

WHEREAS NELSONS (N.Z.) LIMITED a duly incorporated company having its registered office at Tomoana and GISBORNE SHEEPFARMERS FREEZING COMPANY LIMITED a duly incorporated company having its registered office at Gisborne are being registered as the proprietors as tenants in common in equal shares of an estate in fee simple

1. Here state nature of estate or interest.

2. District, county or township.

3. Here state the area, exclusive of roads, intersecting the same, if any.

4. Here state rights of way, privileges, or easements, if any, intended to be conveyed; and if the land to be dealt with contains all that is included in an existing grant or certificate refer thereto for description of lease or title or diagrams, otherwise set forth the boundaries in chains, links, or feet, and refer to the plan delineated on the margin or annexed to the Instrument or deposited in the Registry Office.

subject however to such encumbrances liens and interests as are notified by memoranda underwritten or endorsed hereon in all those pieces of land situated in the² City of Gisborne ~~containing by admeasurement³~~ more particularly described in the Schedule hereto

~~be the same a little more or less⁴~~ AND WHEREAS the said registered proprietors (hereinafter called "the Companies") are desirous of transferring the said piece of land (hereinafter called "the said lands") to the body corporate called THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF GISBORNE (hereinafter termed "the Council") as a gift to be held by the Council for ever in trust for the sole purpose of pleasure grounds and gardens for the use of the public upon and subject to the trusts conditions and restrictions hereinafter mentioned NOW THEREFORE pursuant to the provisions of subsections (4) and (5) of Section 129 of "The Land Transfer Act 1952" and of subsection (1) (a) of Section 305 of "The Municipal Corporations Act 1954" the Companies do hereby transfer to the Council by way of gift all the estate and interest of the Companies and each of them in the said lands to be held by the Council in trust for ever for the sole purpose of pleasure grounds and gardens and upon and subject to the trusts conditions and restrictions set forth in a certain Deed of Trust relating to the said lands bearing even date herewith made between the Council of the one part and the Companies of the other part and intended to be forthwith deposited in the Land Transfer Office at Gisborne PROVIDED ALWAYS AND IT IS HEREBY AGREED AND DECLARED that the Companies and each of them and The Gisborne Refrigerating Company Limited or other the owner or occupier from time to time of the Kaiti Freezing Works shall not be liable to contribute towards the cost of the erection or maintenance of any fence now or hereafter erected between the said lands or any part thereof and any adjoining land now or hereafter owned or occupied by them or any of them but this proviso shall not enure to the benefit of any purchaser of any such adjoining land not being them or one of them. AND the Council doth hereby accept this transfer upon and subject to the trusts conditions and restrictions aforesaid.

No ref to Trust in Operative Clause

22 XI 67 5 033 -00450

The draft of this transfer was approved by the Council and accepted by the Companies

THE SCHEDULE

FIRSTLY all that piece of land containing THIRTEEN ACRES THREE
ROODS ELEVEN DECIMAL ONE PERCHES (13Ac. 3Rds. 11.1P.) more or less.
being LOT THREE (3) ON DEPOSITED PLAN 5159 and part of the land ...
comprised and described in Certificate of Title Volume 61 Folio 186
and Volume 80 Folio 152 Gisborne Registry.

SECONDLY all that piece of land contained ONE ACRE THREE ROODS
NINETEEN DECIMAL TWO PERCHES (1Ac. 3Rds. 19.2P.) being LOT ONE (1).
ON DEPOSITED PLAN 5159 and part of the land comprised and des-
cribed in Certificate of Title Volume 123 Folio 33 Gisborne
Registry.

IN WITNESS WHEREOF these presents have been executed this 15th
day of December One thousand nine hundred and sixty-seven.
(1967).

THE COMMON SEAL of NELSONS (N.Z.) . }
LIMITED was hereunto affixed in .. }
the presence of:- }

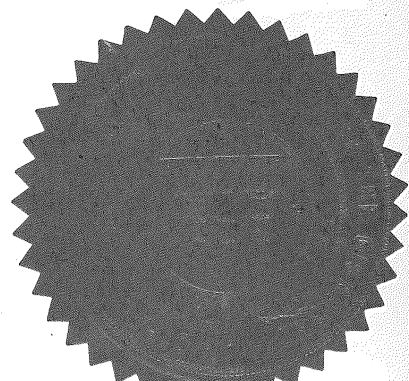
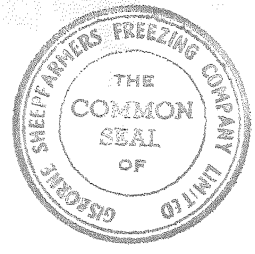
R. HoldenDirector
Ralph PymanDirector

THE COMMON SEAL of GISBORNE SHEEP- }
FARMERS FREEZING COMPANY LIMITED . }
was hereunto affixed in the }
presence of:- }

P. F. BarberDirector
R. HarrisSecretary

THE COMMON SEAL of THE MAYOR }
COUNCILLORS AND CITIZENS OF THE .. }
CITY OF GISBORNE was hereunto }
affixed in the presence of:- }

I. O. BarberMayor
M. MorrisonTown Clerk



15th December 1967.

The District Land Registrar,
GISBORNE.

Dear Sir,

Nelsons (N.Z.) Ltd.,
Gisborne Sheepfarmers Freezing Co. Ltd.

Certificates of Title 61/186, 80/152 and 123/33 are held by you in safe custody on behalf of the abovenamed registered proprietors. Will you please make these titles available for registration by Messrs. Chrisp & Chrisp, Solicitors, Gisborne, of the following instruments:-

- (1) Transfer of part of land comprised in Titles 61/186, 80/152 and 123/33 to Mayor Councillors etc., of Gisborne.
- (2) Dedication of part of land comprised in Title 61/186.

When new titles for the balance of the land comprised in the above-mentioned titles have been issued, please hold the same in safe custody for the registered proprietors in the same manner as the former titles.

Yours faithfully,

NELSONS (N.Z.) LTD.

GISBORNE SHEEPFARMERS FREEZING CO. LTD. }

by their Solicitor and authorised agent.

K. J. Stammers

THIS DEED is made the 15th day of December 1967 ...

BETWEEN THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY

OF GISBORNE a Body Corporate duly constituted and existing.....

under The Municipal Corporations Act 1954 (hereinafter referred to as "the Council") of the one part and NELSONS (N.Z.) LIMITED

and GISBORNE SHEEPFARMERS FREEZING COMPANY LIMITED both duly .. incorporated companies having their registered offices at

Tomoana and Gisborne respectively (hereinafter referred to as "the Companies") of the other part WHEREAS by a Memorandum of

Transfer bearing even date herewith the Companies did transfer to the Council and the Council did accept transfer to it of ...

the pieces of land in the City of Gisborne described in the ... Schedule hereto to be held by the Council in trust for ever ...

for the sole purposes of pleasure grounds and gardens for the use of the public and upon and subject to the trusts conditions

and restrictions herein set forth NOW THIS DEED WITNESSETH and it is hereby DECLARED COVENANTED AND AGREED as follows:-

I. THE said lands shall be held by the Council in trust for ever for the sole purpose of pleasure grounds and gardens for the use of the public.

II. THE following provisions shall for ever apply and be in force:-

1. The Council will not sell lease or part with the possession of the said lands or any part thereof except to grant temporary licenses to graze sheep and lambs thereon and the Council hereby undertakes to .. apply the net revenue received from such licences ... towards the upkeep of the said lands as pleasure grounds and gardens.

2. The Council will not establish or permit the establishment of Zoological Gardens or any aviary or keep or permit the keeping on the said lands or any part thereof of any reptile or any animal except only sheep and lambs.

3. The Council will not erect or permit on the said lands or any part thereof the erection of any building except only the erection on that portion of the said lands more than three quarters of the way to the highest .. point thereof above sea-level of hot-houses, green-houses and/or a refreshment kiosk and/or an observatory no intoxicating liquor to be kept supplied or .. sold in any such kiosk or elsewhere on the said lands.

N.Z. Stamp Duty Paid
22-12-67
0-15-0

P.F.B.
L.G.H.
R.H.

4. The Council will not permit on the said land any sports, camping, business, trade or industry except . . . only such a kiosk as is hereinafore referred to.
5. The Companies will have full and free right and liberty for all time to construct and maintain through the said land on the surface or underground . . . drains to carry storm water or surface water from the adjacent lands and for this purpose the Companies . . . their agents or servants may at any time or times . . . enter upon the said lands to make, renew, repair and maintain such drains as may be reasonable and proper. in that behalf and will at all times promptly observe and comply with all requisitions and regulations in . relation thereto of the Wisborne City Council or any . like body in so far as the same are capable of being . observed or complied with but save as aforesaid the . Council shall not grant any easement over the said . . lands or any part thereof except with prior consent . . underseal of the Companies.
6. The said lands shall be henceforth maintained, managed and kept in good order by the Council as pleasure grounds and gardens for the public use.
7. The said lands (excepting only any such hot-house . . . green-house, kiosk or observatory) shall be open to . the public on every day during the year from sunrise . to sunset or during such longer hours as the Council . may from time to time direct and the Council will . . . take reasonable measures to prevent any use of the . . said lands or any part thereof which may become a . . . nuisance or annoyance to any of the occupants of premises in the neighbourhood thereof and to ensure . that the said lands are cleared of the public at closing times.
8. Every such hothouse, greenhouse, kiosk or observatory shall be open to the public on such days and for such hours as the Council may from time to time in . . each instance direct.
9. The enjoyment of the said lands by the public shall . at all times be free of charge (except any charges . . fixed by the Council from time to time for entry to . any such observatory or for refreshments supplied in . any such kiosk).

P.F.B
L.G.H.
R.H.
W.H.

10. The Council will:-

1. By erection and maintenance of proper notices
 - (a) forbid any person from taking, bringing or admitting any dog on to the said lands or any part thereof unless such dog be kept under continuous control while therein by a leading chain or strap or other efficient contrivance and in such notices will warn that any dog found loose on the said lands or any part thereof is liable to be caught and impounded.
 - (b) Warn that any dog found worrying sheep or lambs on the said lands or any part thereof is liable to be killed immediately.
2. Use its best endeavours to give or assist in giving effect to capture and the impounding or killing of dogs pursuant to the warnings in such notices respectively.

11. The Council will by erection and maintenance of proper notices forbid and will use reasonable endeavours to prevent lighting of fires or burning of rubbish on the said lands or any part thereof except only in proper incinerators provided by the Council for the purpose.

12. The said lands shall not be deemed a public domain and the following enactments shall not apply to or affect these presents or the said lands or any part thereof namely The Reserves and Demains Act 1953 and the Amendments thereof and any Acts hereafter passed in amendment thereof or in substitution therefor.

13. The survey and legal costs of all parties hereto shall be borne by the Council.

IN WITNESS WHEREOF these presents have been executed under the seals of the parties hereto.

THE SCHEDULE

FIRSTLY all that piece of land containing THIRTEEN ACRES THREE ROODS ELEVEN DECIMAL ONE PERCHES (13Ac. 3Rds. 11.1P.) more or less being LOT THREE (3) ON DEPOSITED PLAN 5159 and part of the land comprised and described in Certificate of Title Volume 61 Folio 186 and Volume 80 Folio 152 Gisborne Registry.

R.F.B.
L.G.H.

R.F.B.
L.G.H.

SECONDLY all that piece of land contained ONE ACRE THREE
ROODS NINETEEN DECIMAL TWO PERCHES being LOT ONE (1)
ON DEPOSITED PLAN 5159 and part of the land comprised and
described in Certificate of Title Volume 123 Folio 33
Gisborne Registry.

IN WITNESS WHEREOF these presents have been executed this
15th day of December One thousand nine hundred ..
and sixty-seven (1967).

THE COMMON SEAL OF NELSONS (N.Z.)
LIMITED was hereunto affixed in
the presence of:-

*The
Common Seal
of Nelsons (N.Z.)
limited*

R. Holding Director

Ralph L. Ziman Director

THE COMMON SEAL OF GIBBORNE SHEEP-
FARMERS FREEZING COMPANY LIMITED.
was hereunto affixed in the
presence of:-

*The
Common Seal of
Gisborne Sheepparmers
Freezing Company
limited*

P. F. Barber Director

L. G. Harris Secretary

THE COMMON SEAL OF THE MAYOR
COUNCIILLORS AND CITIZENS OF THE
CITY OF GIBBORNE was hereunto ...
affixed in the presence of:-

*The
Common Seal of
The Mayor Councillors
and Citizens of the
City of Gisborne.*

H. H. Barber Mayor

W. Hudson Town Clerk

Certified a true copy

Lehman + Lehman

DATED the day of 1967.

BETWEEN

THE MAYOR, COUNCILLORS AND
CITIZENS OF THE CITY OF
GISBORNE

AND

RELSONS (N.Z.) LIMITED and
GISBORNE SHEEPFARMERS FREEZING
COMPANY LIMITED

DEED

CHRISP & CHRISP
SOLICITORS
GISBORNE

Gisborne.

NELSON (N.S.) LIMITED & ANOR. Transferor

THE MAYOR, COUNCILLORS & CITIZENS OF THE CITY OF GISBORNE Transferee

Particulars entered in Register Book, Vol. 74 61/186, A 80/152
Eolio Pt 123/33.

24 JAN 1968

the day of 19, at

2.14. o'clock



District Land Registrar Assistant

of the District of Gisborne.

18/1379

18/1380

13/1381

C.T. 10/1379
Lots 1 + 3 D.P. 5159
Pts Kaiti 337' BIK.
City of Gisborne
15-2-30.3

C.T. 10/1380
Pt. Lot 2 D.P. 5159
Pt. Kaiti 337' BIK.
City of Gisborne
41-0-06.4

C.T. 10/1381
Kaiti 45, 46, 345
346, and 347 BIKs.
* Pts. Lots 3 & 4 D.P. 2004
* Lot 1 D.P. 944

* Lots 95 + 96 D.P. 1386
* Lots 1 + 2 D.P. 1992
* Pts Lots 2 + 2A D.P. 1998
* Lot 2 D.P. 3238
* Lot 1 D.P. 2875
* Lot 4 D.P. 2475
* Lots 2 + 3
Pts Kaiti 337' BIK.

RECALL FILE LABEL
F5000023413859

LAND & DEEDS

Nature: T.