils are a clay loam derived from greywacke.

Utilisation

The property is utilised as a small farm, with stock consisting of some 30 cows and their calves, some 200-250 ewes, 18 hinds, and 70 goats.

Only some 40 hectares are in good pasture, and to successfully winter the above stock, opportunity grazing of some unfenced adjoining lands is utilised.

The property has no prospect of being an economic unit under traditional sheep and cattle farming, but present indications are that deer farming and goat farming could be economic on the available area. A small area behind the homestead has been fenced for deer, and this could be extended onto the more elevated flats and easy hilly land.

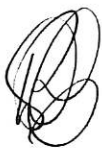
Radiata Pine

Thinning and pruning has been undertaken over a substantial part of the 1979 planting of 7 hectares, and these trees appear to be making satisfactory progress. Similarly, the younger trees in the 1984 planting appear to have established satisfactorily apart from some old slip faces which apparently have a very thin soil.

The economics of forestry in these coastal situations is now considered to be suspect, and the subject plantings attract an only nominal added value.

Climate

The locality receives an annual rainfall of approximately 1500mm at the Coast, rising in the higher country. Prevailing winds are from the north-west during summer and from the north-west and south-west during winter. Only light winter frost levels are experienced.



Structural
Improvements

Dwelling: This has an effective age of 35 years, and has a first floor area of 85.6 square metres on a full basement of 85.6 square metres.

It is constructed on a pole and timber frame, and is clad in rusticated weatherboards, with a corrugated iron rear wall. The roof is of corrugated iron, and window joinery is of timber, and part aluminium.

Generally, construction is only fair, being more typical of an early holiday home than of a permanent dwelling.

The interior is lined mainly with hardboard to the walls and ceilings.

The first floor accommodation consists of an open plan kitchen and living room, with steps up to a supplementary lounge, and two bedrooms with low ceilings.

In the basement are located laundry, bathroom and toilet facilities, along with vehicle garaging and storage space.

Fittings are installed as follows:

Accommodation:	Fittings:
Kitchen	Timber sink bench, old 4-element electric stove, average cupboard space including pantry, supplementary lounge, linen/hot water cupboard, built-in shelving.
Bathroom	Built-in bath, porcelain hand basin.
Laundry	Two concrete tubs.
Toilet	W.C.

Cottage: This has an effective age of 35 years and a floor area of 74 square metres, with an attached carport of 15 square metres, and a deck and porch of 10 square metres.

It is constructed on concrete piles with a timber frame reclad in flat fibrolite, with a corrugated iron roof.

The interior is lined with pinex sheet to the walls and ceilings.

The interior layout provides two bedrooms, a living room, kitchen with separate dining area adjoining, and the usual bathroom, laundry and toilet facilities.

Although plain in appearance and design, the cottage provides satisfactory accommodation for permanent or holiday purposes. A standard range of fittings are installed.



Structural
Improvements cont'd

Cookhouse & Ablutions Block: This is located on the flat below the homestead area. It is constructed on a concrete floor with concrete block walls and a corrugated iron roof. It has a floor area of 45.9 square metres, plus a carport under the main roof of 20.7 square metres. It consists of a large open room containing basic kitchen facilities, while partitioned at one end are two toilets, a porcelain hand basin and a serratone lined showerbox. Laundry facilities are located in an attached fibrolite-clad leanto. I understand that friends of the present owner use this facility in association with their own caravans.

Bach: This is a small sleepout of 19.4 square metres with a verandah of 10.3 square metres. It contains a formica sink bench and small electric stove, but no bathroom facilities. It is constructed on concrete piles and clad in flat fibrolite, with mainly aluminium joinery and a corrugated iron roof.

Woolshed: This is a standard two-stand shed of light construction with a floor area of 95.6 square metres. It is constructed on a part concrete foundation wall showing significant cracking, with some concrete and some timber piles. It has a timber frame clad in fibrolite and corrugated iron. It provides a satisfactory facility.

Attached to the side of the woolshed is a deer shed of 32.2 square metres constructed on a pole frame and clad in construction ply. This provides a basic but satisfactory facility for the present deer operation.

Hay Sheds: There are three hay sheds constructed on pole frames with corrugated iron roofs. One of these is located in the homestead area, with the other two located about the farm. The shed at the homestead contains basic open fire cooking facilities which are used in conjunction with a caravan parked therein.

Yards: Situated at the woolshed is a small set of cattle yards, small deer yards, and medium sized set of sheep yards. These are all in fair to average condition and provide satisfactory stock handling facilities.

Structural
Improvements cont'd

Fencing: Some 2.5 hectares have been fenced behind the homestead for deer, and some 80 hectares of the property are fenced generally with good quality post, wire and batten fencing, and the farmed area is more or less adequately subdivided, again with generally good quality fencing, with some being of fair to average quality.

Other Improvements: Watersupply is pumped from the river to two concrete reservoirs in the homestead area and reticulated to buildings and troughs as required. Section Development at the main dwelling is tidy, with garden development including lots of shrubs and trees. Semi mature karakas are an attractive feature along the drive and behind the homestead. Power is reticulated to the principal buildings. Clay farm tracks provide satisfactory access.

Potential Use

In its present form, the property is a good coastal lifestyle property with sufficient land and pasture to provide a modest income to assist in defraying expenses.

Located within immediate proximity to the beach and to the Hawai River, there appears to be potential to develop a camping ground on the property. Camping grounds are a Conditional Use in Rural B and C zones.

Some potential for subdivision exists, there being good demand for lifestyle properties on the Coast. District Scheme Ordinances control subdivision, but 50 hectares of farmable land could be subdivided as of right, with lesser areas being possible under certain defined circumstances.

Cemetery

Located adjoining the road frontage near the homestead area is an Urupa or Cemetery for the local Maori people. It is some 1000 square metres in extent, but has never been partitioned, surveyed, or gazetted as an Urupa. I understand that there have been difficulties in the past with access to the Urupa, the land being included in the title of the subject farm property.



Structural
Improvements cont'd

Fencing: Some 2.5 hectares have been fenced behind the homestead for deer, and some 90 hectares of the property are fenced generally with good quality post, wire and batten fencing, and the farmed area is more or less adequately subdivided, again with generally good quality fencing, with some being of fair to average quality.

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Valuation Detail

VALUE OF IMPROVEMENTS:	
Dwelling	\$20,000
Cottage	15,000
Cookhouse	8,000
Bach	3,000
	<u>\$46,000</u>
Added value of accommodation to property, say	\$40,000
Woolshed	9,000
Deer Shed	1,000
Hay Sheds (3)	1,000
Fencing	10,000
Other Improvements	10,000
Value of Pine Plantation	10,000
TOTAL VALUE OF IMPROVEMENTS:	\$ 80,000
LAND VALUE:	
8 ha. Front plateau and associated flat @ \$2,000/ha.	\$ 16,000
Plus coastal site allowance.	\$ 40,000
14.3 ha. Good flats in pasture @ \$1,500/ha.	\$ 21,450
10.7 ha. Middle & rear flats etc. @ \$1,200/ha.	\$ 12,840
7 ha. Easy hill in pasture @ \$800/ha.	\$ 5,600
33 ha. Med. to steep hill in pines @ \$400/ha.	\$ 13,200
12 ha. Bush & scrub within developed area @ \$150/ha.	\$ 1,800
19 ha. Shingle and river margins @ \$100/ha.	\$ 1,900
356.5 ha. Steep to very steep in bush @ \$50/ha.	\$ 17,825
	<u>\$130,615</u>
TOTAL LAND VALUE, say:	\$130,000
CURRENT MARKET VALUE:	\$210,000

Sales Evidence

There are no sales of directly comparable properties of which I am aware. Recent sales on the Coast include residential sections with sea views of up to \$48,000; a 6 hectare block of vacant land near the Haparapara River and adjoining the Coast, for \$50,000; a block of fair grazing land and bush of 196 hectares and containing an old house, situated at Toatoa, for \$144,000, along with smallholdings in the general Opotiki area ranging up to \$200,000 in sale price.

General

Please find attached a copy of the Certificate of Title and some photographs of the property.

A handwritten signature in black ink, appearing to be 'D.R. Campbell', written in a cursive style.

D R CAMPBELL
REGISTERED VALUER
A N Z I V

Reference Partition Order
P.R. 13/1106

Transfer No. 90947
N/C. Order No.



SEARCH

17 JUN 1988

COPY

Land and Deeds 69

REGISTER

N. 28 / 1325

CERTIFICATE OF TITLE UNDER LAND TRANSFER ACT

This Certificate is made the 23rd day of December one thousand nine hundred and Sixty-nine under the seal of the District Land Registrar of the Land Registration District of Gisborne

WITNESSETH that DULCIE EVELYN BIGWOOD of Ohope, Widow -

is seized of an estate in fee-simple (subject to such reservations, restrictions, encumbrances, liens, and interests as are notified by reference to the underwritten or endorsed hereon) in the land hereinafter described, delineated with bold black lines on the plan hereon, by the several admeasurements a little more or less, that is to say: All that parcel of land containing 1137 acres 3 roods 38 perches more or less situate in Blocks III and IV Tokata Survey District and XII Haparopara Survey District being Tunapahore 3 Block.

(X 1000 Y 111)



[Signature]
District Land Registrar

99043 Evidence of Marriage of Dulcie Evelyn Bigwood abovenamed to Ralph John Butterworth of Whakatane, Consultant entered 25.2.1971 at 2.10 o'clock.

A.L.R.

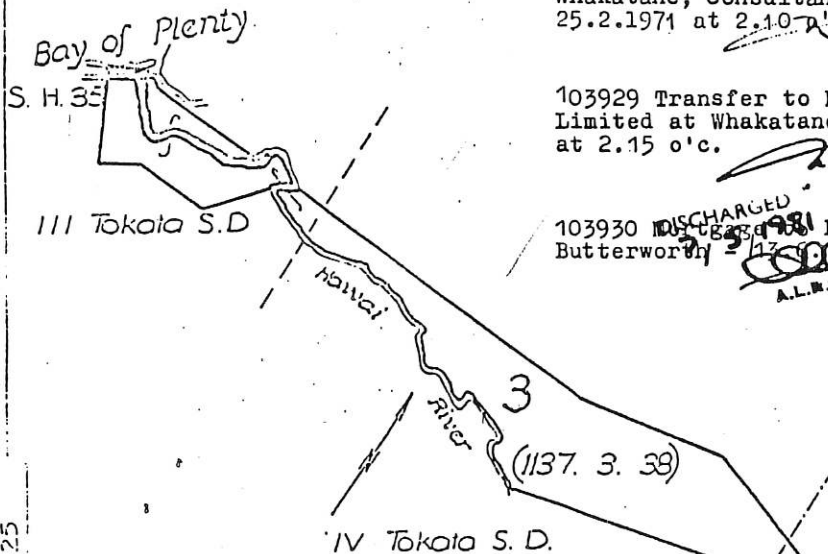
103929 Transfer to Hawaii Holdings Limited at Whakatane - 13.6.1972 at 2.15 o'clock.

A.L.R.

103930 ~~DISCHARGED~~ Dulcie Evelyn Butterworth *[Signature]* at 2.15 o'clock.

A.L.R.

A.L.R.



METRIC AREA IS 460.5272 ha

Scale: 1 inch = 60 chains
M.L. 5723

XIII Haparopara S. D.

N. 28 / 1325