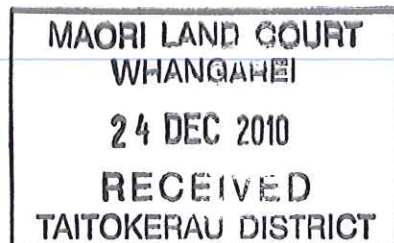


Our Ref: CAS-115-09/842
Your Ref: A20100008382



20 December 2010

Francene Beckham
Maori Land Court
Te Taitokerau District
DX Box AX10086
Whangarei

Tena Koe Francene

Kopuakawau Block – Survey Requisition – Application A20100008382

Thank you for the documents provided with your email of 9 December 2010.

The Registrar-General of Land and the Surveyor-General have now completed their independent investigations into the matter in accordance with their particular statutory authorities and responsibilities. As the investigations and findings are interrelated, however, a single report has been prepared. A copy of that report is enclosed for filing.

Nāku noa, nā

Kerry Twydle
Senior Cadastral Advisor

National Office
Lambton House
160 Lambton Quay
PO Box 5501
Wellington 6145
New Zealand
Tel 64-4-460 0110
Fax 64-4-472 2244
Email info@linz.govt.nz
www.linz.govt.nz
www.newzealand.govt.nz

Our Ref: CAS-I15-09/842

Your Ref: A20100008382
21 Taitokerau MB 74



16 September 2011

Francene Beckham
Maori Land Court
Te Taitokerau District
DX Box AX10086
Whangarei 0140



Tēnā koe Francene

Kopuakawau Block – Survey Requisition – Application A20100008382

Please find enclosed a statement from the Surveyor-General and the Registrar-General of Land. This is in response to the Court's invitation at its Chambers hearing on 19 May 2011, as advised in your letter dated 20 July 2011.

I would appreciate you confirming receipt of the statement, by emailing me on ktwydle@linz.govt.nz.

Kia ora

Kerry Twyde
Senior Cadastral Advisor

National Office
Lambton House
160 Lambton Quay
PO Box 5501
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www.newzealand.govt.nz

REPORT RELATING TO “KOPUAKAWAU BLOCK” FROM THE REGISTRAR-
GENERAL OF LAND AND THE SURVEYOR-GENERAL TO
THE MĀORI LAND COURT

Background

1. On 3 September 2010 Judge Ambler directed the Registrar-General of Land, the Surveyor-General and the Far North District Council to file submissions setting out their preliminary views on the issues referred to at 9 Taitokerau MB 88-90.
2. A memorandum on behalf of the Registrar-General and the Surveyor-General was filed in the Court on 5 November 2010, advising that the requisite investigations could not be completed until further documentation was received and analysed.
3. On 15 November 2010 Judge Ambler directed the Surveyor-General and Registrar-General to file their reports by 20 December 2010.
4. The records to which the Registrar-General and the Surveyor-General have referred in their preparation of their reports are interrelated. The Registrar-General relies on survey information when issuing titles under the Land Transfer Act 1952 and surveys rely on information in the land titles register to spatially define interests in land. For that reason, the findings of the Surveyor-General and the findings of the Registrar-General are integrated and presented in this one report.

Available information

5. In order to produce this report for the Court, survey and title records held by Land Information New Zealand ("LINZ") were examined. This included file 20/161, being a Lands & Survey Department file on "Kopuakawau Block", and the plan file for the 1983 subdivision undertaken pursuant to DP 102868 ("the 1983 subdivision").
6. It was apparent from the plan file for the 1983 subdivision that the surveyor was employed by the then Housing Corporation of New Zealand, on secondment from the Lands & Survey Department. A discussion with the surveyor and an examination of files held by the Housing New Zealand Corporation did not provide any further information to that available from the files held by LINZ referred to above. The survey report prepared in respect of the 1983 subdivision referred to a file "6.2116.1.2" but the Corporation has advised the Surveyor-General and Registrar-General that the Corporation was unable to locate that file.
7. Records of the Land Claims Commission, held in National Archives, were also examined.
8. The memorandum for the Surveyor-General and Registrar-General dated 5 November 2010 requested a copy of all relevant documents on the Court's file(s). LINZ also contacted the Court Registrar on 16 November 2010 to alert the Registrar to the following note on the survey plan of Kopuakawau (ML 9717): "N.L.C. File 680/B.1. Order of investigation of title 22/8/04".
9. LINZ also requested that the Court Registrar ascertain if the Court's records included a copy of ML 9717 which had been approved by the Court. The only copy of ML 9717 held by LINZ does not record any approval by the Court of ML 9717.
10. On 9 December 2010 the Court Registrar replies to the requests made by the Surveyor-General and Registrar-General and provided certain documents. A copy of the Registrar's email (and the documents it attached) is **attached** as Appendix 1.

Findings from available evidence in relation to “Kopuakawau” Block

11. It is apparent that Kopuakawau Block has not been spatially recorded in the cadastre.

1836-1839: Pre-Treaty purchase of land – OLC 135

12. A large block of land, recorded as “OLC 135”, was purchased by the Rev. Charles Baker in four deeds between March 1836 and January 1839.¹ The deeds described the “OLC 135” land by reference to local Maori landmarks but do not include any reference to a “Kopuakawau” Block.
13. Following the signing of the Treaty of Waitangi, the purchases were investigated by the Land Claims Commission. Although the original purchase deeds did not refer to “Kopuakawau”, a condensed description published by the Land Claims Commission referred to the boundary extending “*along the lower end of and by the pa to the branch road that leads to Kopua Kauwau, thence along the river following its windings to Mangaprarero ...*”.²

1857-1858: Survey of OLC 135 and issue of Crown Grant

14. Rev Baker’s purchases were allowed and Crown Grants were issued in 1844, using the same descriptions as in the original purchase deeds.³
15. However, the Grants were subsequently cancelled by Governor Sir George Grey.⁴ A new Grant was issued in March 1858,⁵ following completion of a survey eight months earlier.⁶
16. That survey is shown on OLC Plan 135 (copy **attached**). That Plan identifies an adjoining Maori Reserve “Turuki” and also shows the name “Kopua Kauwau” near that Reserve land.
17. The Crown Grant (copy **attached**), which is based on the definition shown on OLC Plan 135, shows the same boundaries as OLC Plan 135 and records “Native Res Turuki” but does not record the name “Kopuakawau” or any similar name.
18. As noted in the Far North District Council’s report to the Court, dated 5 November 2010, the dimensions on the Crown Grant **diagram imply that the abutting block labelled “Turuki” on the Crown Grant diagram included “Kopuakawau”.**
19. Both the condensed description published by the Land Claims Commission (referred to above) and OLC Plan 135, therefore, indicate that Kopuakawau was not included in the Grant to Rev Baker.

¹ Pages 140 - 143 of *Maori Deeds of Old Private Land Purchases etc etc*, compiled by H. Hanson Turton, 1882.

² Page 586 of *Maori Deeds of Old Private Land Purchases etc etc*.

³ Old Lands Claims Crown Grant volume 5, folios 66 to 69. Archives NZ ref: Agency ABWN, Series 8090, Accession W5274, Item 427 5, Item Description: Crown Grant Register OLC Auckland 1844.

⁴ Appendix to the Report of the Land Claims Commissioner, published in the Appendix to the Journals of the House of Representatives 1863, Section D-14.

⁵ Auckland Crown Grant volume R15, folio 16. Held at National Archives, Wellington

⁶ The Far North District Council’s report to the Court, dated 5 November 2010, indicates that the survey of OLC 135 was not completed until 1887, but the date shown on the plan face is July 1857.

1867: Survey of Turuki

20. The "Turuki" Block, as referred to on OLC 135, was surveyed in 1867. The plan reference is ML 721 (copy **attached**). ML 721 does not record "Kopuakawau" as an adjoining parcel, instead recording the adjoining land as "Bakers Land".
21. Notes on ML 721 indicate that the survey was carried out for an investigation of title. Boundaries shown on ML 721, between "Turuki" and "Bakers Land", have been altered, indicating that there may have been issues of some kind.

1904: Maori Land Court Order for Investigation of Title and District Maori Land

Council Order Declaring Owners of "Kopuakawau" Block

22. ML Plan 9717 (discussed below) includes (amongst others) the notes, "N.L.C. File 680/B.I." and "Order of Investigation of Title 22/08/04". As noted earlier, a copy of N.L.C. File 680/B.I. has not been received by the Surveyor-General or the Registrar-General and so whatever information on that file has not been able to be reviewed or taken into account in the preparation of this report. Similarly, a copy of Order of Investigation of Title 22/08/04" has not been received or reviewed by the Surveyor-General or the Registrar-General. The Court Registrar did not provide a reason as to why these documents were not supplied.
23. The Court Registrar has provided the Surveyor-General and the Registrar-General with a copy of an order by the Tokerau District Maori Land Council dated 22 August 1904 (refer Appendix 1).
24. That Order declares the persons named in "the first column of the Schedule hereto" (although a copy of that Schedule was not included in the documents provided to the Surveyor-General and the Registrar-General) as the owners of the block of land called "Kopuakawau" comprising 2 roods and 29 perches. The Order states that this block is delineated on the sketch plan annexed to the Order.
25. The details as to when, why and how that sketch plan was created are unclear from the documents available to the Surveyor-General and the Registrar-General. The fact that this sketch plan was annexed to the Order dated 22 August 1904, however, means that the actions leading to the creation of that sketch plan, and its creation, presumably must have occurred before 22 August 1904 (being the date of the note "Order of Investigation of Title 22/08/04" on ML 9717).

1914: Re-survey of OLC 135

26. In 1914 OLC 135 was re-surveyed for then-owner Alfred Burling. The plan reference is SO 52735 (copy **attached**).
27. A letter from the surveyor dated 20 April 1915 on Lands & Survey Department file 20/161 (copy **attached**) indicates that SO 52735 was initially intended to be lodged for deposit under the Land Transfer Act.
28. SO 52735 records both "Te Turuki" Block and "Kopua Kawau" Block as adjoining, and not part of, OLC 135.
29. Although the survey recorded in SO 52735 was carried out in 1914 it was not until 1978 that the plan was approved as to survey data. It received a reference number

around the same time (consecutive numbers were assigned to survey plans when they were lodged with the Lands & Survey Department, numbers around SO 52735 being assigned in 1977). It appears that SO 52735 was first recorded in the cadastre around the same time. The available information does not record why this period between 1914 and 1978 exists.

1915: Survey of "Kopuakawau" Block

30. In 1913 Mita Wepiha undertook to pay the cost of the survey of "Kopuakawau" Block. The Chief Surveyor was unable to locate that land and in April 1914 asked Mita to identify the location on a supplied map (copy attached).⁷ The supplied map included a reference to ML 721 (the survey of "Turuki" Block) but it did not record, or include any reference to, "Kopuakawau" Block.
31. The "Kopuakawau" Block was surveyed in 1915, a year after the re-survey of the adjoining OLC 135, by the same surveyor. The plan reference is ML 9717 (copy attached). The Block is labelled "Kopua Kawau".
32. The available documents indicate that ML 9717 may never have been approved by the Court. The only copy of ML 9717 (the "Office Copy") held by LINZ does not record any approval by the Court. Normally such approval is recorded on a "Court Copy" also held by LINZ, but no such document exists in the files held by LINZ. A copy of the ML 9717 plan held by LINZ is attached.
33. As stated above, notes on ML 9717 indicate that the survey may have been carried out for an investigation of title.⁸ The details of any such investigation are not set out in the documents available to the Surveyor-General and the Registrar-General. The available documents refer to Court records, including in particular "N.L.C. File 680/B.I.", which the Court has not supplied to the Surveyor-General or the Registrar-General. In the absence of the documents on that file and any other documents relating to any investigation of title, any consideration of the current matter is necessarily incomplete and any conclusions drawn may be incorrect.

1938: First Land Transfer Act title for OLC 135

34. The first Land Transfer Act title for OLC 135 was issued in 1938.⁹ This 'limited as to parcels' title was issued pursuant to the Land Transfer (Compulsory Registration of Titles) Act 1924. The description indicates that the title is for "parts of Old Land Claim No. 135", the land having by then been bisected by Waikare Road.
35. The diagram on CT 750/184 records "Turuki" as an adjoining block, but does not show "Kopuakawau" Block. However, the boundaries as depicted on that diagram appear to represent those shown on SO 52735.
36. It has not been possible to reconcile the area shown on CT 750/184 with that shown on SO 52735, the area on SO 52735 being some 10 acres less.¹⁰ Given, however, that the area recorded on CT 750/184 is less than that recorded on SO 52735 (which

⁷ Folio 2 on Lands & Survey file 20/161 refers. This file appears to have formerly been numbered 17390.

⁸ ML 9717 refers to "N.L.C. File 680/B.I. Order of investigation of title 22/8/04." Deeds Index 1E.28 records numerous transactions for OLC 135, the details of each being recorded in Deeds Registers. These are located at National Archives in Auckland and have not been examined for the purpose of this investigation.

⁹ CT 750/184.

¹⁰ Area on SO 52735 is 1263.3.00. Area on CT 750/184 is 1253.2.10 – a difference of 10-0-30.

excluded “Kopuakawau” Block) that discrepancy does not go against a conclusion that Kopuakawau was not included in the first title for OLC 135.

37. Two subsequent titles (NA1123/115 and NA1368/89) also, like the first title, record “Turuki” as an adjoining block but do not record “Kopuakawau” Block. A later title (NA46A/755) does not, however, record any abutments. This may have created a conflict between the title diagrams and the land descriptions. The former suggests that Kopuakawau has been absorbed into OLC 135, while the latter, together with the quoted area, suggests that only OLC 135 as originally defined is within the title.

1983: Subdivision of Part OLC 135 and Part Turuki A Block

38. In 1983 a survey was undertaken for the purpose of subdividing part OLC 135 and part Turuki A Block. That survey, as recorded on DP 102868 (copy **attached**), was carried out by a Housing Corporation surveyor.
39. The Housing Corporation purchased the land from the owners of Part OLC 135 and Part Turuki A Block following deposit of the survey plan. The relevant land was subsequently subdivided and the titles for the 10 new lots were issued.
40. The subdivision, as recorded on DP 102868, included (and treated) the “Kopuakawau” Block land shown on ML 9717 as part of “OLC 135”.
41. Neither the surveyor nor the Housing New Zealand Corporation were able to provide any information as to why the “Kopuakawau” Block was included as part of “OLC 135”.
42. Most of the “Kopuakawau” Block land as defined in ML 9717 currently forms parts of Lots 1-4 and 9 DP 102868 the titles for which are:
- 42.1 NA97B/77 for Lot 1;
- 42.2 NA97B/78 for Lot 2;
- 42.3 NA56C/1490 for Lot 3;
- 42.4 NA56C/1491 for Lot 4;
- 42.5 There is no title for Lot 9 which is vested in the Far North District Council as a local purpose (esplanade reserve).¹¹
43. That part of the “Kopuakawau” Block land as defined in ML 9717 not contained in the above Lots appears to now be within the area of the Waikare Stream.

Record maps

44. A survey of land commences with the gathering of evidence relevant to the definition of the boundaries. In 1983 the first point of reference for the surveyor would have been the record map maintained by the Lands & Survey Department. Such record maps include spatial depiction of parcel boundaries and references to previous surveys.

¹¹ NB: It was not the convention in 1983 for Councils to order titles to reserves or roads but one could still be ordered. In the meantime the land is still “contained” in NA46A/755.

45. In this case the record map (copy **attached**)¹² does not show “Kopuakawau” Block and instead indicated that the land was part of OLC 135. Also, the record map does not include the reference number for the survey plan of “Kopuakawau” (ML 9717).¹³
46. The record map does, however, include two references to SO 52735, being the 1914 re-survey of OLC 135 (as discussed above). One of those plan references was positioned on the record map approximately 500 metres from where the “Kopuakawau” Block, as surveyed on ML 9717, was geographically located.
47. SO 52735 was relevant to the 1983 subdivision but it is not included in the list of reference plans recorded on DP 102868. **That omission indicates that the surveyor may not have referred to SO 52735 in preparing DP 102868.**
48. The former paper record maps have now been replaced by Landonline. At some time the plan number for ML 9717 has been added to Landonline, although that plan number has been placed a considerable distance from the geographic location of the “Kopuakawau” Block defined by ML 9717. That action could not, however, have been relevant to the inclusion of the “Kopuakawau” Block as part of “OLC 135” in the 1983 survey because Landonline was not available in 1983.
49. It is not known when the plan number for the “Kopuakawau” Block was first recorded in the cadastre. It is possible that this occurred as part of a cross-check between parcels and plan numbers, in preparation for importing data into Landonline from a previous database known as the ‘DCDB’. This was in about 2001.

Occupation

50. In 1983 the title for part OLC 135 was (and still is) limited as to parcels. This means that, in 1983, occupation was a more significant factor when defining the portions of OLC 135 which formed part of the 1983 subdivision than is the case with surveys of land that is not limited as to parcels.
51. The Patterson Pitts report noted an absence of evidence of occupation of the “Kopuakawau” Block. The Registrar-General and Surveyor-General do not possess any information as to whether, and if so how, the fact that there was no occupation influenced the surveyor in preparing DP 102868.
52. The Far North District Council’s report has suggested that the “Kopuakawau” Block might have been absorbed into OLC 135 by adverse occupation. Any such absorption would need to be supported by a formal claim to the “Kopuakawau” Block land. The surveyor made no reference to any such claim on DP 102868 or in the related report.

Conclusion

53. As set out in this report, the available documents identify other relevant documents that have not been available in the preparation of this report. The factual position is, therefore, incomplete and remains uncertain.

¹² Metric record map Q05/3.3, at a scale of 1:10,000.

¹³ Neither did the earlier imperial record map for Block XI Russell Survey District show Kopuakawau, or refer to the plan that defined Kopuakawau.

54. The available documents record the following.
55. A large block of land known as "OLC 135" was surveyed in 1857 and a Crown Grant was issued in March 1858. Both the condensed description published by the Land Claims Commission and the survey plan indicate that the "Kopuakawau" Block existed and was not included in the Grant to Rev Baker.
56. In August 1904 the Maori Land Court apparently made an Order for Investigation of Title in relation to the "Kopuakawau" Block. The Tokerau District Maori Land Council also made an Order declaring the owners of the "Kopuakawau" Block. The only document detailing those actions which is available to the Surveyor-General or the Registrar-General, however, is a copy (which appears incomplete) of the Tokerau District Maori Land Council Order made in August 1904 and sealed in April 1905. The details of what took place, why and how are, therefore, unavailable.
57. In 1914 a re-survey of "OLC 135" was completed, as shown on SO 52735. SO 52735 records both "Te Turuki" Block and "Kopua Kawau" Block as adjoining, and not part of, OLC 135.
58. In 1915 a survey of the "Kopuakawau" Block was undertaken as shown on ML 9717. The available documents indicate that ML 9717 may never have been approved by the Court.
59. There is no reference to the "Kopuakawau" Block on the first, or any subsequent, title issued in respect of "OLC 135".
60. In 1983 a survey was undertaken for the purpose of subdividing part OLC 135 and part Turuki A Block. That survey included (and treated) the "Kopuakawau" Block land shown on ML 9717 as part of "OLC 135". Most of the "Kopuakawau" Block land as defined in ML 9717, therefore, currently forms parts of Lots 1-4 and 9 DP 102868.
61. Based on the documents that are available, the block of land known as "Kopuakawau" shown on ML 9717 appears, prior to a subdivision in 1983, to have existed as a separate block adjoining "OLC 135". In 1983 that "Kopuakawau" Block was included (and subdivided) as part of "OLC 135". The available information does not indicate why this inclusion took place.

Yours faithfully



Registrar-General of Land



Surveyor-General

Appendix 1

Copies of documents from the Maori Land Court, Whangarei

Kerry Twydle

From: Francene Beckham [Francene.Beckham@justice.govt.nz]
Sent: Thursday, 9 December 2010 8:02 a.m.
To: Kerry Twydle
Subject: Re: Kopuakawau Block
Attachments: 20101209065035268.pdf; 20101209064958950.pdf

Tena Koe Kerry

Please find enclosed requested documents and a copy of the ML 9717 is not kept in our office but we did have copies which were printed off linz.

Mauriora
Francene

>>> Kerry Twydle <ktwydle@linz.govt.nz> 3/12/2010 3:38 p.m. >>>

Tēnē koe Francene. Attached is a copy of a letter that I have put in the post to you today. I would appreciate a prompt response to my request for an update on your progress towards supplying copies of relevant documents on Kopuakawau Block.

Many thanks
Kerry Twydle
Senior Cadastral Advisor, Office of the Surveyor-General

Land Information New Zealand | Toitu te whenua
160 Lambton Quay | Private Box 5501 | Wellington 6145 | DDI: 64(0)4 498 3510 | Fax 64 (0)4 460 0112
www.linz.govt.nz

From: Kerry Twydle
Sent: Tuesday, 16 November 2010 11:51 a.m.
To: 'francene.beckham@justice.govt.nz'
Cc: 'James Burns'; Warren Moyes
Subject: Kopuakawau Block

Your Reference A20100008382

Tēnē koe Francene. A memorandum of Counsel from Crown Law dated 5 November 2010 asked the Maori Land Court to supply a copy of all relevant documents on the Court's file(s) relating to Kopuakawau. I understand that you are in the process of gathering the relevant documents.

Please note that the 1915 survey plan of Kopuakawau, ML 9717, refers to "W.L.C. File 680/B.1. Order of investigation of title 22/8/04". This file may therefore be particularly useful.

Please also note that LINZ does not hold the Court copy of ML 9717, so it would be helpful if you can ascertain if the plan is held in the Court's records.

Nāku noa, nā
Kerry Twydle
Senior Cadastral Advisor

Land Information New Zealand | Toitu te whenua
160 Lambton Quay | Private Box 5501 | Wellington 6145 | DDI: 64(0)4 498 3510 | Fax 64 (0)4 460 0112
www.linz.govt.nz

This message contains information, which is confidential and may be subject to legal privilege.

20/12/2010

"The Maori Lands Administration Act, 1900."

Order declaring Owners on Report of Papatupu Committee.

AT a sitting of the TOKERAU District Maori Land Council,
held at Russell on the 22nd
day of August, 1904, after considering the report of the
Papatupu Block Committee, and giving all parties concerned full opportunity
of being heard, it is hereby ordered that the Maoris whose names are
set forth in the first column of the Schedule hereto, and therein numbered
respectively from 1 to 42, both inclusive, are and they are hereby
declared to be the owners of the parcel or block of land called or known as

Kopuakawau
containing 0 acres 2 roods 29 perches
more or less, and delineated on a sketch⁽¹⁾ plan No. 21/218, a copy whereof
is ~~indorsed hereon or annexed hereto~~, in the relative shares or proportions
set out in the second column of the said Schedule, ~~and within the portion~~
~~allotted to the hapu, sub-hapu, or family, as shown on the said plan.~~⁽¹⁾

(1) Erase words in
italics which do not
apply.

In witness whereof the common seal of the TOKERAU

District Maori Land Council has been hereunto affixed at a meeting of
the said Council held at Manponui, on Friday
the 7th day of April, 1905.

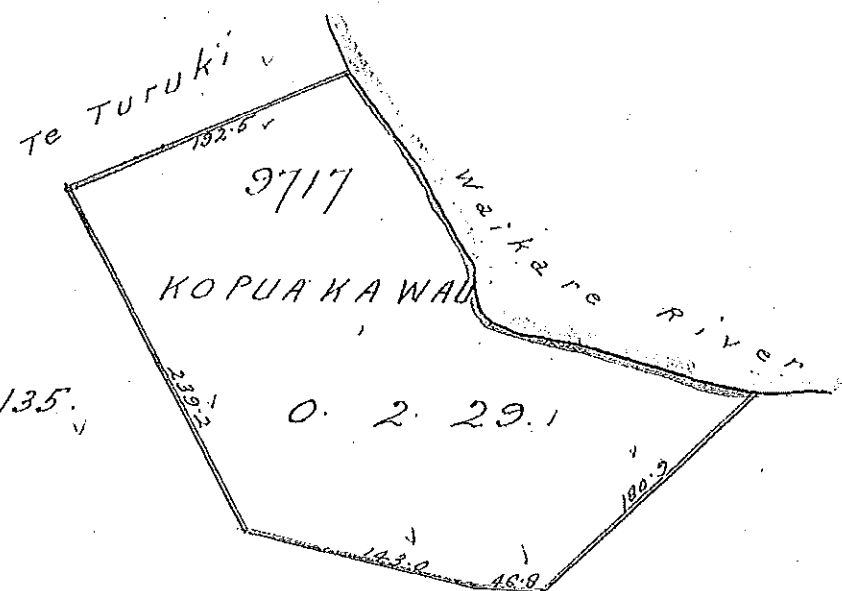
John Shaw, President.

A. Rapihanga
K. Raurangi
Members of
Council.



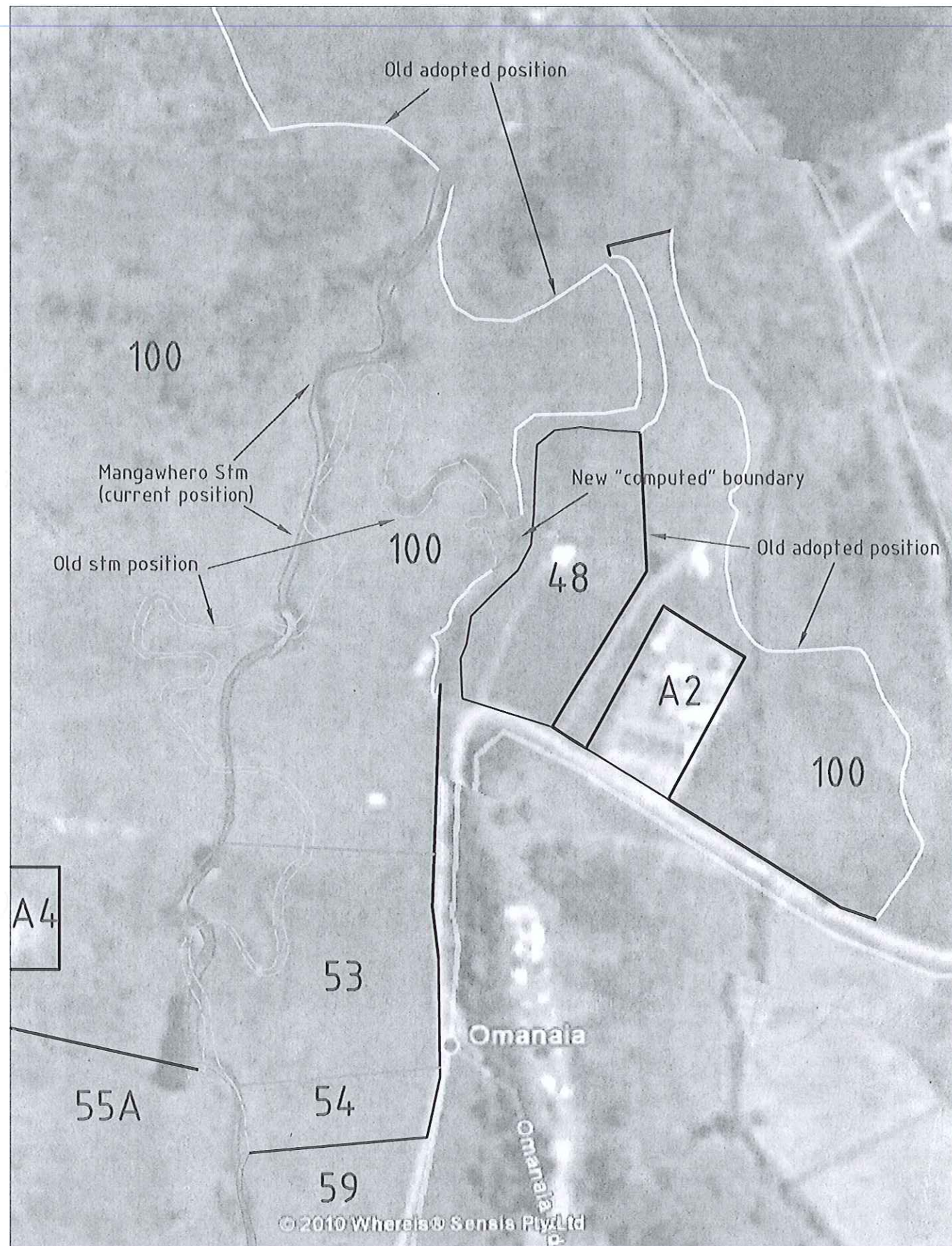
131

XI. RUSSELL S. D.

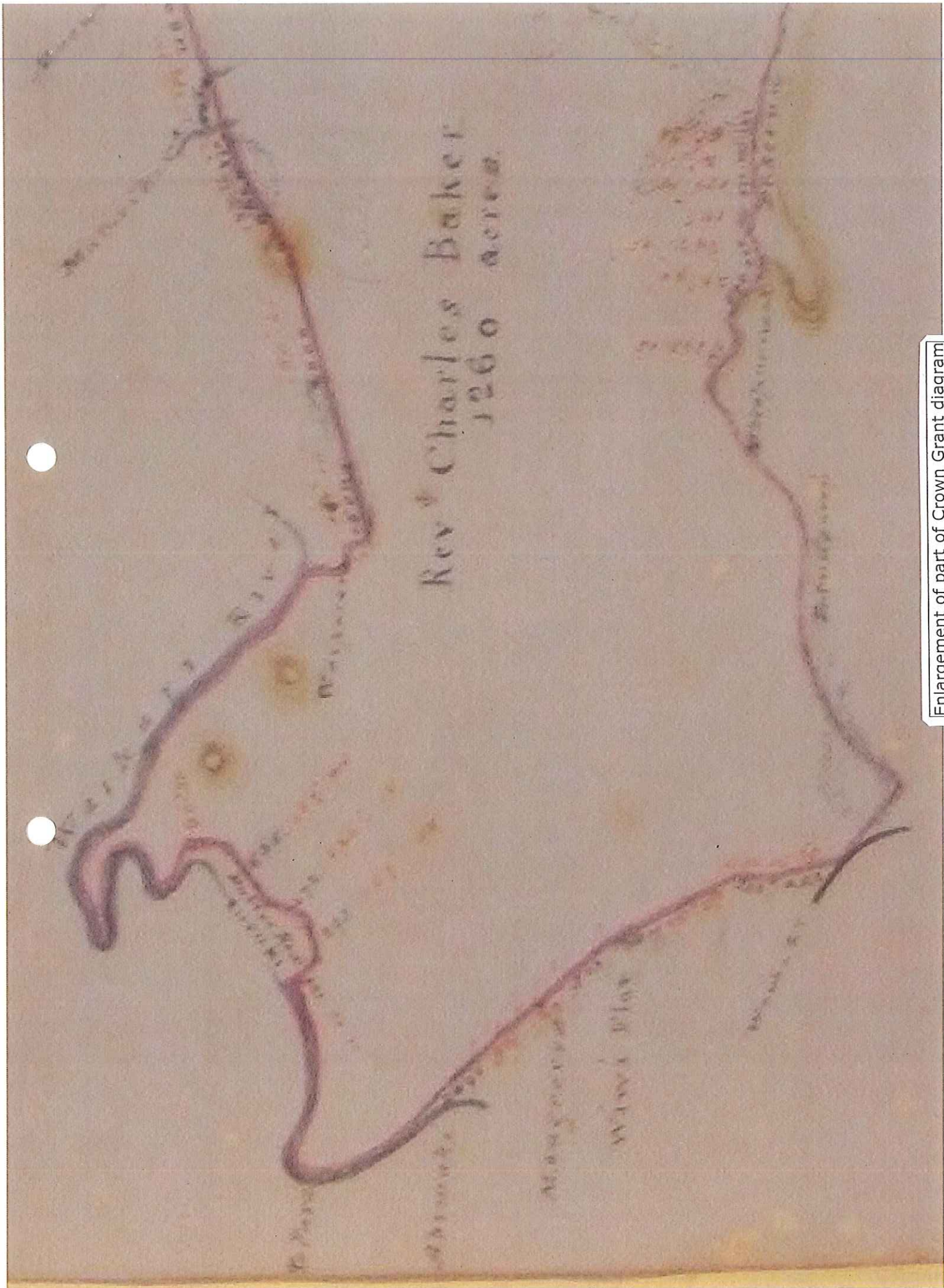


O. L. C. 135.





OMANAIA 53, 54 & 100 BLOCKS



Enlargement of part of Crown Grant diagram

AUCKLAND LAND DISTRICT

PLAN OF
O. L. C. 135
WAIKARE ESTATE

Surveyed for Alfred Burling Esq.
By H. C. Hooper, Licensed Surveyor
April, 1918
Scale 10 Chains to an Inch

WAIHANA
No 2
ML 8372

RUSSELL S. D.

O. L. C.
135

A. R. P.
Total Area 1263.3.0

BAY OF ISLANDS COUNTY

ML 8372

WAIHANA
No 1

South of Road 1152.0.0

KARETU BLOCK
ML 6708

WAIKARE BLOCK
ML 8505

Approved, as to Survey Date *1918*
H. C. Hooper
Chief Surveyor

I, Henry Claggett Hooper of Otago, licensed surveyor, do solemnly and sincerely declare that this plan has been made from surveys conducted by me, and that both plan and survey are correct, and have been made in accordance with the regulations of the Surveyors Board dated the 8th day of August, 1907.

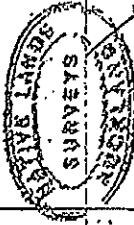
And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of, in Act of the General Assembly of New Zealand, intitled "The Justices of the Peace Act, 1882."

H. C. Hooper

Licensed Surveyor

Declared at Otago this 12th day of June, 1918,
before me, *Robt. M. Callaghan*
Justice of the Peace.

O.C.



AUCKLAND

LAND

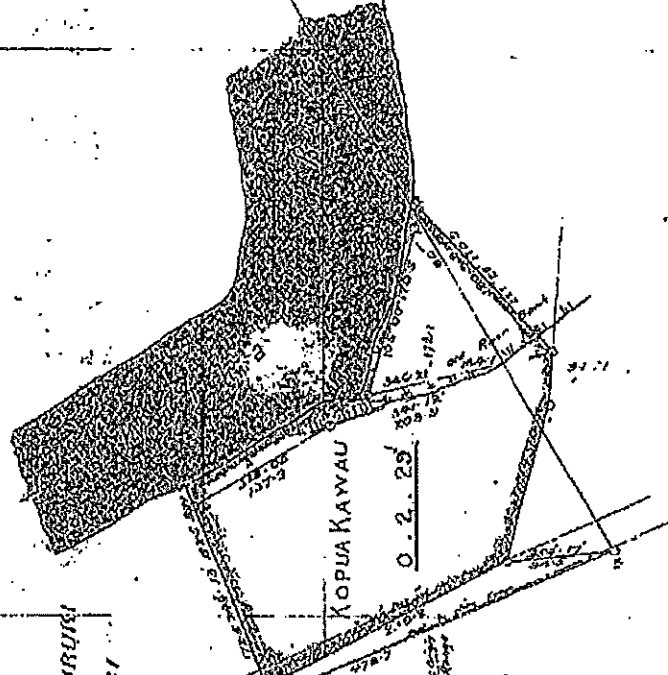
DISTRICT

BAY OF ISLANDS COUNTY

BLOCK XI RUSSELL S.D.

TE TURU

721



O.L.C. 135

O.L.C. 135

Hanging Traverses Chained & Observed Twice

By of Islands Dev. Scheme

13.2.1930 p. 2851

Plan of

KOPUA KAWAU

Surveyed for Lands & Survey Dept

By H.C. Hooper

1 Chain to an Inch

"ENCLOSED ON COURT ORDER"

11.5.16

W. L. DITSMAN

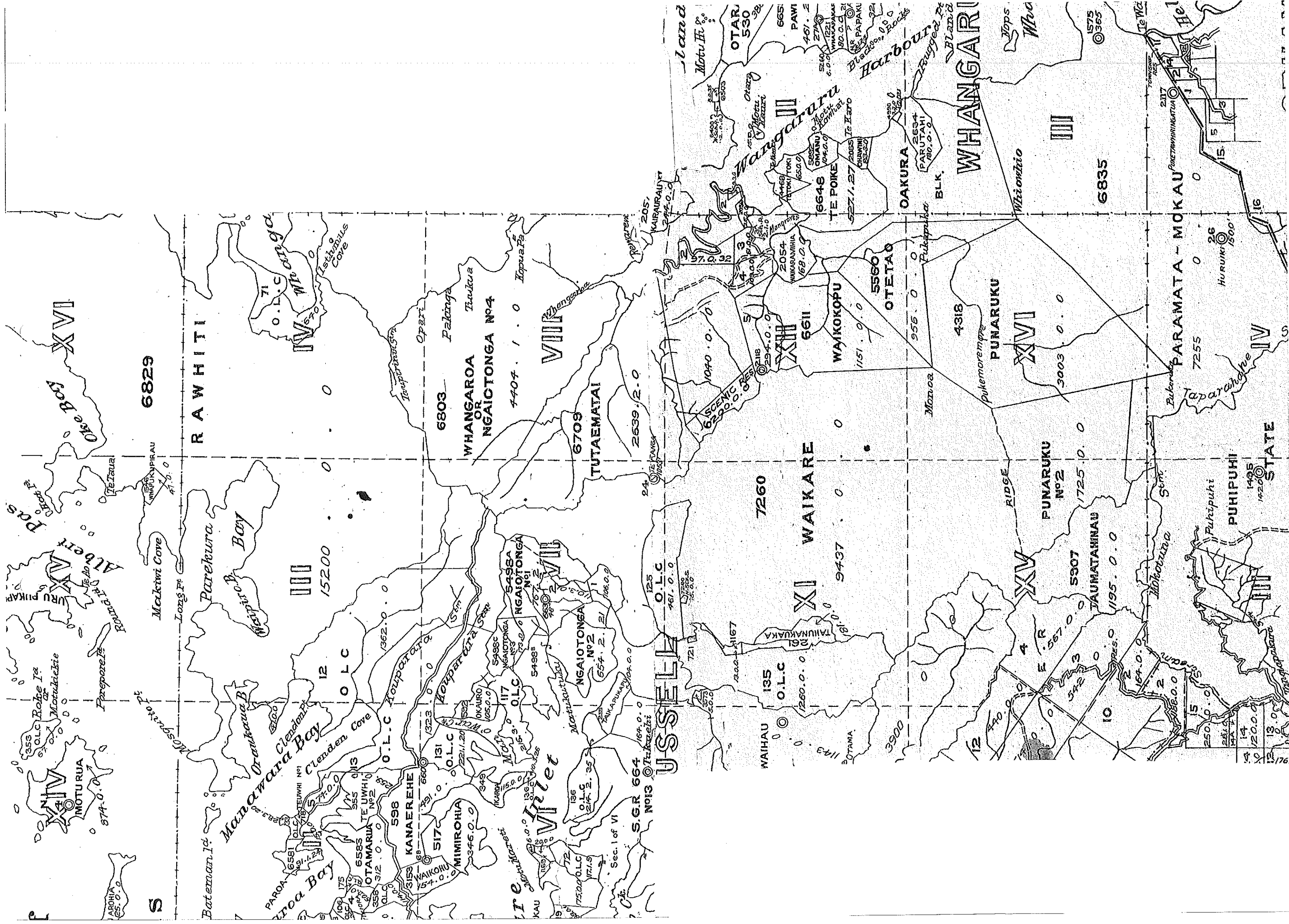
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TRAV. RECD.	11.1	
RECEIVED	11.1	
EXAMINED	11.1	
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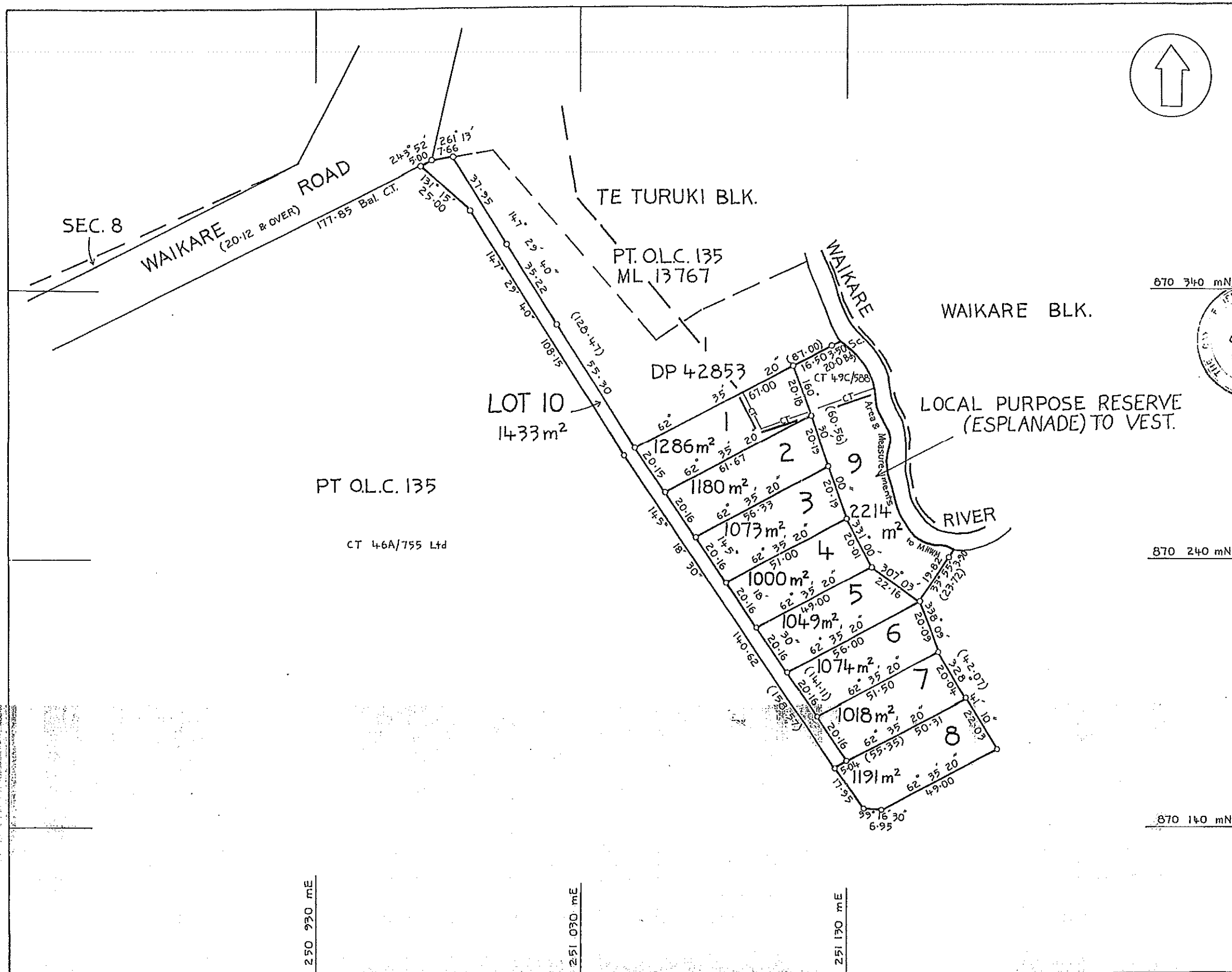
Order of Investigation of file 20404
Reference Plans O.L.C. 135 721
Cal Book

9717

17390

L. 88





Approvals
ROAD SHOWN IS LEGAL

AMALGAMATION CONDITIONS
THAT LOT 10 HEREON BE HELD AS EIGHT UNDIVIDED ONE EIGHTH SHARES BY OWNERS OF LOTS 1,2,3,4,5,6,7 AND 8 HEREON AS TENANTS IN COMMON IN THE SAID SHARES, AND THAT INDIVIDUAL CERTIFICATES OF TITLE BE ISSUED IN ACCORDANCE THEREWITH
SEE DOCUMENT A 625722

PURSUANT TO A RESOLUTION OF THE BAY OF ISLANDS COUNTY COUNCIL PASSED ON THE 23rd DAY OF MAY 1984 APPROVING PURSUANT TO SECTION 305 OF THE LOCAL GOVERNMENT ACT 1974 THIS SURVEY PLAN, SUBJECT TO THE CONDITIONS OF AMALGAMATION SET OUT HEREON, AND CERTIFYING THAT THE SURVEY PLAN IS IN ACCORDANCE WITH THE CONSENT GRANTED UNDER PART IV OF THE TOWN AND COUNTRY PLANNING ACT 1977, THE COMMON SEAL OF THE BAY OF ISLANDS COUNTY COUNCIL WAS AFFIXED HERETO IN THE PRESENCE OF:

COUNTY CHAIRMAN
GENERAL MANAGER

REGISTERED PROPRIETOR
MR C EVES

NEW Cst ALLOCATED
LOT 1 - 56°/1488
LOT 2 56°/1489
LOT 3 56°/1490
LOT 4 56°/1491
LOT 5 56°/1492
LOT 6 - 56°/1493
LOT 7 - 56°/1494
LOT 8 - 56°/1495

LOT 10 { 56°/1488
1489
1490
1491
1492
1493
1494
1495 } Undivided 1/8th Shares

Total Area 1.2518 ha.
Comprised in Part C.T. 4-6A/755 Ltd & All C.T. 49C/588

I, CLIFFORD ROBIN CORBETT of AUCKLAND Registered Surveyor and holder of an annual practising certificate hereby certify that this plan has been made from Surveys executed by me or under my direction; that both plan and Survey are correct and have been made in accordance with the regulations under the Surveyors Act 1986
Dated at Auckland this 13th day of April 1985 Signature C.R. Corbett

Field Book p. Traverse Book p.
Reference Plans ML 13767, DP 42853, O.L.C. 135
Examined FJM McMaster Correct J.D. Vivian

Approved as to Survey
25/7/84 Chief Surveyor

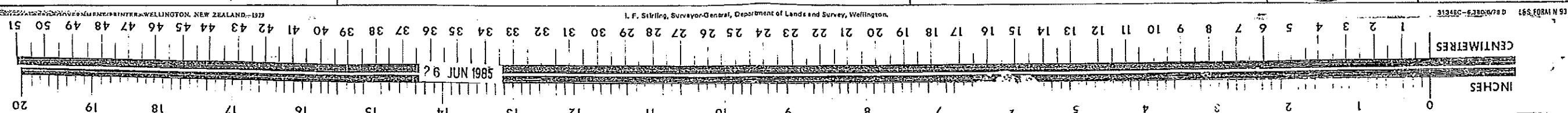
Deposited this 4th day of JUNE 1985
Asst District Land Registrar

File Received Instructions
D.P. 102868

LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. XI RUSSELL
NZMS SHEET NO. Q05/3.3

LOTS 1-10 BEING A SUBDIVISION OF PART
O.L.C. 135 AND PT. TE TURUKI A BLK.

LOCAL AUTHORITY BAY OF IS. COUNTY
Surveyed by C.R. CORBETT
Scale 1:1000 Date DEC 1983





DATED 23rd December 1858

Grant to Charles Baker

1860 A. C. R. C. P.

Grant under the Land Transfer Act 1858
not yet in the name of Charles Baker
p. 255

Victoria, by the Grace of GOD of the United Kingdom of Great Britain and Ireland
Queen:

To all to whom these Presents shall come, Greeting:

Know Ye that for good considerations Us therunto moving We for Us our Heirs and Successors do hereby
Grant unto Charles Baker of Wanganui Chief in Ngati Whaka

Heirs and Assigns all that Parcel of Land, in the Province of Tairāhiti in our Colony of
New Zealand, containing by admeasurement One thousand two hundred and sixty (1260) acres
more or less situate in the County of Wanganui. The boundary whereof commences
at a point on the Western shore of the confluence of a small creek at Whakapapa and
proceeds thence towards the north by the Whakapapa River to a small lake known
as Te Kōwhiri thence by a line bearing two hundred and forty degrees thirty minutes three
hundred and thirty one (331) inches on hundred and fifty seven degrees fifteen
minutes two hundred and twenty three (223) inches on hundred and twenty
one degrees fifteen minutes four hundred and seventy two (472) inches on hundred
and thirty seven degrees forty five minutes five hundred and thirty five (535) inches
to a small stream, then twenty degrees thirty minutes one hundred and forty three
(143) inches to a corner of the Whakapapa River thence by the Whakapapa River to
the confluence of the Whakapapa Creek thence by that creek to a small swamp and
by a line on hundred (100) inches into the swamp thence by lines 147° 45' four hundred
(400) inches the 1st line hundred (100) inches 147° 45' four hundred and sixty
inches (460) inches 147° 30' four hundred and seventy (370) inches 158° 30' three hundred
and eighty six (386) inches to a stone in the creek thence a short distance up that creek
thence by lines 158° 35' four hundred and sixty (460) inches 161° 15' four hundred
and seventy three (473) inches 175° 0' four hundred and eighty five (485) inches 232° 30' three
hundred and eighty (380) inches 170° seven hundred and eighty eight (788) inches
by a place called Te Kōwhiri thence the boundary towards the East North and
West runs by a line along a ridge passing through the following points, Whakapapa,
Whakapapa, Ngati, Tairāhiti, Whakapapa, Whakapapa, Whakapapa, and Whakapapa
to Te Kōwhiri (joining the large creek) thence by lines bearing 103° one hundred and
eighty two (182) inches 20° two hundred and forty five (245) inches 176° 10' three hundred and
seventy (370) inches 10° one hundred and sixty five (165) inches 317° 45' three
hundred (300) inches and 22° 30' five hundred and twenty (520) inches to a
place called Te Kōwhiri thence by a line bearing 343° 45' one hundred and eighty (180) inches
to the Whakapapa creek thence by that creek to the Whakapapa River thence by the
Whakapapa River to the Whakapapa flat thence by lines along that flat bearing 49° 30'
four hundred and fifty (450) inches 95° 45' two hundred and twenty seven
(227) inches 42° 30' four hundred and fifty nine (459) inches 48° eight hundred
and five (805) inches and 32° three hundred and five (305) inches to the
commencing point on the Whakapapa River.

As the same is delineated on the plan annexed hereon, with all the rights and Appurtenances thereto belonging.

To Hold unto the said Charles Baker his Heirs and Assigns for ever, having the right of buying and selling the same, or parts thereof, as he shall think fit.

In Testimony Whereof We have caused this Our Grant to be sealed with the Seal of Our Colony of New Zealand.

Witness Our Trusty and Well-beloved Governor and Commander-in-Chief in and over the Colony of New Zealand, at Auckland,
this 23rd day of December 1858, in the twenty year of Our Reign; and in the year of Our Lord One thousand eight hundred and fifty eight.

See also the plan of the land

135

135

135

Plan
of

WAIKARE ESTATE

NEAR THE BAY OF ISLANDS

THE PROPERTY OF

REV. CHARLES BAKER

CONTAINING 1260 ACRES

SURVEYED JULY 1897



*Situated in the County
of Bedford
County No. 10000000
James Baker*

8372

8496

8505

135

135

*Shirley says that all right lines
of the land were and always were
held without interruption from
before the war.*

William Clark

19390

Clendon Road 20
Otahuhu 161
20th April 1915 2

The Chief Surveyor
Lands & Survey Dept -
Auckland

— Kopua Kawan —



I have the honour to forward herewith plan & mounted tracing of the above.

I have had a land transfer survey of O.L.C 135 to do & only two or three more traverse lines were required to complete this survey so I have just charged for the plan work and the little extra work required in the field.

In the South East of the block the course of the river has changed since the old survey was made & I have defined this part of the boundary by a pit line and take line with the old river bank.

I remain

Yours faithfully

Enclosures. Plan, mounted tracing, O.L.C. Cooper
Page of field data, traverse sheet Licensed Surveyor
& vouchers.

17390

AUCKLAND,

9th April, 1914.

Mita Wepiha,
Whangaruru.

Keimaru, Kopuakawau Block.

With reference to your guarantees to pay costs of survey of above Blocks, I have to inform you that the land pointed out by you as being Keimaru Block is Crown land. Kopuakawau I have been unable to locate and I enclose herewith a map. Will you please mark on the map and return to me showing the locality of the Block Kopuakawau.

Ht
for Chief Surveyor.

Enc. litho.

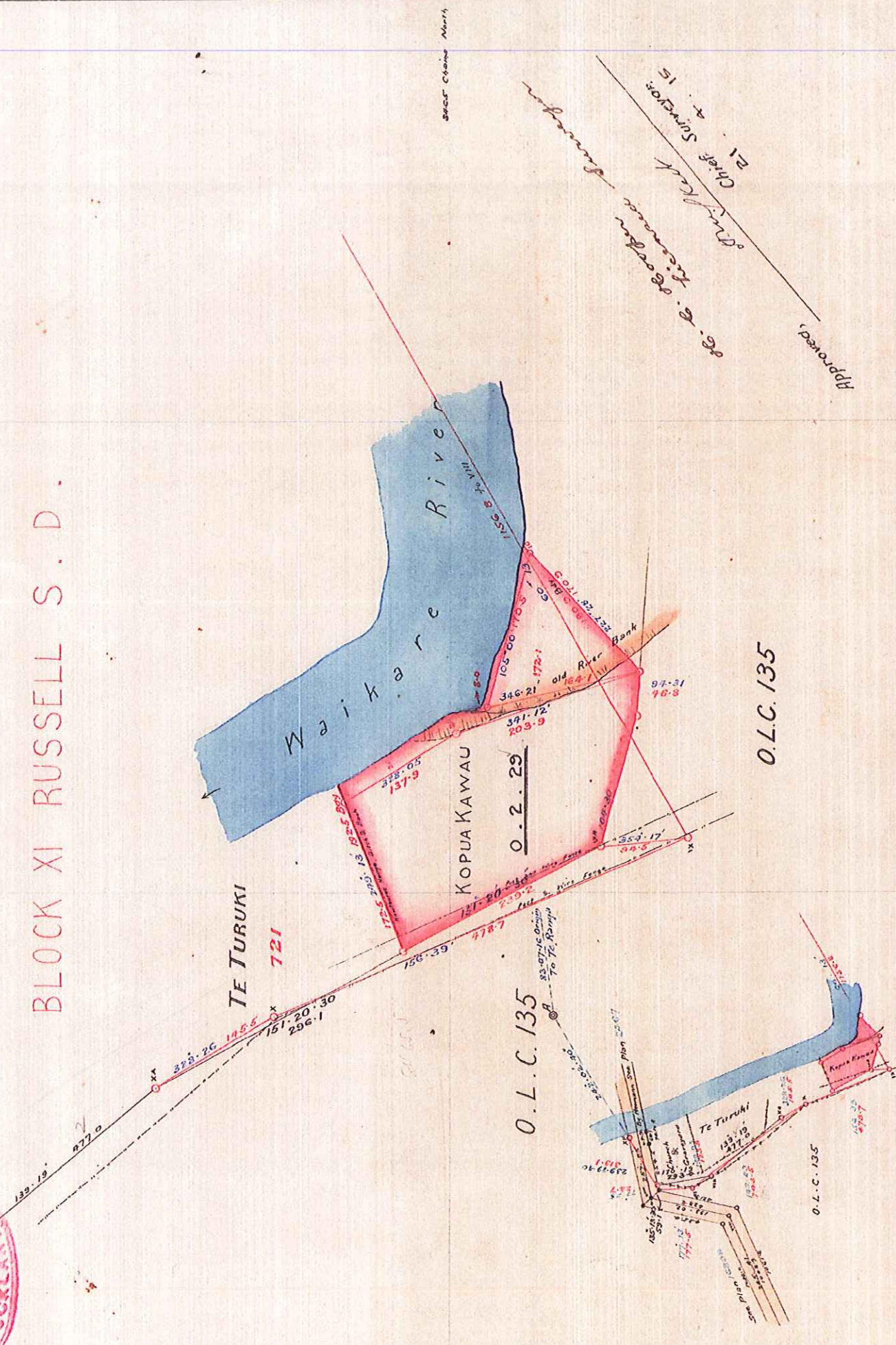


17390
L.S. 20
L.S. 161

O.C.



UCKLAND LAND DISTRICT
BAY OF ISLANDS COUNTY
BLOCK XI RUSSELL S.D.



Hanging Traverses Chained & Observed Twice Bay of Islands Dev Scheme
Dec. 1930 p 2851

Plan of
KOPIA KAWAU
Surveyed for Lands & Survey Dept
By H.C. Hooper
1 Chain to an Inch

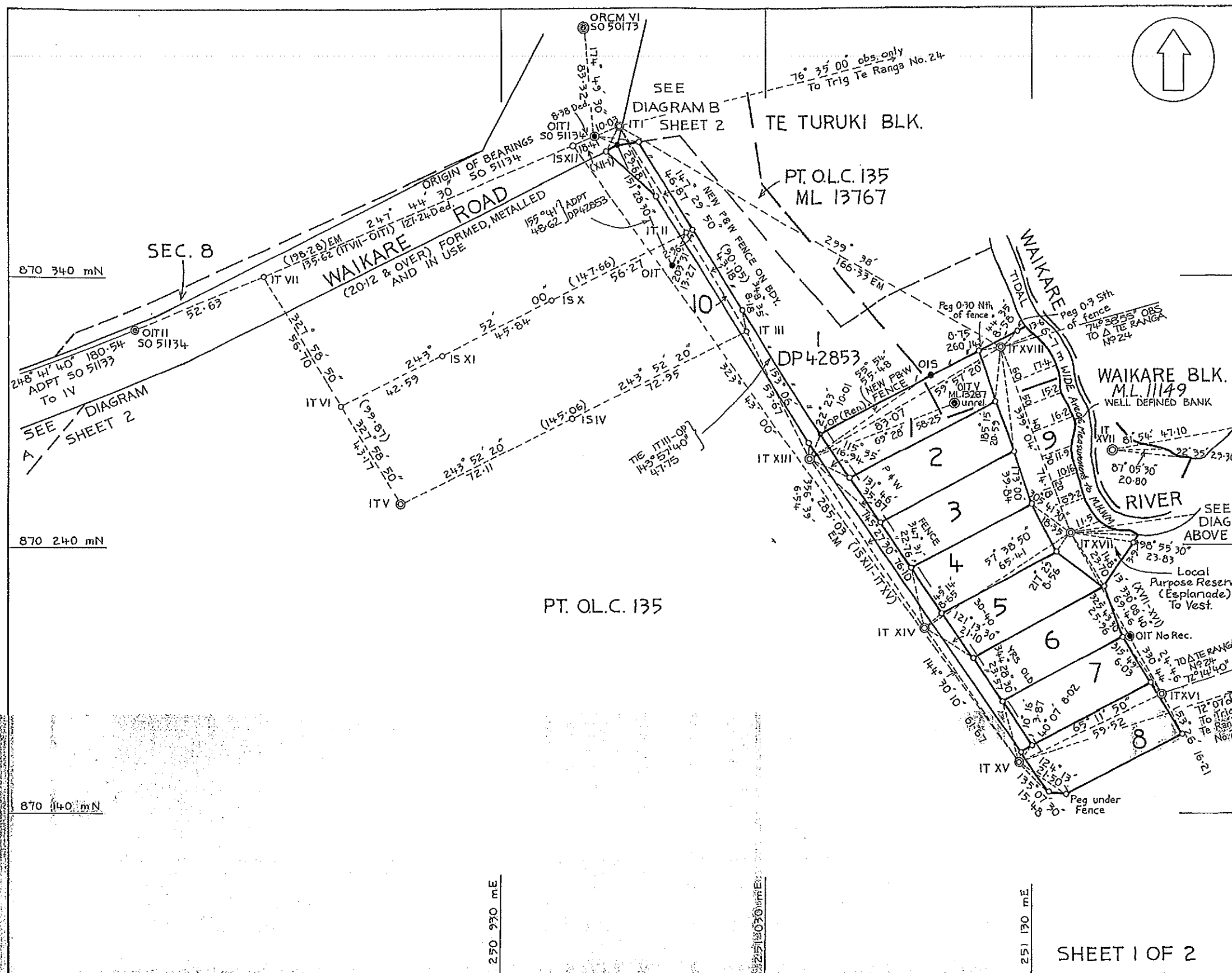
ENDORSED ON COURT ORDER
21.8.16
N. L. DEISMUN

4/315
FIELD BOOK 3683 Page 58
TRAV. REDTNS. N.Y. 1
RECEIVED 21 4 15
EXAMINED 21 4 15
REGISTERED 21 4 15

N.L.C. File 592. Order of Investigation of title 229904.
Reference Plans. O.L.C. 135 721.
Cal Book 2

9717

Licensed Surveyor



Approval
ROAD SHOWN IS LEGAL

BEARING AND COORDINATE DATUM
GEODETIC 1949
MT. EDEN CIRCUIT COORDINATES
ORIGIN: MT. EDEN 700 000 mN
300 000 mE

TABLE OF COORDINATES		
	mN	mE
ORCM VI SO 50173 (ORIGIN)	870 475.15	250 957.99
OIT II SO 51134	870 320.85	250 791.32
IT XIV	870 209.45	251 090.62

ALL OLD MARKS ARE FROM DP 42853
UNLESS OTHERWISE STATED
ALL NEW BOUNDARY PEGS ARE ALUMINIUM.
ALL NEW BOUNDARIES NOT FENCED
UNLESS OTHERWISE STATED.

Total Area 1.2518 ha
Comprised in

J. CLIFFORD ROBIN CORBETT of AUCKLAND
Registered Surveyor and holder of an annual practising certificate
hereby certify that this plan has been made from Surveys executed
by me or under my direction; that both plan and Survey are correct
and have been made in accordance with the regulations under the
Surveyors Act 1966
Dated at Auckland this 13th day
of April 1984 Signature *C.R. Corbett*

Field Book 6825 31-34 Traverse Book 1000 p. 48-51
7468 p. 7-13
Reference Plans SO 51134, SO 50173, DP 42853,
ML 13767, SO 51133,
Examined F.J. McMaster Correct *ADW*

Approved as to Survey
251 7184 Assistant *C.R. Corbett* Chief Surveyor
Deposited this 4th day of June 1985
Andrew District Land Registrar

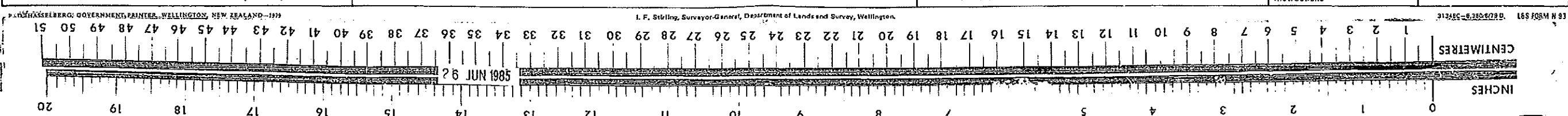
File
Received 8 JUNE 1984
Instructions

DP. 102868

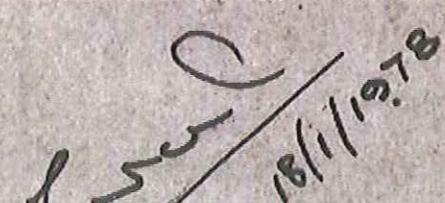
LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. XI RUSSELL
NZMS SHEET NO. Q05/3.3

LOTS 1-10 BEING A SUBDIVISION OF PART
O.L.C 135 AND PT. TE TURUKI A BLK.

LOCAL AUTHORITY BAY OF IS. COUNTY
Surveyed by C.R. CORBETT
Scale 1:1000 Date DEC 1983



Scale 10 Chains to an Inch



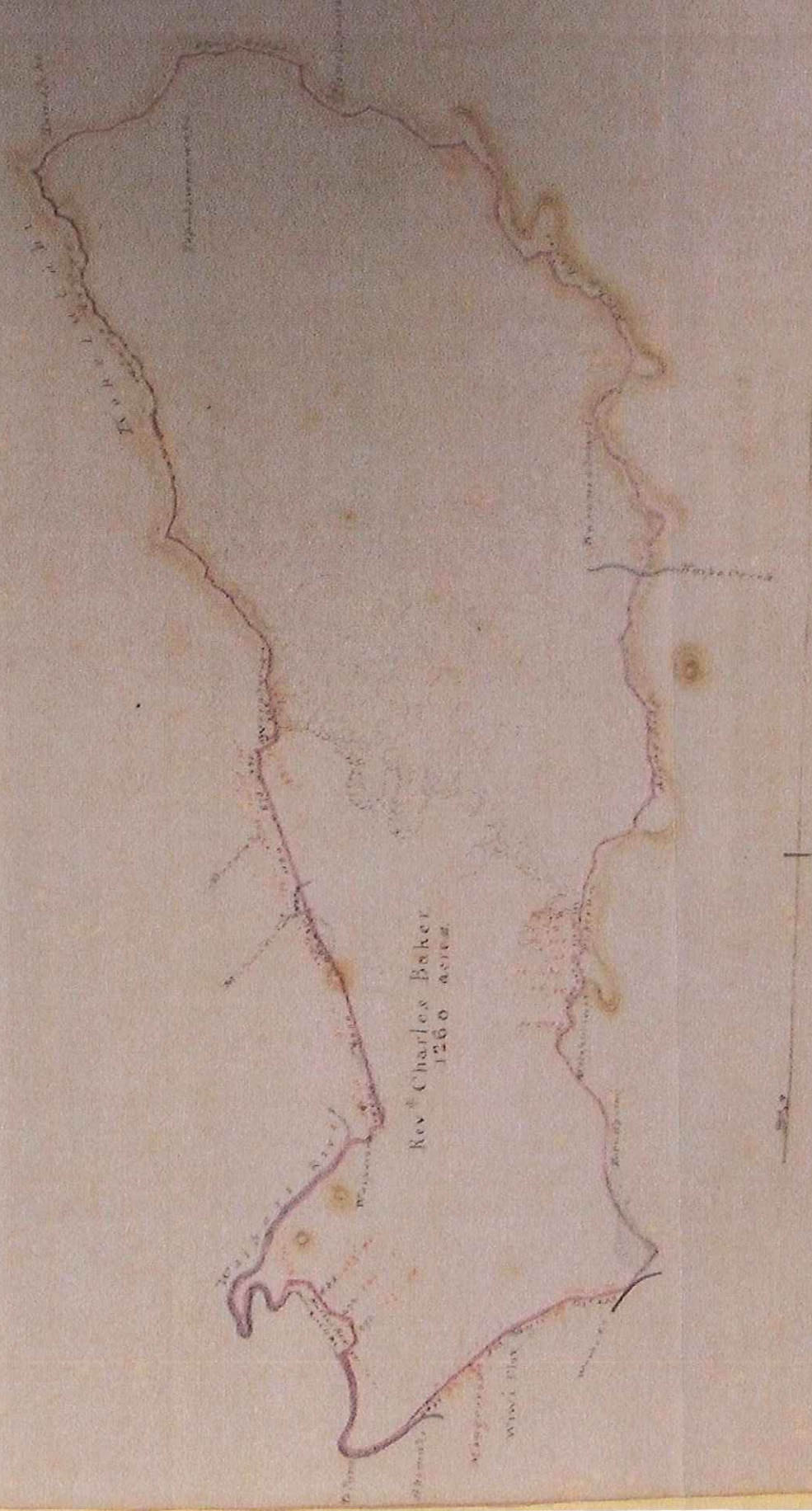
Date 2nd March 1858
 1260 A. B. P.
 of Port Louis

Grant
 Under the Land Clauses Act, 1850

Rev. Charles Baker

Entered in R. No. 1 Vol. 16
 24 day of February 1858
 Signed J. B. Bell
 Land Claims Commissioner.

Entered on Record this 12th day of May 1858
 R. No. 15 }
 Vol. 16 }
 Colonial Secretary and Registrar.



Situated in the County
of Bedford

Plan not determined

James Baker

8372

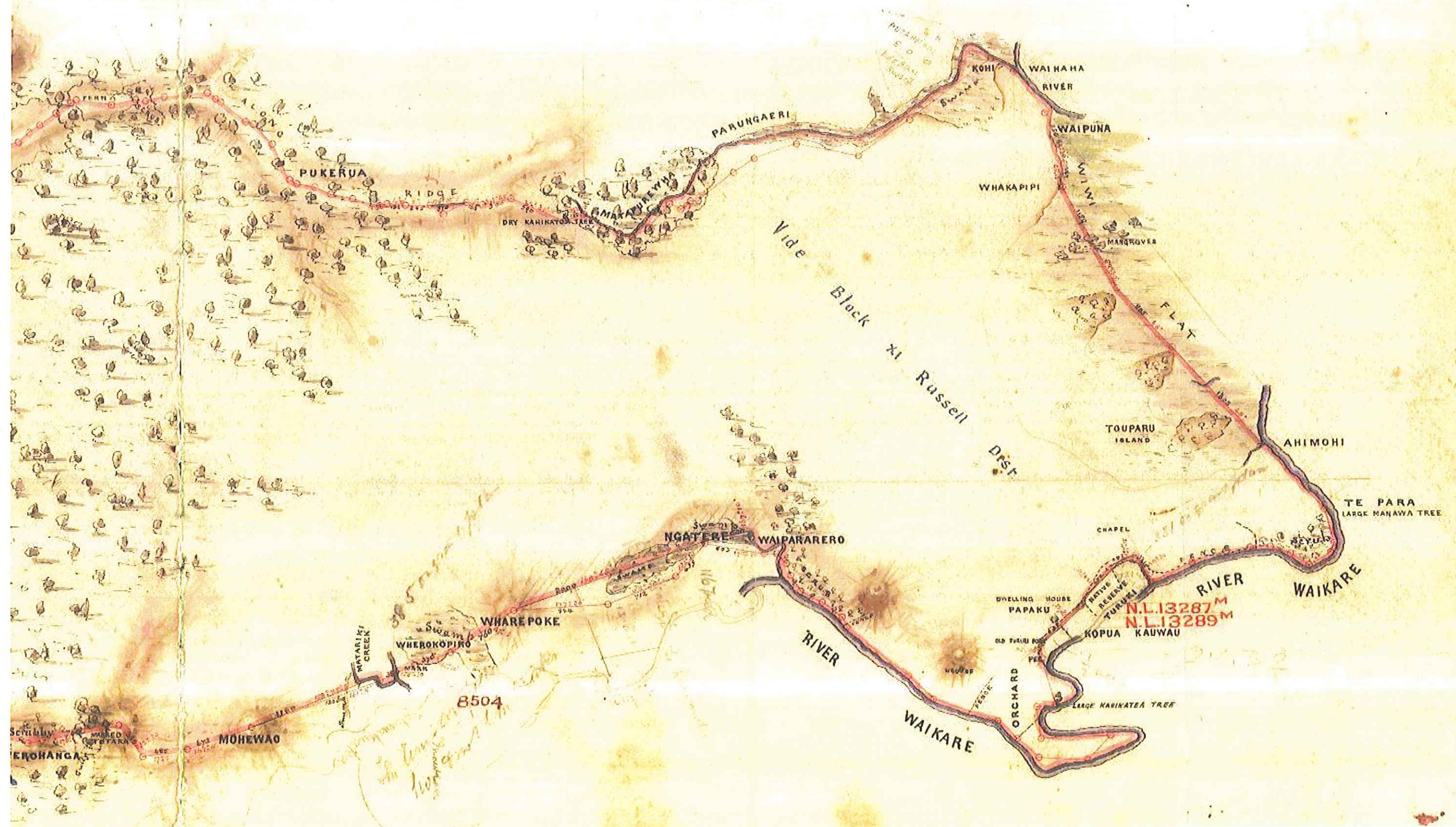


DIAGRAM A
NOT TO SCALE
ADOPTIONS FROM SO 51133

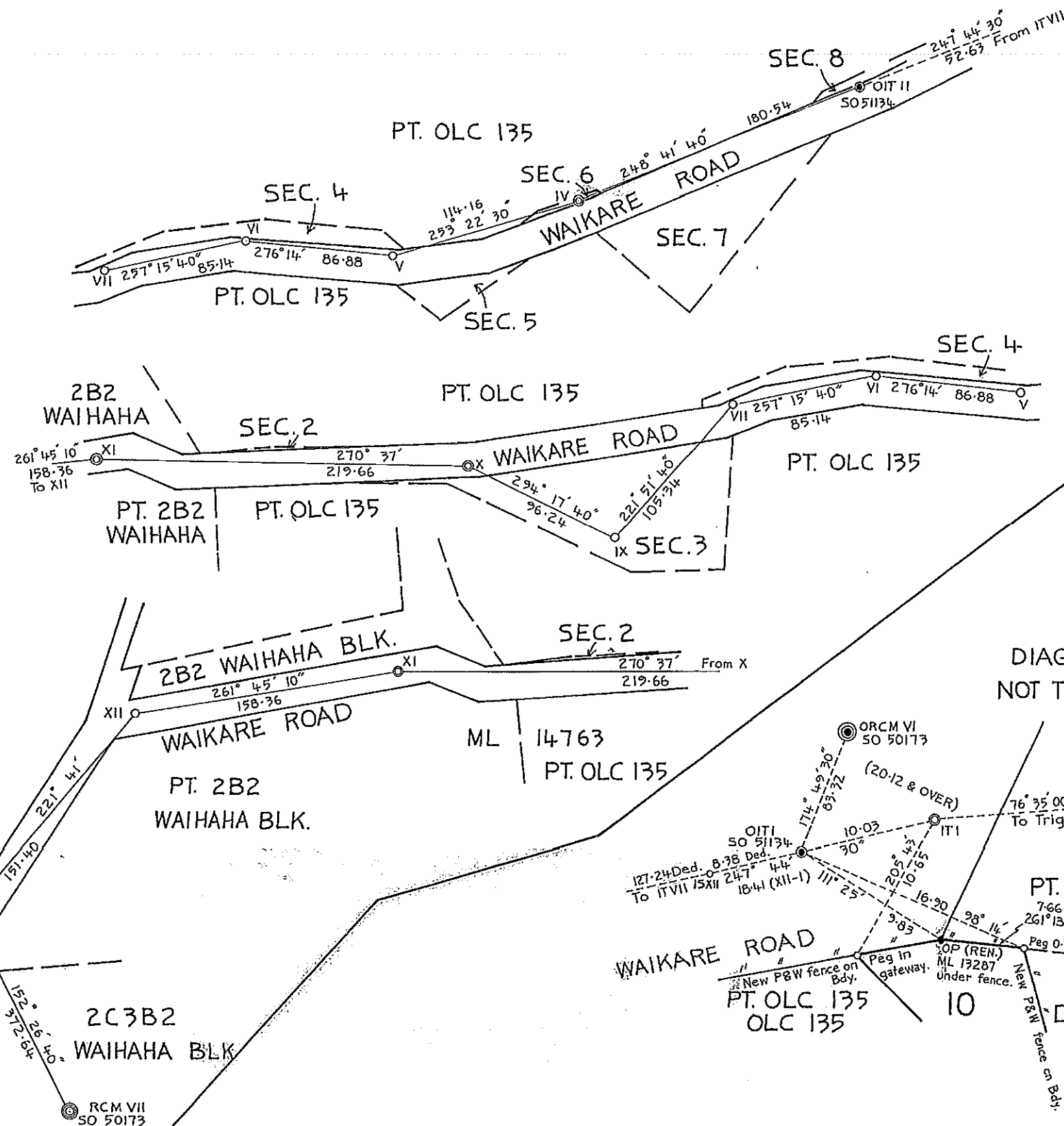


DIAGRAM B
NOT TO SCALE

DIAGRAM SHEET
BEARING AND COORDINATE DATUM
GEODETIC 1949
MT. EDEN CIRCUIT COORDINATES
ORIGIN: MT. EDEN 700 000 mN
300 000 mE

Road Shown is Legal.

Total Area

Comprised in

I, CLIFFORD ROBIN CORBETT of AUCKLAND
Registered Surveyor and holder of an annual practising certificate
hereby certify that this plan has been made from Surveys executed
by me or under my direction; that both plan and Survey are correct
and have been made in accordance with the regulations under the
Surveyors Act 1986

Dated at Auckland this 13th day
of April 1984 Signature C.R. Corbett

Field Book 6825 p. 31-34 Traverse Book 1000 p. 48-51

Reference Plans SO 50173, SO 51134, SO 51133

ML 14763, ML 13287,

Examined F.J. McMaster Correct *ADT*

Approved as to Survey

25/7/84 Assistant Chief Surveyor

Deposited this 4th day of June 1985

District Land Registrar

File Received, 8 JUNE 1984 D.P. 102868

LAND DISTRICT NORTH AUCKLAND
SURVEY BLK. & DIST. XI RUSSELL
NZMS SHEET NO. Q05/3.3

LOTS 1-10 BEING A SUBDIVISION OF PART
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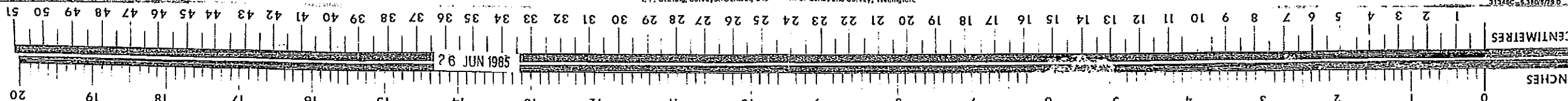
LOCAL AUTHORITY BAY OF IS. COUNTY
Surveyed by C.R. CORBETT
NOT TO SCALE Date DEC 1983

SHEET 2 OF 2

P. D. HASSELBERG, GOVERNMENT PRINTER, WELLINGTON, NEW ZEALAND-1979

L. F. Stirling, Surveyor-General, Department of Lands and Survey, Wellington.

312440-5380978 D. 165, 1000 N 93



Gaz 1977 p 1569

5052735



ML 8505
SHEET 4 OF 7



ML 8505
SHEET 4 OF 7

ML 8505
SHEET 4 OF 7

1:50,000 Scale Map of the Thunaka Area, New Guinea, 1964