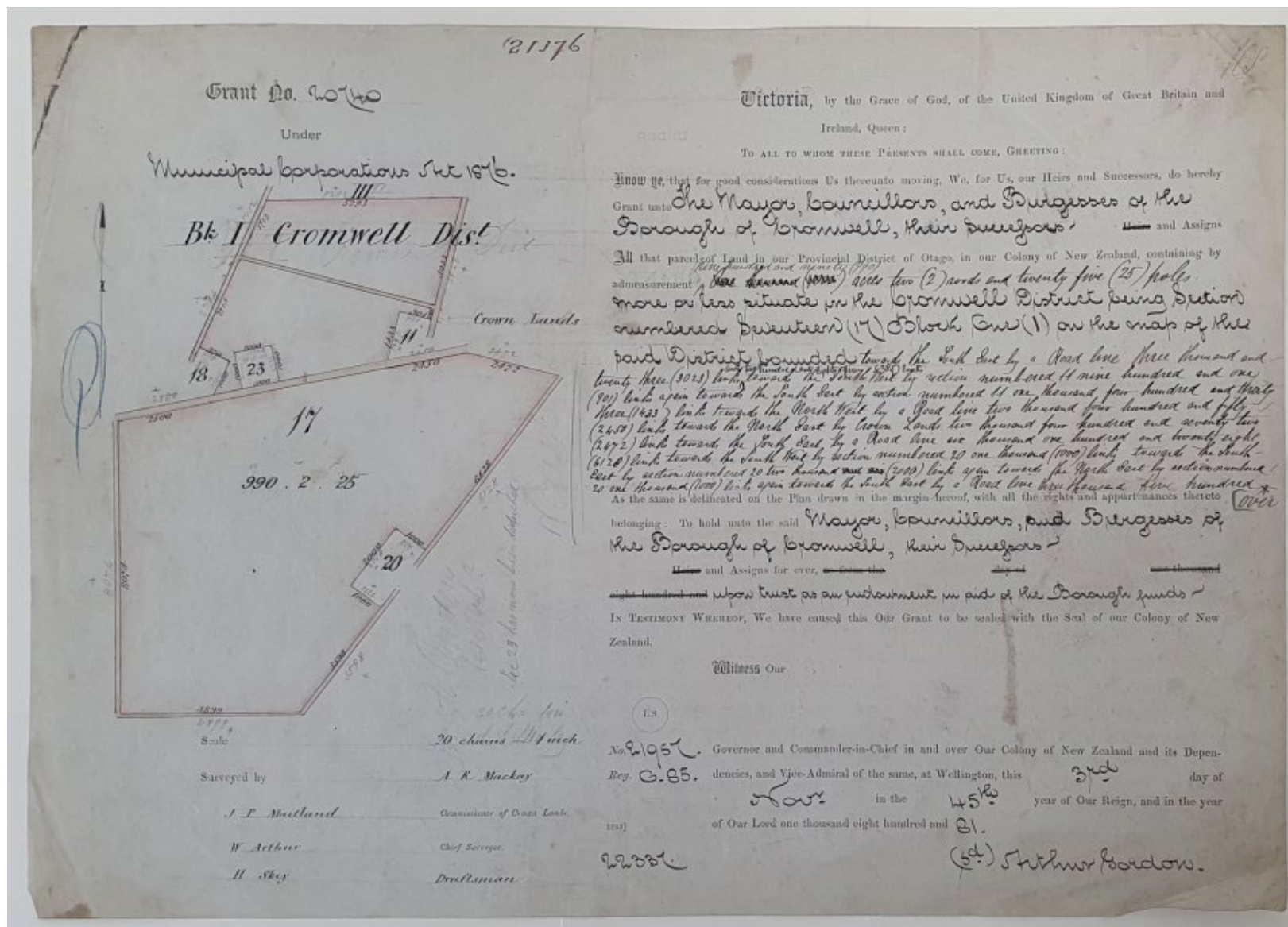


Central Otago District Council

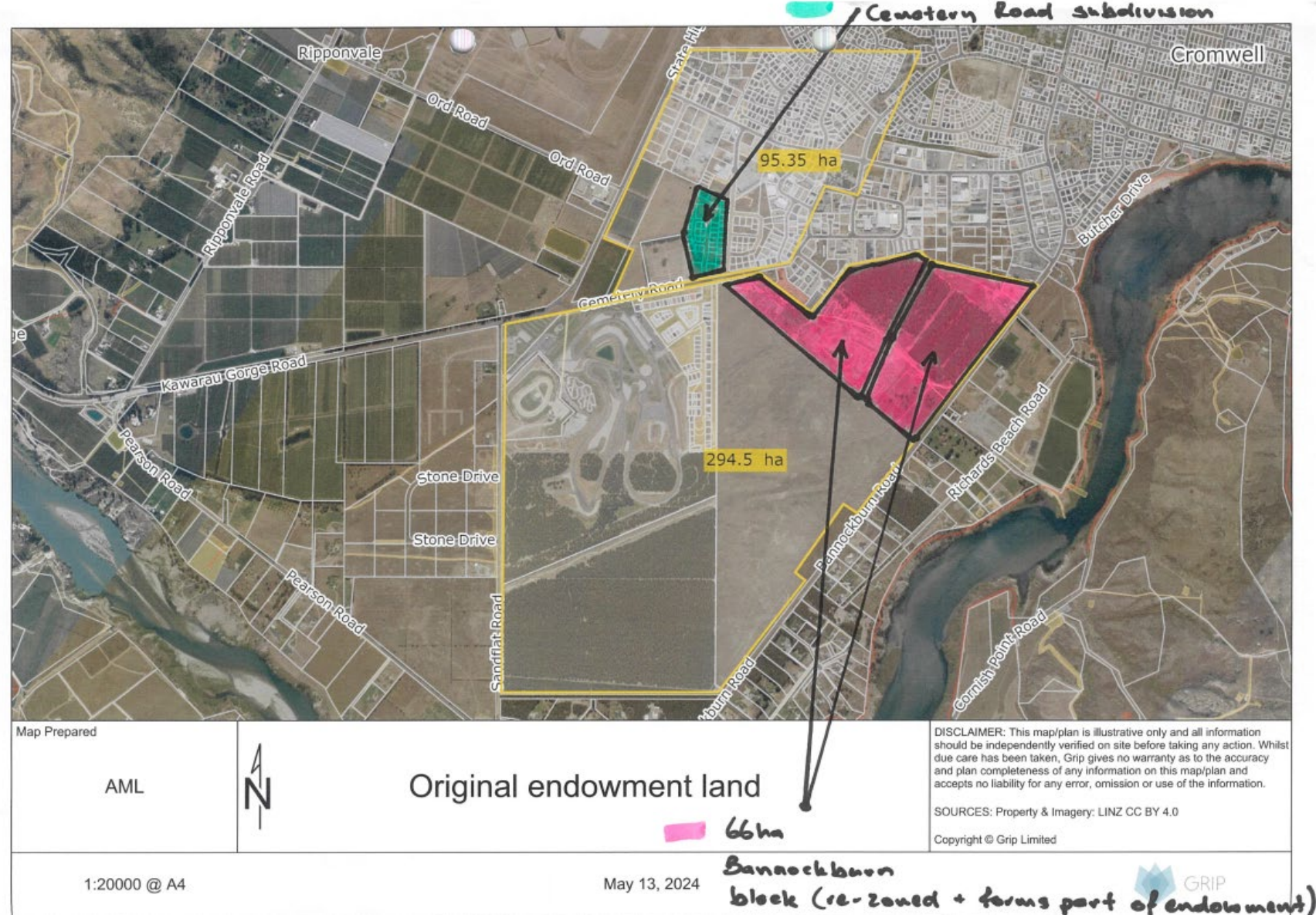
Endowment Land – Bannockburn Block



Original Crown Grant



Approximate location of endowment land in modern Cromwell



Key issue

- » The Local Government (Otago Region) Reorganisation Order 1989 states that:

77 VESTING OF PROPERTY

(1) All property, real and personal, vested in the corporation of any former authority and situated in the Central Otago District is hereby vested in the corporation of the Central Otago District Council, subject to all existing encumbrances.

78 TITLE TO PROPERTY

Any reference, express or implied, to any former authority in any instrument or other document, or in any entry or record made in any register in relation to any property vested in the Central Otago District Council by clause 77 of this order shall, unless the context otherwise requires, be read as a reference to "The Central Otago District Council".

- » The only point of difference between GCA's advice and Wendy's advice is the proper interpretation of the Crown Grant in light of application of the Reorganisation Order.
- » More specifically, does the usual rule in paragraph 78 apply or are the following words in paragraph 78 "unless the context otherwise requires" engaged to cause the Crown Grant to continue to be read as being for the benefit of the modern day town of Cromwell.