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Fax: 07 888 5587
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Email admin@magill^{earl}.co.nz
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th

Our Ref: Ms Meeter
Email Address: marja@magill^{earl}.co.nz

22nd November 2022

Matamata Piako District Council,
PO Box 266,
TE AROHA 3342.



Dear Sir/Madam,

re: **Submission re Plan Change 54 Papakainga**

We act for Mr Ian Robert Young and Ms Dana Sheree Lewis and the Ian Young Family Trust. The Ian Young Family Trust owns a property at 31 Douglas Road, RD 1 Matamata 3471.

We make a submission on behalf of our clients under Schedule 1 of the Resource Management Act 1991. The submission regards Plan Change 54 regarding Papakainga.

Incorrect Shading

The map and shading indicated on the Te Ohaki Marae map, we believe to be incorrect.

The driveway that is shaded belongs to our clients. The map provides the illusion that the driveway can be used by people living in the Papakainga as a Right of Way appurtenant to the Maori Trust Land. This is not the case.

We enclose the Record of Title to our client's properties for your perusal. As you can see there is a right of way (to the Marae) registered on that Record of Title as it states "Appurtenant hereto is a right of way created by Provisional Register SA243/51 (affects part Okauia 4E2F3A Block)".

We also enclose the Order for right of way (S579614). The order states that the owners and occupiers of the land known as Okauia 4E2E1A ("the marae block") shall have for all purposes a right of way over the Okauia 4E2E1B ("the Young block").

This means there is not a right of way in place for the blocks of land as shaded on the provided map. The Papakainga blocks will need to be provided their own access from Douglas Road.

Farming Driveway

We note that the driveway is a driveway predominantly used for farming purposes and currently occasional Marae use. With several Papakainga being planned in the vicinity of our client's farmland we would like to bring to your attention their concern for the increased use of the Marae and the passing of vehicles over the driveway to the Marae.

Issues that come to mind are the safety due to increased use and farming use of the Right of Way. There is a greater possibility of an accident occurring.

Currently the landowner maintains the driveway, through their own good will. The cost should be split between the parties using the driveway. When the easement was entered into there were occasionally people visiting the Marae, with the build of Papakainga the visits will likely substantially increase and so will the use of the driveway. This will result in more maintenance and surfacing of the driveway being required. Suitable arrangements are to be considered by Council when allowing the development to go ahead regarding the maintenance and upkeep of the Right of Way.

Alternatively, a solution may be, for a crossing to be established over the driveway of the Young's land opposite the Marae Driveway by way of easement. In that case, the easement to the Marae should be surrendered and only the crossing easement from the Papakainga blocks should be used to access the Marae from the parcels of land allocated to the Papakainga using the land referred to in the order.

We believe this to be a safer solution, as there is less likelihood of interference with the farming operation. Any crossing to comply with all standard council regulations and the cost to be met of the Crossing and Easement and Surrender of Easement by the Papakainga.

We seek an amendment of the Plan Change as proposed accordingly. The parties are willing to present at a Council Planning hearing.

No advantage of trade competition is had by filing this submission.

Yours faithfully,
MAGILL EARL


Per:





**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R. W. Muir
Registrar-General
of Land

Identifier SA49D/837
Land Registration District South Auckland
Date Issued 16 January 1992

Prior References

SA1051/277 SA15B/252

Estate	Fee Simple
Area	179.6945 hectares more or less
Legal Description	Lot 1 Deposited Plan South Auckland 61507, Part Okauia 4E2F1 Block and Part Okauia 4E2F3A Block

Registered Owners

Ian Robert Young, Dana Sheree Lewis and Magill Earl Trustees (2008) Limited

Interests

Appurtenant hereto is a right of way created by Provisional Register SA243/51 (affects Part Okauia 4E2F3A Block)

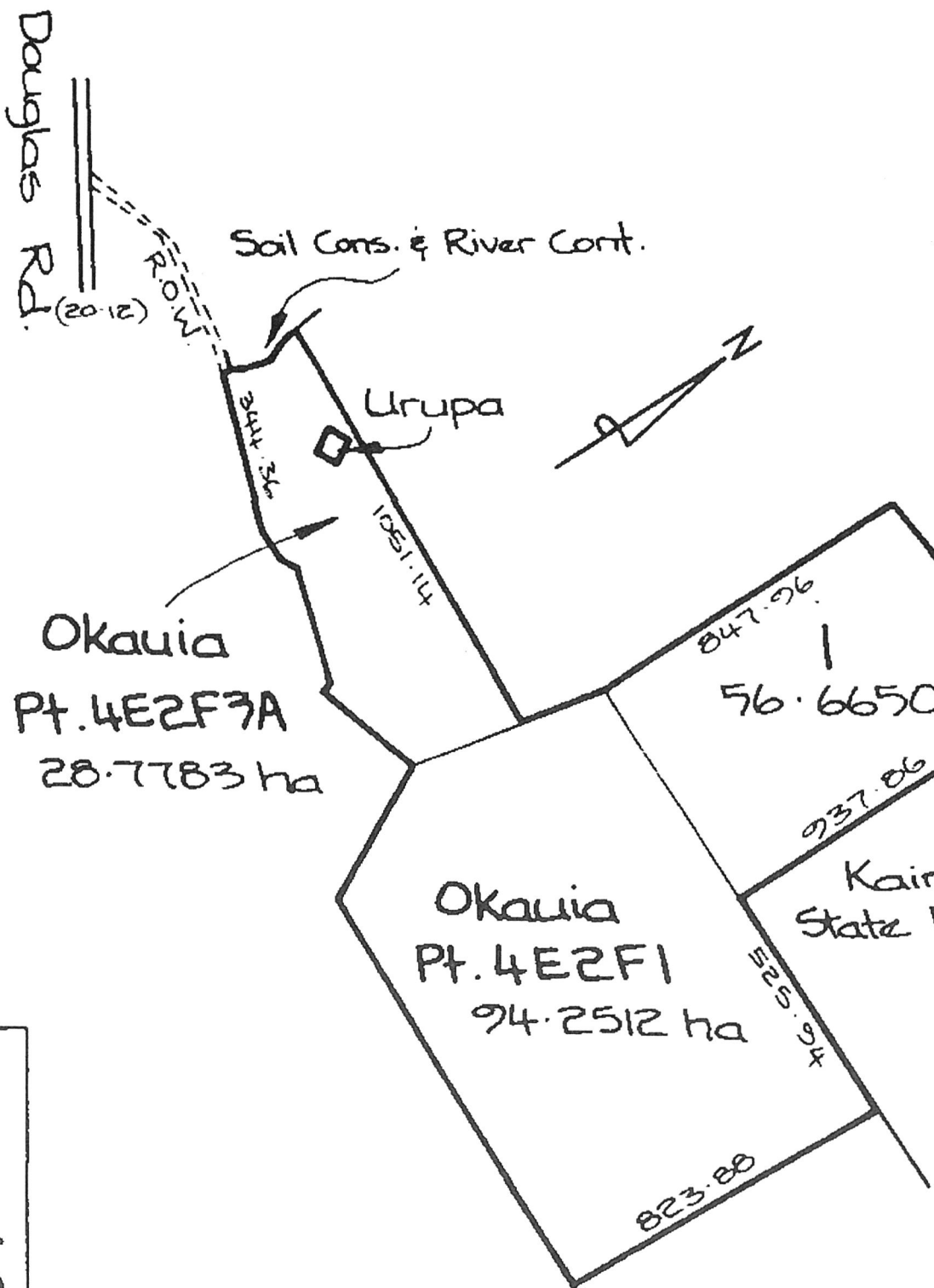
Subject to Section 308 (4) and (5) Local Government Act 1974

Lot 1 DPS 61507 has no frontage to a public road

Subject to Section 59 Land Act 1948 (affects Lot 1 DPS 61507)

9497143.4 Mortgage to ANZ Bank New Zealand Limited - 3.9.2013 at 10:01 am

9497143.5 Mortgage to Geoffrey Holland Young, Phyllis Jeanette Young and David Brian Russell - 3.9.2013 at 10:01 am



Lot 1 D
public

Subject
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Appurte
is a Ri
Block (

H.34083
and 4E2
and
Zea

B.06171
Limited



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
Registrar-General
of Land

Identifier SA14D/1330
Land Registration District South Auckland
Date Issued 01 November 1972

Prior References

SA14D/1329

Estate Fee Simple
Area 47.9300 hectares more or less
Legal Description Part Okauia 4E2E1B2B Block

Registered Owners

Ian Robert Young, Dana Sheree Lewis and Magill Earl Trustees (2008) Limited

Interests

Subject to a right of way over part created by Order S579614

(marae drive)

9497143.4 Mortgage to ANZ Bank New Zealand Limited - 3.9.2013 at 10:01 am

9497143.5 Mortgage to Geoffrey Holland Young, Phyllis Jeanette Young and David Brian Russell - 3.9.2013 at 10:01 am

ject to a right of way over part
urtenant to Okauia 4E2E1A created by
er S.579614

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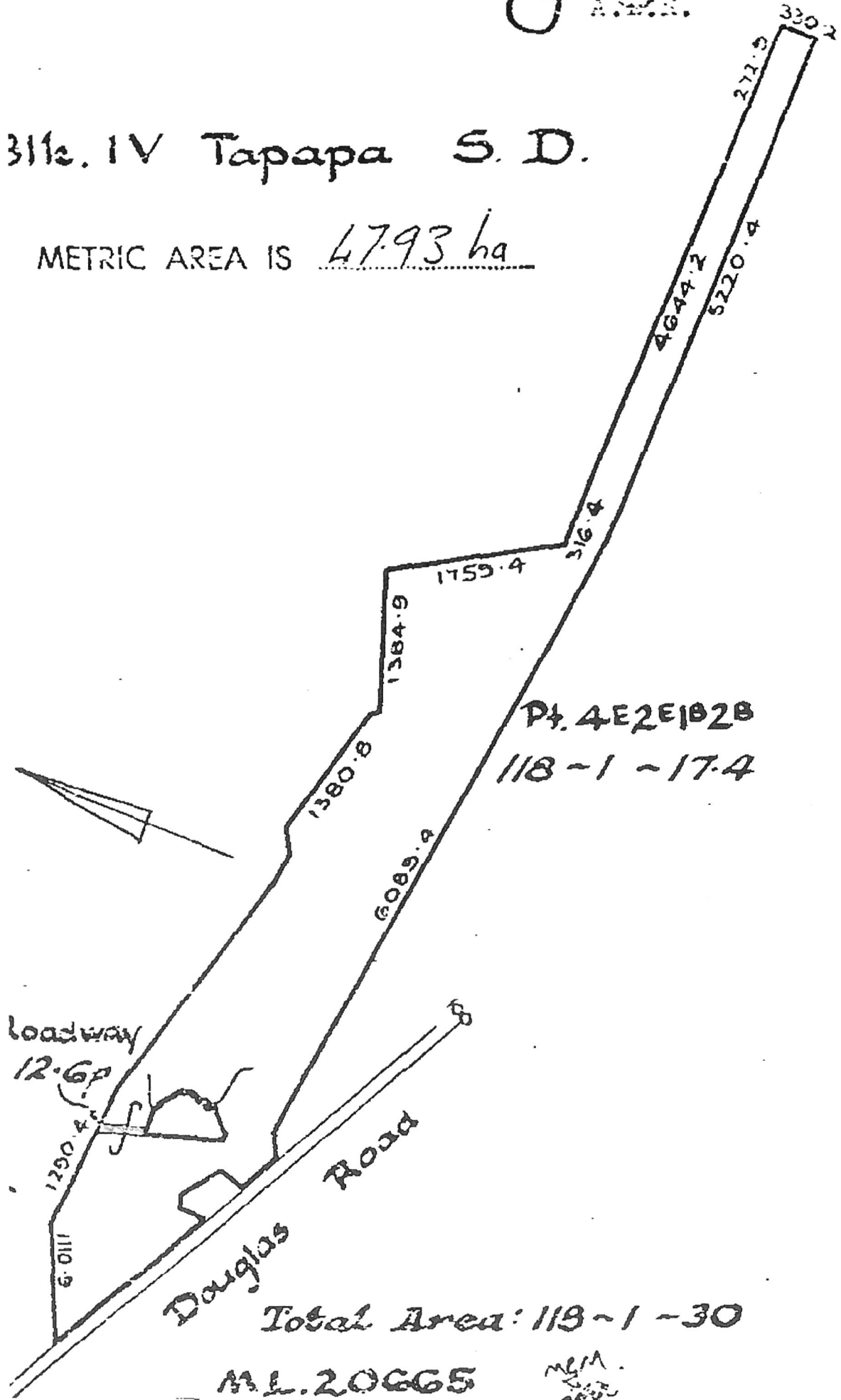
E
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31/2. IV Tapapa S. D.

METRIC AREA IS 47.93 ha



Pt. 4E2E1B2B
118-1-17.4

Total Area: 118-1-30

M.L. 20665

M.L.
20665

SSY9614 ORD

ORDER FOR RIGHT OF WAY

(Rule 41)

Under Section 480 of the Native Land Act, 1931

IN THE NATIVE LAND COURT
OF NEW ZEALAND
WAIKATO-MANIAPOTO DISTRICT

AT A SITTING of the Court held at Ngaruawahia on the 30th day of May
1945 before Ernest Mansfield Beechey, Esquire, Judge

IT IS HEREBY ORDERED AND DECLARED that the owners and occupiers for
the time being of the land known as :

Okauia 4E2E1A

*MARAE
N-Regn*

their servants, agents, and workmen, and all persons having business
with them, shall at all times and for all purposes in connection with
the said land have right of way over

Okauia 4E2E1B 2B. *Youngs*

SUCH RIGHT OF WAY to be 15 feet wide and to contain 0 acres 0 roods
12.6 perches as the same is more particularly delineated on the plan
annexed hereto and thereon described as part Okauia 4E2E1B2B Roadway.

AS WITNESS the hand of Kevin Bernard Cull a Judge of the Maori Land
Court and the Seal of the Court.

[Signature]
JUDGE



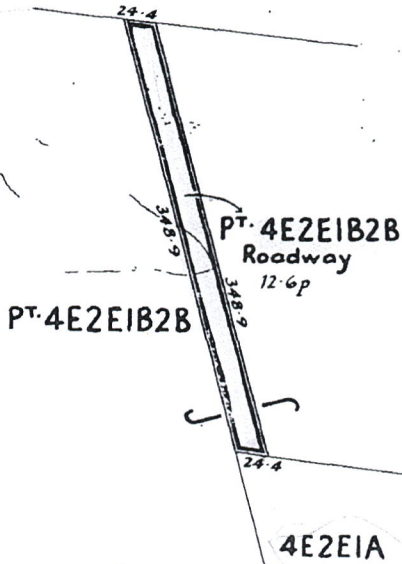
South Auckland Land District

S579614 ORD

Block IV Tapapa S.D.
Matamata County

151 6/16 1666

Road



PT. Okauia 4E2E1B2B Rdwy

Scale	1 chain	to an inch
Di. L.	20665	
Deft.:	AD	Exd: PRM

ORDER FOR NEW CERTIFICATE OF TITLE

No.

[Land and Decds=34A]

S 579614

56

Right of Way Order
PARTICULARS ENTERED IN THE REGISTER-BOOK
PR. VOL 272 FOLIO 89 and Index

THE 1st DAY OF November 1972
AT 11 O'CLOCK.



7837

Transfer of title

~~Referred to Draughtsman, 19~~
~~Returned from Draughtsman, 19~~

~~Folio~~

~~REFERENCE:~~

~~ORDER FOR NEW CERTIFICATE OF TITLE~~

~~No.~~

LAND & DEEDS	
Name:	<i>ROW Order</i>
Firm:	<i>Dempster & Co</i>
E. 1 NOV 1972	
Time:	<i>11:50</i>
Fee:	<i>5</i>
Abstract No.	<i>14840</i>

(8)



CANCELLED

1580/H

Embodied in the Provisional Register this

P.R. 243/51

2nd day of September, 1961

PARTITION ORDER

(RULE 37)

The Maori Land Act, 1931



Mer. M.B. 32 / 156

IN THE MAORI LAND COURT
NEW ZEALAND.
Waikato-Maniapoto DISTRICT.

OKAUIA 4E 2F 3A BLOCK

In the matter of the partition of the land known as

OKAUIA 4E 2F 3 Block heretofore held
under Partition Order, dated the 26th day
of February, 1943.

AT a sitting of the Court held at Ngaruawahia
on the 15th day of March, 1951
before Ernest Mansfield Beechey 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
hereon or annexed hereto, and therein numbered from one to thirty-two
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
71 acres 2 roods 17 perches named by the Court

OKAUIA 4E 2F 3A BLOCK

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

*No Prior Title
Case: 71. 2. 17.
Situated in Block 14 Tekepa SD
being Okauia 4E2F3A (Togeth with R.O.W.)*

FEES CHARGED: As witness the hand of the Judge and the seal of the Court.

30/- Pd.



M. E. Evans

Appurtenant hereto is a right-of-way running from the North West corner of the
within block over Okauia 4E2F3B block to the public road as shown on M.L. Plan
43092 and the diagram annexed hereto coloured blue.

THE SCHEDULE WITHIN REFERRED TO

FIRST COLUMN.			SECOND COLUMN.	
No.	Name.	Sex and (if Minor) Age.	Relative Interest.	
1.	Anaru alias Whetowheto Wiripoai	m. a.	7/120	0583
2.	Te Auru Rakapa	f. a.	7/72	0972
3.	Te Ata Harete	f. a.	1/9	1111
4.	Bessie Ratima	f. a.	1/6	1667
5.	Eru Whakamautara Mihikorama Rakapa	m. 15	7/72	0972
6.	Hoani Ratima	m. a.	1/6	1667
7.	Hohipera Te Huia	f. a.	1/36	0278
8.	Hoani Te Huia	m. a.	1/36	0278
9.	Te Inoi Te Huia	f. a.	1/36	0278
10.	Kaukau Warena	m. a.	1.	1
11.	Keri Te Huia	m. a.	1/36	0278
12.	Kamataua Te Huia	m. a.	1/36	0278
13.	Mamae Kaukau	f. a.	1/6	1667
14.	Ngahaka Harete	f. a.	1/9	1111
15.	Paru Ratima	m. a.	1.1/6	1.1667
16.	Parepaore Tarapipipi	f. a.	7/24	2917
17.	Parewaho Tarapipipi	f. a.	7/24	2917
18.	Pea Kaukau	m. a.	1/6	1667
19.	Panekau Kahurangi	m. a.	1/12	0583
20.	Riria Pakeho <i>d no issue 10/10/1961</i>	f. a.	1.	1
21.	Rumatiki Tarapipipi	f. a.	7/24	2917
22.	Ranginui Wiripoai	m. a.	7/120	0583
23.	Raukawa Tamihana Wiripoai	m. a.	7/120	0583
24.	Rakapa Rakapa	f. a.	7/72	0972
25.	Raniera Kere	m. a.	1/9	1111
26.	Riroiti Te Huia	f. a.	1/36	0278
27.	Tarapipipi Tarapipipi	m. a.	7/24	2917
28.	Te Uru Kahurangi	m. a.	1/12	0583
29.	Wiremu Tarapipipi	m.	7/24	2917
30.	Te Waharoa Tarapipipi	m. a.	7/24	2917
31.	Whiunara Wiripoai	f. a.	7/120	0583
32.	Wiripoai Wiripoai	m. a.	7/120	0583

6.5/6 shares
=====

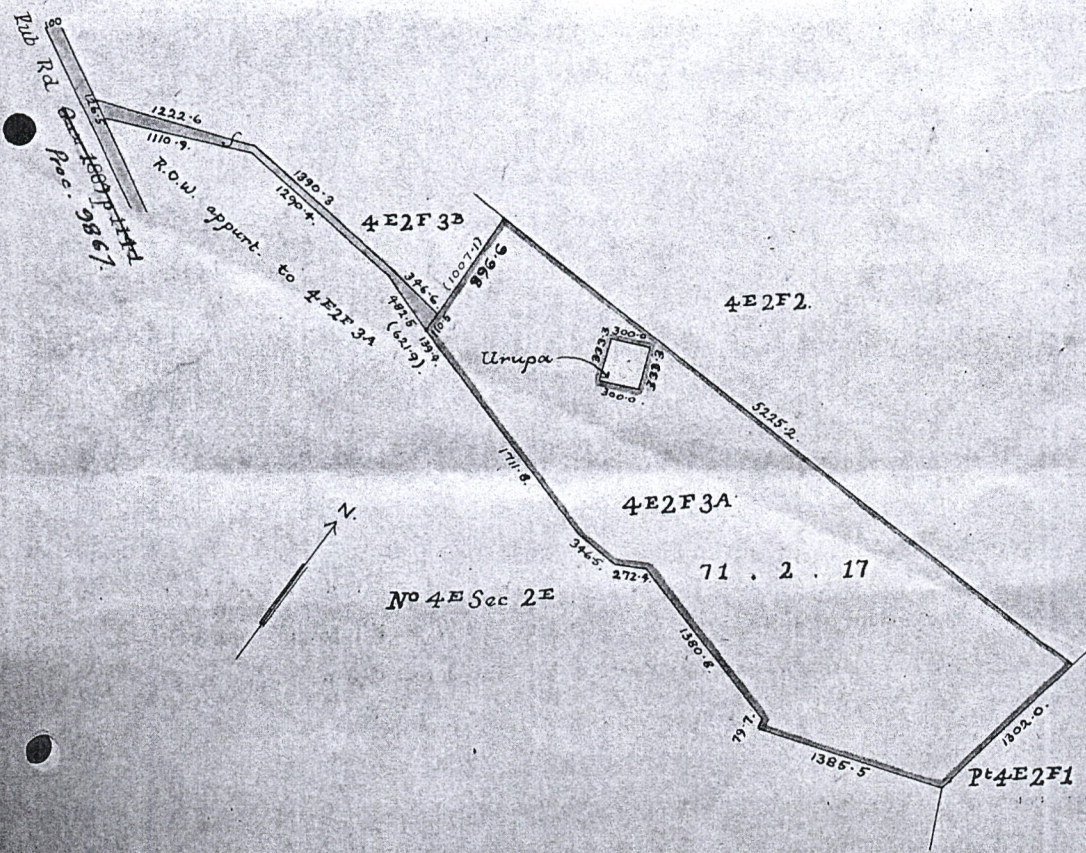
*5.217560 Transfer to Arthur Harold Garland
dated 22-9-1961 at 11.23 a.m.*

Cancelled

A.L.K.


South Auckland Land District

IV Tapapa S.D.



Okauia 4E2F3A

AnsB

ML 17092. 
Scale: 10 Chains to an in.
C. A. Lown. Chief Surveyor
Hall & Williams Surveyors
K. Hewitt. Draftsman

3696
Case number

ADOPTION ORDER

[M.L.C.-30.]

[RULE 67.]

SOUTH 4^m

IN THE MAORI LAND COURT
NEW ZEALAND,
DISTRICT.

In the matter of the Maori Land Act, 1931,

and

In the matter of an application by

for an order of adoption in respect of
a child under the age of fifteen years.

At a sitting of the Court held at
this _____ day of _____ 19____
before _____, Esquire,
a Judge :

Whereas upon the hearing of the application of

for the adoption of
the _____ child of _____
and _____, which said child
is now aged _____, and is a Maori or the
descendant of a Maori, the Court was satisfied as to the several matters of
which by the said Act it is required to be satisfied, and that all the conditions
and requirements of the said Act and the rules of the Court made thereunder
had been duly complied with and fulfilled :

FEES CHARGED: Now, therefore, the Court doth hereby order and adjudge that the said child,
named _____, may
be and is hereby adopted by the said

under the said Act as from the date hereof.

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

day of _____ 19____

22 SEP 1961

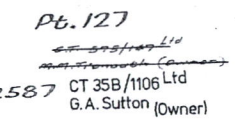
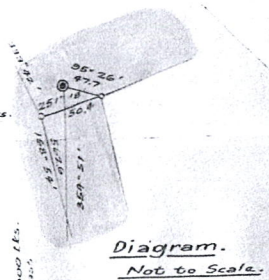
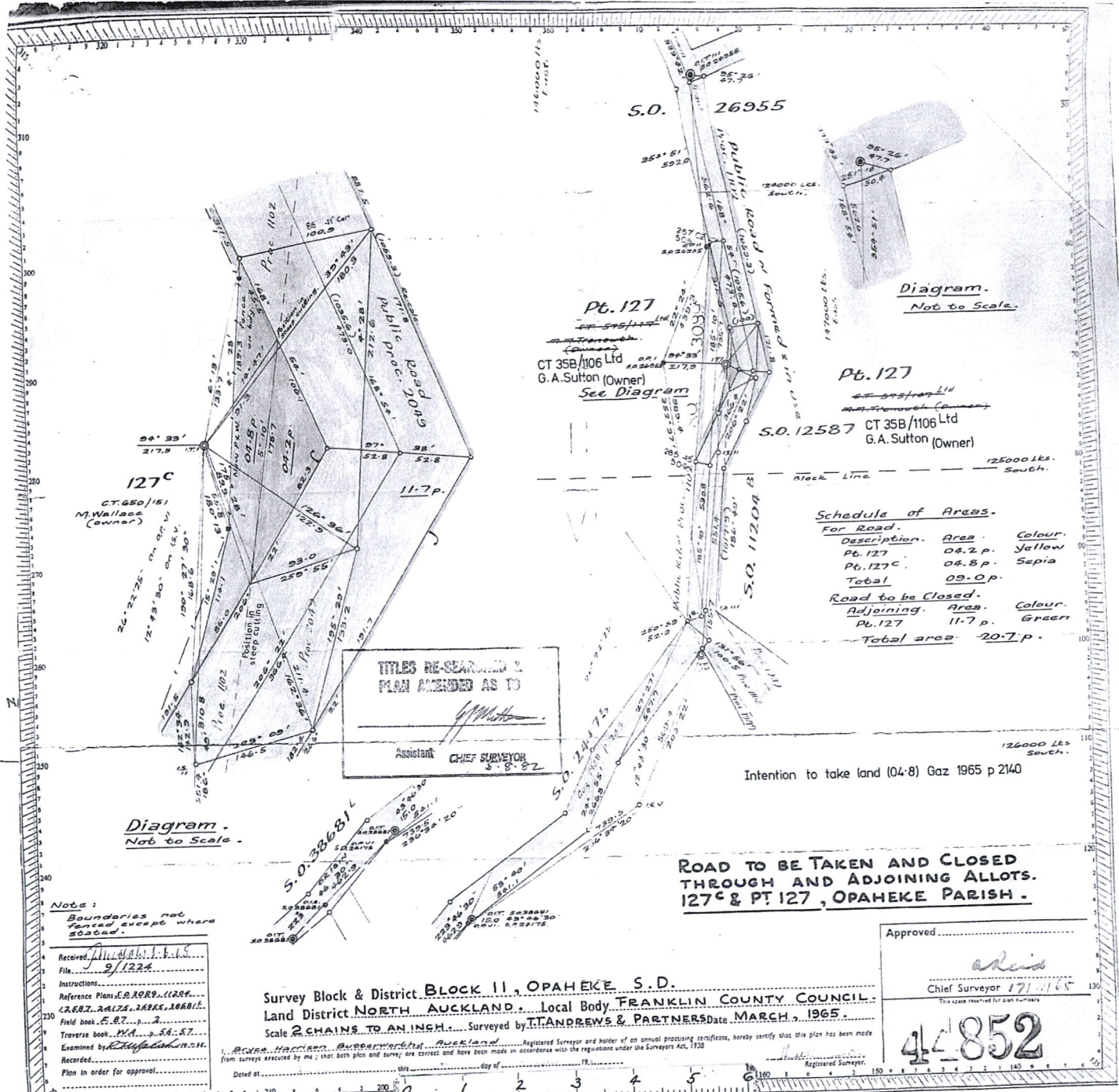
11.22

1:4-

No. 2801

Judge.

PR 243/51



Schedule of Areas.

For Road.		
Description.	Area	Colour.
Pt. 127	04.2 p.	Yellow
Pt. 127C	04.8 p.	Sepia
Total	09.0 p.	

Road to be Closed.		
Adjoining.	Area.	Colour.
Pt. 127	11.7 p.	Green
Total area	20.7 p.	

TITLES RE-SEARCHED &
PLAN AMENDED AS TO

Assistant CHIEF SURVEYOR
S. B. 82

Intention to take land (04.8) Gaz 1965 p 2140

**ROAD TO BE TAKEN AND CLOSED
THROUGH AND ADJOINING ALLOTS.
127C & PT 127, OPAHEKE PARISH.**

Approved.....
Chief Surveyor 17/1/65

44852

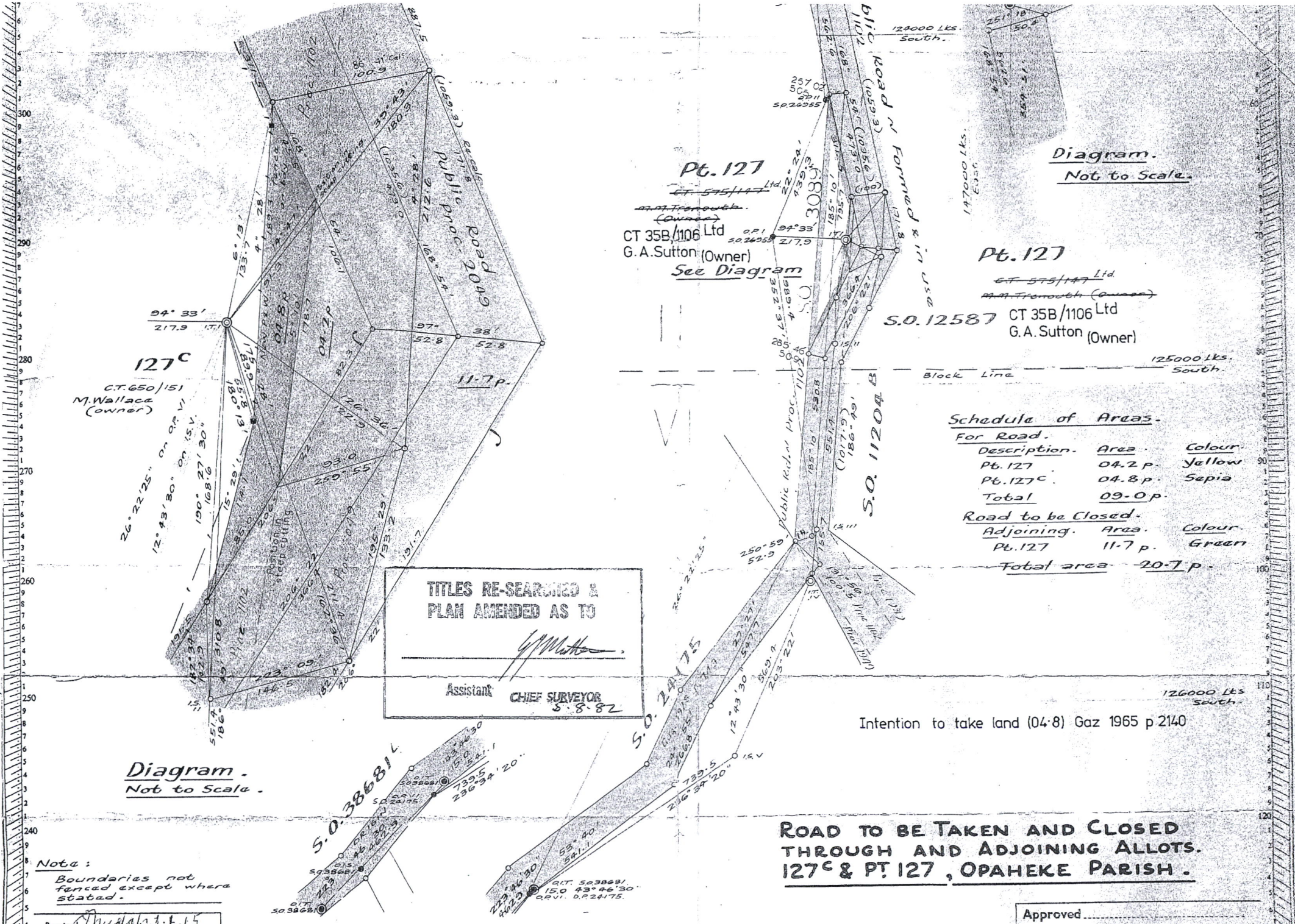
Survey Block & District **BLOCK II, OPAHEKE S.D.**
Land District **NORTH AUCKLAND.** Local Body **FRANKLIN COUNTY COUNCIL.**
Scale **2 CHAINS TO AN INCH.** Surveyed by **T. ANDREWS & PARTNERS** Date **MARCH 9, 1965.**

ACKNOWLEDGEMENT Registered Surveyor and holder of an annual practicing certificate, hereby certify that this plan has been made from survey executed by me; that both plan and survey are correct and have been made in accordance with the regulations under the Surveyors Act, 1958

Dated at _____ this _____ day of _____ 1965

Notes:
Boundaries not fenced except where shown.

Received.....
File..... 9/1224
Instruction.....
Reference Plans E.B. 2089, 11204, 12807, 24175, 24945, 20881E.
Field book E.B. 2... p. 2.
Traverse book... p. 34-57.
Examined by.....
Recorded.....
Plan in order for approval.....



127^c
 CT. 650/151
 M. Wallace
 (owner)

Pt. 127
 CT. 545/147 Ltd.
 A.A. Fromm (owner)
 CT 358/1106 Ltd
 G. A. Sutton (Owner)
 See Diagram

Diagram.
 Not to Scale.

Pt. 127
 CT. 545/147 Ltd
 A.A. Fromm (owner)
 S.O. 12587 CT 358/1106 Ltd
 G. A. Sutton (Owner)

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TITLES RE-SEARCHED &
 PLAN AMENDED AS TO

[Signature]

Assistant CHIEF SURVEYOR
 5.8.82

Intention to take land (04.8) Gaz 1965 p 2140

**ROAD TO BE TAKEN AND CLOSED
 THROUGH AND ADJOINING ALLOTS.
 127^c & PT. 127, OPAHEKE PARISH.**

Diagram.
 Not to Scale.

Note:
 Boundaries not
 fenced except where
 stated.

Approved

Received *[Signature]* 6.6.85

WARRANT UNDER SECTION 121(1)(d) OF THE PUBLIC WORKS ACT 1981

presenting a plan of a road in Block II, Opaheke Survey District, County of Franklin.

The District Land Registrar, North Auckland.

1. The road described in the Schedule hereto and shown on the attached plan is in use by the public and has been formed out of public funds.
2. A plan of the said road has been approved by the Chief Surveyor of the Land District in which the road is situated and is a sufficient plan for the purposes of Section 121(1)(d) of the Public Works Act 1981.
3. The MINISTER of TRANSPORT hereby presents the said plan for registration by you, and you are accordingly authorised and required by the said Section 121(1)(d) to register the said plan against the properties affected by it.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

All that piece of land containing OA 0R04.8 perches situated in Block II, Opaheke Survey District, County of Franklin and being Allotment 127C, Opaheke Parish; as shown coloured sepia on SO plan 44852 lodged in the office of the Chief Surveyor at Auckland.

DATED at WELLINGTON this *26th* day of *July* 1988

L. P. O. Williams

MINISTER OF TRANSPORT

NRB WELLINGTON: 906/2A/020/
AUCKLAND: 6/7/2.

1.53 12.AUG88 B 87484 1.1

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND

ASST. LAND REGISTRAR *Law*

630/151

th

Our Ref: Ms Meeter
Email Address: marja@magilllearl.co.nz

22nd November 2022

Matamata Piako District Council,
PO Box 266,
TE AROHA 3342.

Dear Sir/Madam,

re: **Submission re Plan Change 54 Papakainga**

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The driveway that is shaded belongs to our clients. The map provides the illusion that the driveway can be used by people living in the Papakainga as a Right of Way appurtenant to the Maori Trust Land. This is not the case.

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We note that the driveway is a driveway predominantly used for farming purposes and currently occasional Marae use. With several Papakainga being planned in the vicinity of our client's farmland we would like to bring to your attention their concern for the increased use of the Marae and the passing of vehicles over the driveway to the Marae.

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Currently the landowner maintains the driveway, through their own good will. The cost should be split between the parties using the driveway. When the easement was entered into there were occasionally people visiting the Marae, with the build of Papakainga the visits will likely substantially increase and so will the use of the driveway. This will result in more maintenance and surfacing of the driveway being required. Suitable arrangements are to be considered by Council when allowing the development to go ahead regarding the maintenance and upkeep of the Right of Way.

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We believe this to be a safer solution, as there is less likelihood of interference with the farming operation. Any crossing to comply with all standard council regulations and the cost to be met of the Crossing and Easement and Surrender of Easement by the Papakainga.

We seek an amendment of the Plan Change as proposed accordingly. The parties are willing to present at a Council Planning hearing.

No advantage of trade competition is had by filing this submission.

Yours faithfully,
MAGILL EARL

Per:



1580/H
Embodied in the Provisional Register this
CANCELLED 2nd day of September, 1961
P.R. 243/51

PARTITION ORDER

(RULE 37)

The Maori Land Act, 1931



Mer. M.B. 32 / 156

IN THE MAORI LAND COURT }
NEW ZEALAND. } OKAUIA 4E 2F 3A BLOCK
Waikato-Maniapoto DISTRICT. }

In the matter of the partition of the land known as

OKAUIA 4E 2F 3 Block heretofore held
under Partition Order, dated the 26th day
of February, 1943.

AT a sitting of the Court held at Ngaruawahia
on the 15th day of March, 1954
before Ernest Mansfield Beechey Esquire, Judge.

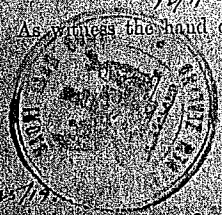
It is, as part of the said partition, hereby ordered and declared that the
several persons whose names appear in the first column of the schedule endorsed
hereon or annexed hereto, and therein numbered from one to thirty-two
both inclusive, are the owners, in the relative shares or proportions set out in the
second column of the said schedule, of that part of the said land, containing
71 acres 2 roods 17 perches named by the Court

OKAUIA 4E 2F 3A BLOCK

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

*No Plan Filed
on 11/2/54
Consolidated with P.L. 11/2/54 50
Waikato-Maniapoto 4E 2F 3A (right with P.L. 11/2/54)*

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



Ernest Mansfield Beechey
District Judge

30/5 Pg.
District Judge
Appointed a right-of-way running from the North West corner of the
OKAUIA 4E 2F 3A block to the public road as shown on M.L. Plan
No. 11/2/54.

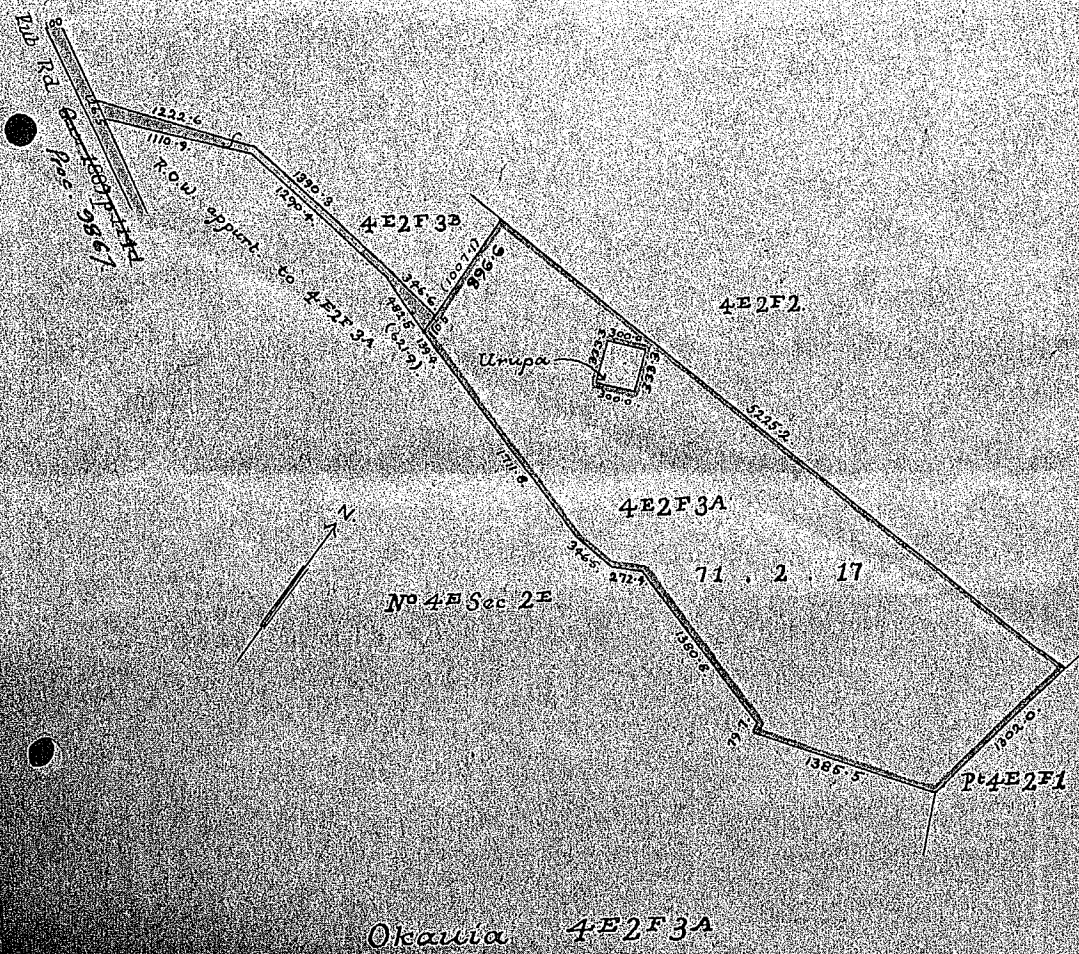
THE SCHEDULE WITHIN REFERRED TO

FIRST COLUMN.			SECOND COLUMN.
No.	Name.	Sex and (if Minor) Age.	Relative Interest.
1.	Anaru alias Whetowheto Wiripoai	m. a.	7/120 0583
2.	Te Auru Rakapa	f. a.	7/72 0772
3.	Te Ata Harete	f. a.	1/9 1111
4.	Bessie Ratima	f. a.	1/6 1667
5.	Kru Whakamautara Mihikorama Rakapa	m. 15	7/72 0772
6.	Hoani Ratima	m. a.	1/6 1667
7.	Hohipera Te Huia	f. a.	1/36 0478
8.	Hoani Te Huia	m. a.	1/36 0778
9.	Te Inoi Te Huia	f. a.	1/36 0278
10.	Kaukau Warena	m. a.	1.)
11.	Keri Te Huia	m. a.	1/36 0278
12.	Kamatua Te Huia	m. a.	1/36 0772
13.	Mamae Kaukau	f. a.	1/6 1667
14.	Ngahaka Harete	f. a.	1/9 1111
15.	Paru Ratima	m. a.	1.1/6 11667
16.	Parepore Tarapipipi	f. a.	7/24 0217
17.	Parewaho Tarapipipi	f. a.	7/24 0217
18.	Pea Kaukau	m. a.	1/6 1667
19.	Panekau Kahurangi	m. a.	1/12 0433
20.	Riria Pakeho <i>d no kore kore kore</i>	f. a.	1.)
21.	Rumatiki Tarapipipi	f. a.	7/24 0217
22.	Ranginui Wiripoai	m. a.	7/120 0583
23.	Raukawa Tamihana Wiripoai	m. a.	7/120 0583
24.	Rakapa Rakapa	f. a.	7/72 0772
25.	Raniera Kere	m. a.	1/9 1111
26.	Riroiti Te Huia	f. a.	1/36 0278
27.	Tarapipipi Tarapipipi	m. a.	7/24 0217
28.	Te Uru Kahurangi	m. a.	1/12 0433
29.	Wiremu Tarapipipi	m.	7/24 0217
30.	Te Waharoa Tarapipipi	m. a.	7/24 0217
31.	Whanera Wiripoai	f. a.	7/120 0583
	Wiripoai Wiripoai	m. a.	7/120 0583
			6.5/6 shares

*6.5/6 shares to Arthur Harold Garland
4/19/61 at 11.23.01
A.L.K.
Cancelled*

South Auckland Land District

IV Tapapa S.D.



24B

ML 17092 (2)

Scale 1:10. Checked on the
G.A. Latta. Chief Surveyor
Hall & Williams, Engineers
K. Hewitt, Draftsman

36/1
10/10/1961

[M.L.O. 30]

ADOPTION ORDER

[Rule 87.]

SOUTH

IN THE MAORI LAND COURT
NEW ZEALAND,
DISTRICT.

In the matter of the Maori Land Act, 1931,
and

In the matter of an application by

for an order of adoption in respect of
a child under the age of fifteen years.

At a sitting of the Court held at
this _____ day of _____ 19____
before _____ Esquire,
a Judge:

Whereas upon the hearing of the application of _____
for the adoption of _____
the _____ child of _____
and _____ which said child
is now aged _____ and is a Maori or the
descendant of a Maori, the Court was satisfied as to the several matters of
which by the said Act it is required to be satisfied, and that all the conditions
and requirements of the said Act and the rules of the Court made thereunder
had been duly complied with and fulfilled.

THE CHARGE: Now, therefore, the Court doth hereby order and adjudge that the said child,
named _____, may
be and is hereby adopted by the said _____

under the said Act as from the date hereof.

As witness my hand and the seal of the Court, the
day of _____ 19____

[Handwritten signature]
22 SEP 1961
[Handwritten initials]

Judge

PK 243/51

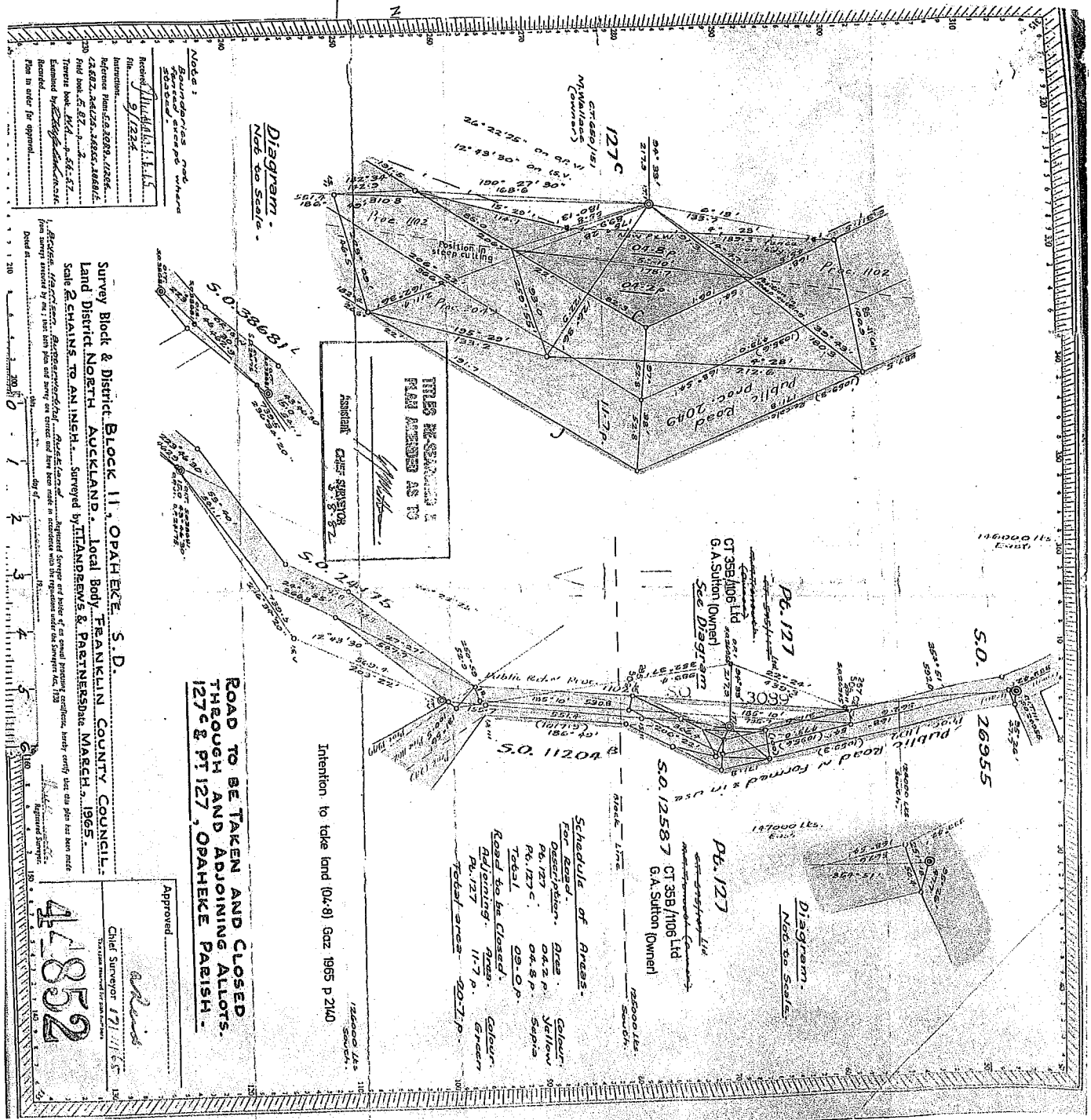


Diagram -
Not to Scale

Diagram -
Not to Scale

Schedule of Areas -

For Road	Area	Colour
Pt. 127	04.2 P.	Yellow
Pt. 127 C	04.8 P.	Sapra
7681	09.0 P.	
Road to be Closed	929	Green
Adjoining	11.7 P.	
Pt. 127		
Total area	20.7 P.	

ROAD TO BE TAKEN AND CLOSED
THROUGH AND ADJOINING ALLOTS
127 & PT 127, OPAHEKE PARISH.

Intention to take land (04.8) Gaz 1955 P 2140

SURVEY BLOCK & DISTRICT BLOCK 11, OPAHEKE, S.D.
LAND DISTRICT NORTH AUCKLAND, LOCAL BODY FRANKLIN COUNTY COUNCIL.
SCALE & CHAINING TO AN INCH. Surveyed by MR. ANDREW S. FRANKLIN, MARCH, 1965.

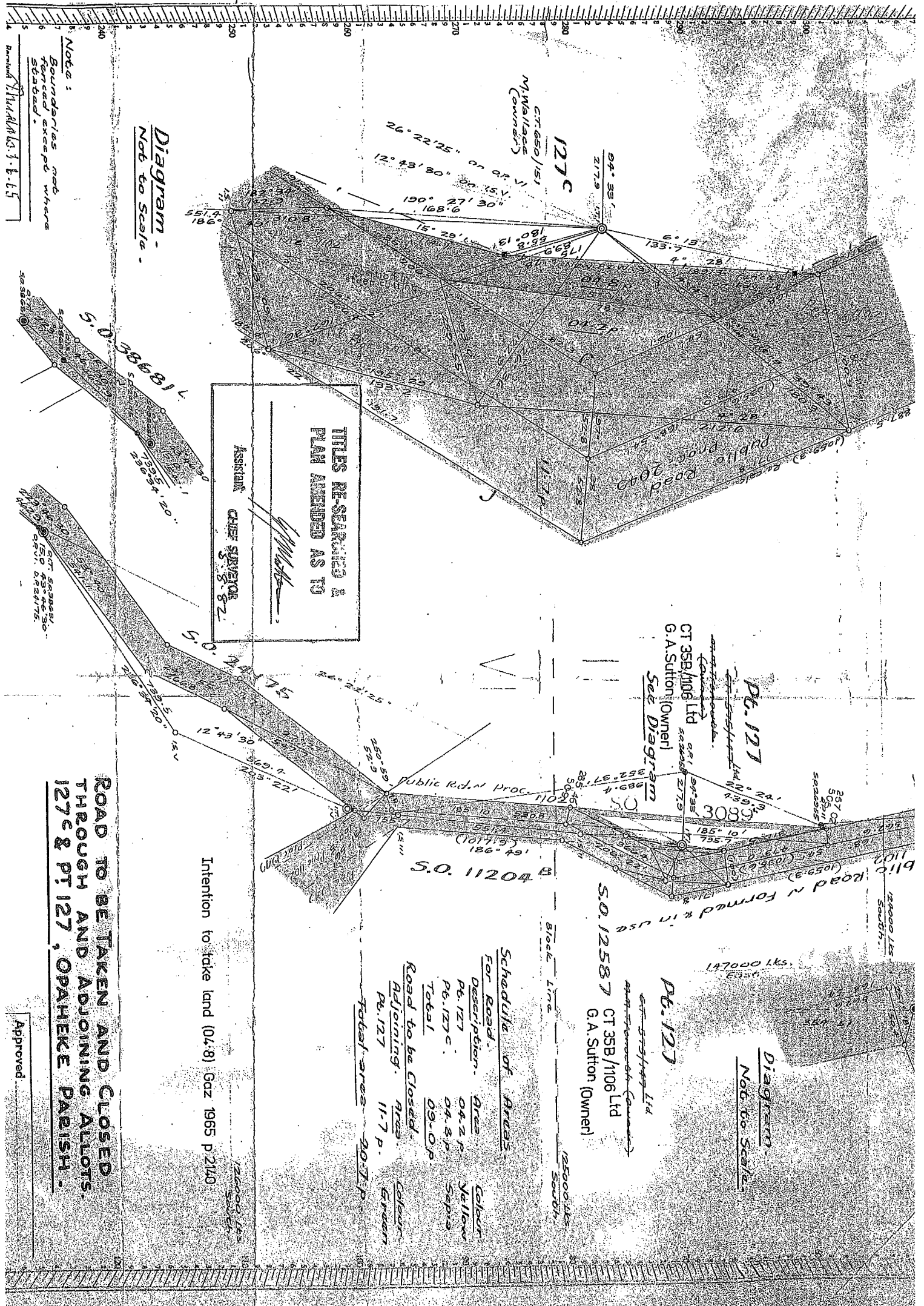
Approved

Chief Surveyor 17/11/65

41852

Notes:
1. All measurements made
2. All measurements made
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98. All measurements made
99. All measurements made
100. All measurements made

Scale 1 inch = 100 feet
Date of Survey: 1965



NOTE:
 Boundaries not formed except where stated.
 Dated 11/14/13 J.E.L.

Diagram -
 Not to Scale

TITLES RESEARCHED & PLAN AMENDED AS TO

ASSISTANT
 CHIEF SURVEYOR
 S.S. 82

ROAD TO BE TAKEN AND CLOSED THROUGH AND ADJOINING ALLOTS, 127c & PT 127, OPAHEKE PARISH.

Intention to take land (04:8) Gaz 1965 p 2140

Schedule of Areas

For Road	Description	Area	Colour
	Pt. 127	04.2 P	Yellow
	Pt. 127 c	04.8 P	White
	Total	09.0 P	
Road to be Closed	Adjoining	Area	Colour
	Pt. 127	11.7 P	Green
	Total area	20.7 P	

Pt. 127
 CT 35B/1106 Ltd
 G.A. Sutton (Owner)
 See Diagram

Pt. 127
 CT 35B/1106 Ltd
 G.A. Sutton (Owner)

Diagram -
 Not to Scale

Approved

WARRANT UNDER SECTION 121(1)(d) OF THE PUBLIC WORKS ACT 1981

presenting a plan of a road in Block II, Opaheke Survey District, County of Franklin.

The District Land Registrar, North Auckland.

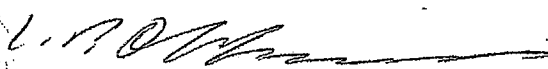
1. The road described in the Schedule hereto and shown on the attached plan is in use by the public and has been formed out of public funds.
2. A plan of the said road has been approved by the Chief Surveyor of the Land District in which the road is situated and is a sufficient plan for the purposes of Section 121(1)(d) of the Public Works Act 1981.
3. The MINISTER of TRANSPORT hereby presents the said plan for registration by you, and you are accordingly authorised and required by the said Section 121(1)(d) to register the said plan against the properties affected by it.

SCHEDULE

NORTH AUCKLAND LAND DISTRICT

All that piece of land containing 0A 0R04.8 perches situated in Block II, Opaheke Survey District, County of Franklin and being Allotment 127C, Opaheke Parish; as shown coloured sepia on SO plan 44852 lodged in the office of the Chief Surveyor at Auckland.

DATED at WELLINGTON this *26th* day of *July* 1988


MINISTER OF TRANSPORT

NRB WELLINGTON: 906/2A/020/
AUCKLAND: 6/7/2.

1.53 12.AUG88 B-87484

PARTICULARS ENTERED IN REGISTER
LAND REGISTRY AUCKLAND
ASST. LAND REGISTRAR *Waco*

650/151



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
Registrar-General
of Land

Identifier SA49D/837
Land Registration District South Auckland
Date Issued 16 January 1992

Prior References

SA1051/277 SA15B/252

Estate Fee Simple
Area 179.6945 hectares more or less
Legal Description Lot 1 Deposited Plan South Auckland
61507, Part Okauia 4E2F1 Block and Part
Okauia 4E2F3A Block

Registered Owners

Ian Robert Young, Dana Sheree Lewis and Magill Earl Trustees (2008) Limited

Interests

Appurtenant hereto is a right of way created by Provisional Register SA243/51 (affects Part Okauia 4E2F3A Block)

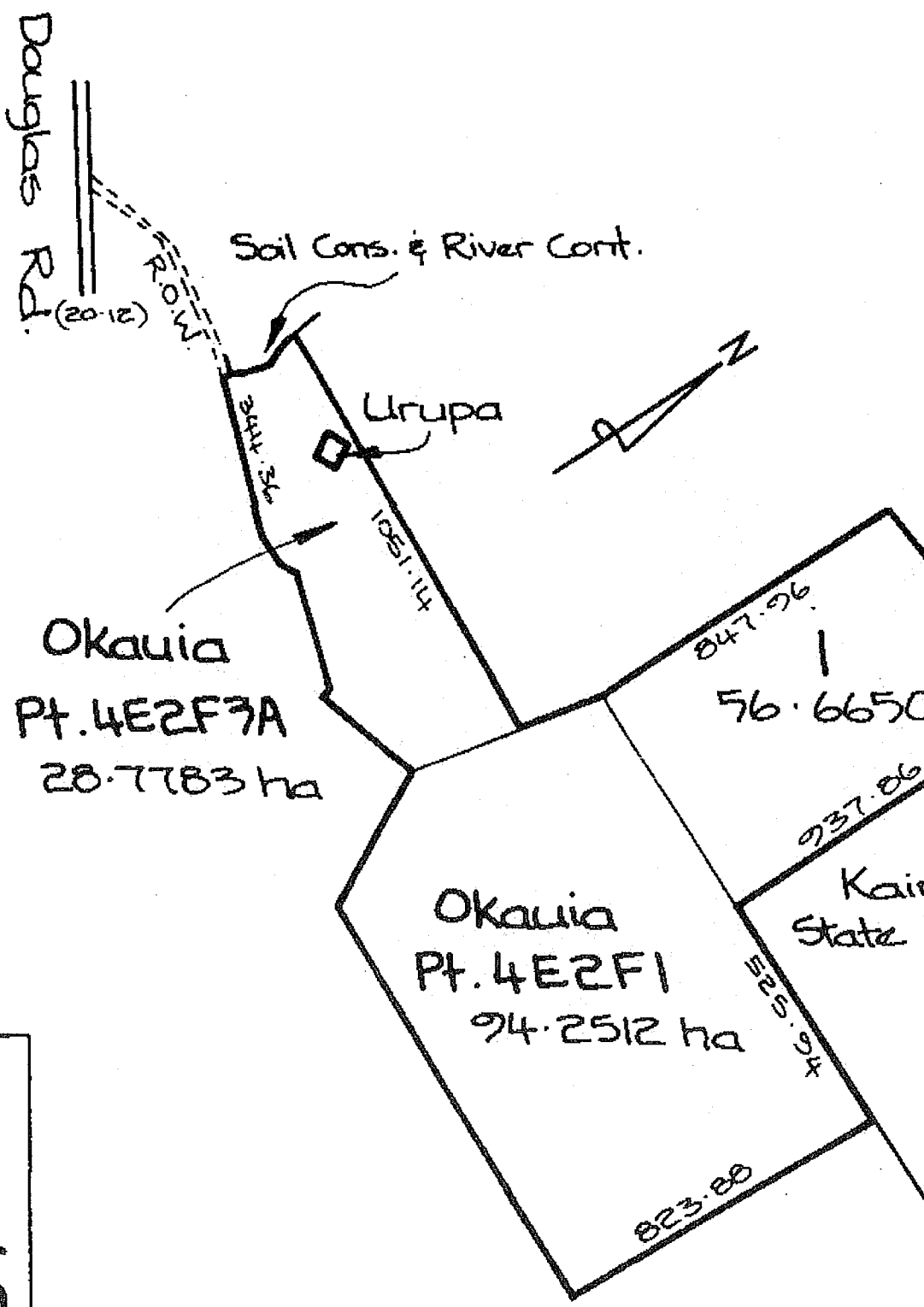
Subject to Section 308 (4) and (5) Local Government Act 1974

Lot 1 DPS 61507 has no frontage to a public road

Subject to Section 59 Land Act 1948 (affects Lot 1 DPS 61507)

9497143.4 Mortgage to ANZ Bank New Zealand Limited - 3.9.2013 at 10:01 am

9497143.5 Mortgage to Geoffrey Holland Young, Phyllis Jeanette Young and David Brian Russell - 3.9.2013 at 10:01 am



Lot 1 D
public

Subject
conditi
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Appurte
is a Ri
Block (

H.34083
and 4E2
and
Zea

B.06171
Limited

Kairimai - Mamaku
State Forest Park —



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**



R. W. Muir
Registrar-General
of Land

Identifier SA14D/1330
Land Registration District South Auckland
Date Issued 01 November 1972

Prior References
SA14D/1329

Estate Fee Simple
Area 47.9300 hectares more or less
Legal Description Part Okauia 4E2E1B2B Block

Registered Owners
Ian Robert Young, Dana Sheree Lewis and Magill Earl Trustees (2008) Limited

Interests

Subject to a right of way over part created by Order S579614 (marae drive)
9497143.4 Mortgage to ANZ Bank New Zealand Limited - 3.9.2013 at 10:01 am
9497143.5 Mortgage to Geoffrey Holland Young, Phyllis Jeanette Young and David Brian Russell - 3.9.2013 at 10:01 am

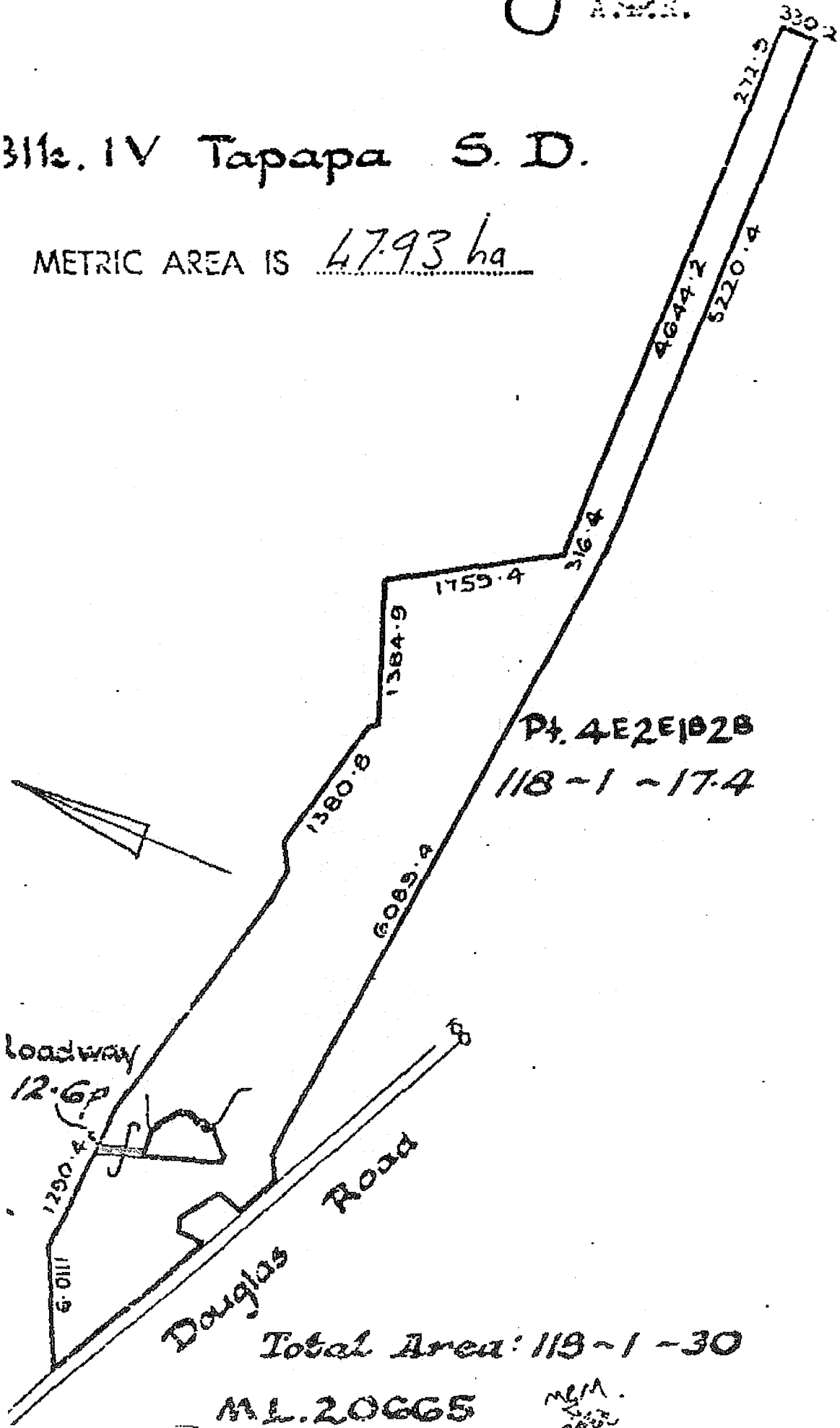
ject to a right of way over part
urtenant to Okauia 4E2E1A created by
er S.579614

[Handwritten signature]
A.M.A.

H
Y
A
E
E

31k. 1V Tapapa S. D.

METRIC AREA IS 47.93 ha



Pt. 4E2E1B2B
118-1-17.4

Loadway
12.67

Douglas Road

Total Area: 118-1-30

M.L. 20665

2005

Mer 29/331

5579614 ORD

ORDER FOR RIGHT OF WAY
(Rule 41)

Under Section 480 of the Native Land Act, 1931

IN THE NATIVE LAND COURT
OF NEW ZEALAND
WAIKATO-MANIAPOTO DISTRICT

AT A SITTING of the Court held at Ngaruawahia on the 30th day of May
1945 before Ernest Mansfield Beechey, Esquire, Judge

IT IS HEREBY ORDERED AND DECLARED that the owners and occupiers for
the time being of the land known as :

Okauia 4E2E1A

MARA E
N-Reg

their servants, agents, and workmen, and all persons having business
with them, shall at all times and for all purposes in connection with
the said land have right of way over

Okauia 4E2E1B 2B. Youngs

SUCH RIGHT OF WAY to be 15 feet wide and to contain 0 acres 0 roods
12.6 perches as the same is more particularly delineated on the plan
annexed hereto and thereon described as part Okauia 4E2E1B2B Roadway.

AS WITNESS the hand of Kevin Bernard Cull a Judge of the Maori Land
Court and the Seal of the Court.

Kevin Bernard Cull
JUDGE



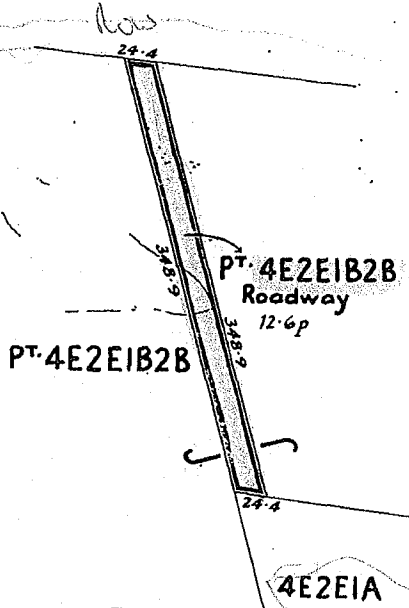
South Auckland Land District

S579614 ORD

Block IV Tapapa S.D.
Matamata County

47 67/8 foll.

OR 15/9/20



PT. Okauia 4E2EIB2B Rdwy

Scale	1 chain	to an Inch
M.L.	20665	
Belt:	<i>AD</i>	Ext: <i>APM</i>

ORDER FOR NEW CERTIFICATE OF TITLE

No.

[Land and Deeds—34-A.]

S 579614

56

Part of Map Order
PARTICULARS ENTERED IN THE REGISTER-BOOK
PR. VOL 272 FOLIO 89 and Index

THE 1st DAY OF November 1972
AT 11 O'CLOCK.



7837

*Order
Registered*

~~Referred to Draughtsman, / 19~~
~~Returned from Draughtsman, / 19~~

~~Folio~~

~~REFERENCE~~

~~ORDER FOR NEW CERTIFICATE
OF TITLE~~

No.

LAND & DEEDS	
Name:	<i>ROW Order</i>
Firm:	<i>Dempsey & Co</i>
E 1 NOV 1972	
Time:	<i>11⁰⁰C</i>
Fees:	<i>5</i>
Abstract No.	<i>14840</i>

56

(8)

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