

21 February 2006

Attention: Mr Eddie Bisdee
Riverbank Orchards
119 Ringawhata Road
OTAKI

Subject to Contract

Dear Mr Bisdee,

Re: Proposed Boundary Adjustment – Riverbank Orchards and Greater Wellington – Riverbank Road, Otaki.

I refer to our various telephone conversations regarding the proposed adjustment of the boundary between Riverbank Orchards and Greater Wellington Regional Council (GWRC) land at Riverbank Road, Otaki.

Council's Flood Protection Department has confirmed, in principle, their willingness to progress the proposal. However, before formal approval to proceed is sought from this Council, it is appropriate to summarise and agree the basis of the proposed arrangement and the process to achieve the outcome.

We enclose an aerial photograph of the area in question. It shows (approximately) the proposed new boundary location and the areas of land to be exchanged. We stress that this plan is indicative only and that the final location of the new boundary and areas of exchange would need to be confirmed by agreement and survey.

As there is a significant disparity in the areas of land to be exchanged, Council will require that a registered valuer be employed to undertake an assessment of the current market value of the respective land areas. Based on these assessments, Council will require a cash settlement for the difference between the value of the Council and Riverbank Orchards land. Bearing in mind the relatively modest scale of the transaction we propose that the parties jointly appoint a registered valuer and agree to accept the respective values that are arrived at.

If the proposal proceeds the following costs will be incurred:

- Prepare and lodge application with KCDC for boundary adjustment.
- KCDC processing costs.
- Valuation fees.
- Compile survey and lodge plan for boundary adjustment.
- LINZ and legal fees to process new Certificates of Titles.
- Boundary Fencing.

It is proposed that the above costs would be shared 50%/50%.

We now ask that you consider the above proposal and confirm if Riverbank Orchards are prepared to proceed along these lines.

21 April, 2006

If your response is positive we will seek further approvals to proceed, noting that any formal agreement must be subject to:

- Approval of the proposal at a full GWRC meeting.
- KCDC planning approval (i.e. a successful Resource Consent).
- The GWRC satisfying its requirements under Section 230 of the Local Government Act and Section 40 of the Public Works Act in respect of the disposal of land held for a public work.

Please call me if you any concerns or issues you wish to discuss prior to your formal response.

I look forward to hearing from you.

Yours faithfully

O'Brien Property Consultancy Limited.

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