

Receiver's first report on the state of affairs of Catra Properties Limited (In Receivership) and (In Liquidation) 'the company' as at 29 April 2009

Company Number: 1337394

Introduction

Thomas Lee Rodewald and Kenneth Peter Brown were appointed joint receivers and managers of the above company on the 16th day of February 2009.

The appointment arose under the powers contained in a General Security Agreement ("GSA") dated 19 October 2004 which consists of all present and after acquired personal property.

We set out below our first report on the state of the affairs of the above named company as required by section 23 of the Receivership Act 1993.

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Events Leading up to Our Appointment

The company defaulted on a loan agreement with the appointing GSA holder. As a result a formal demand for payment of the loan was made in September 2008. The director and the GSA holder were unable to resolve the issue over a number of months and receivers and managers were eventually appointed.

Assets

The company operated a property development business. The company owns a number of properties in the Matangi area of the Waikato. These are detailed below:

- An equestrian riding school
- A 38ha farm with residence
- A rural residential lifestyle block
- 3 sections

The receivers obtained valuations of the properties and engaged a local specialist real estate agency to offer the properties for sale by way of auction. The auction was held on 22 April 2009. At the time of writing this report the receivers are negotiating a sale on the riding school, farm and lifestyle block with one party and sales on the sections with three separate parties. The result of the negotiations will be made known in the next receivers report. The valuation is confidential to the receivers.

Amounts Owing to the General Security Agreement Holders

At the date of the Receiver's appointment the amounts owing were as follows:

	\$
Bank of New Zealand	3,712,462
PGG Wrightson Finance Ltd	28,348
Easy Factors International Ltd	1,305,724
	<u>5,046,534</u>

Please note the company is one of a number of guarantors for the Easy Factors debt, this is shown as a contingent liability. The company has also guaranteed the following debts:

	\$
Admiralty Lodge Investments No 2 Ltd (In Receivership) & (In Liquidation)	1,391,374
Carrigafoyle Trust	3,604,030
	<u>4,995,404</u>

Preferential Creditors

The Inland Revenue Department has lodged a proof of debt with the receivers for the amount of \$166,573, being unpaid GST.

Unsecured Creditors

The total amount due to unsecured creditors to date is \$58,013. Due to the extent of the secured creditor claims it is unlikely there will be any funds available for returning to the company, or a liquidator at the conclusion of the receivership for distribution to unsecured creditors.

The company was placed into liquidation by order of the High Court in Hamilton on 2 April 2009.

Assets & Liabilities of the Company

We attach as *Appendix 1* a list of the assets and liabilities of the company at the date of appointment.

Receipts & Payments

We attach as *Appendix 2* a list of receipts and payments to 29 April 2009.

Also attached is *Appendix 3* a list of creditors as at commencement of the receivership.

Information Provided by the Company

The director of the company has co-operated in making available the information required by the receivers to complete this report.



Thomas Lee Rodewald
Joint Receiver and Manager

Appendix 1

**Statement of Assets & Liabilities for Catra Properties Limited
(In Receivership) & (In Liquidation) as at 16 February 2009**

	Estimated Return Value
ASSETS	
Cash on Hand	nil
Property	<u>Confidential</u>
Total Assets	<u><u>Confidential</u></u>
LIABILITIES	
<i>CHARGE HOLDERS</i>	
General Security Agreements	
Bank of New Zealand	3,712,462
PGG Wrightson Finance Ltd	28,348
Easy Factors International Ltd	<u>1,305,724</u>
	5,046,534
<i>CONTINGENT LIABILITIES</i>	
Guarantor for:	
Admiralty Lodge Investments No 2 Ltd (In Receivership & In Liquidation)	1,391,374
Carrigafoyle Trust	<u>3,604,030</u>
	4,995,404
<i>PREFERENTIAL CREDITORS</i>	
IRD - GST	<u>166,573</u>
	166,573
<i>UNSECURED CREDITORS</i>	
Trade Creditors	65
IRD - GST (penalties & interest)	<u>57,948</u>
	58,013
Total Liabilities	<u>\$10,266,524</u>
Net Deficit	<u><u>\$10,266,524</u></u>
Subject to receivership costs	

Catra Properties Limited (In Receivership) & (In Liquidation)
Receipts and Payments from 16 February 2009 to 29 April 2009

Appendix 2

GST exclusive

Receipts

GST on income	459.72	
BNZ advance	9,198.60	
Lease of land	<u>3,377.78</u>	
		\$13,036.10

Payments

GST on expenses	1,424.63	
Insurance	784.14	
Legal fees	4,581.75	
Sales & marketing expenses	2,920.00	
Valuation	<u>3,111.11</u>	
		<u>\$12,821.63</u>

Net Funds

\$ 214.47

Represented By:

BNZ - Trust Account		<u>214.47</u>
		<u>\$ 214.47</u>

**Catra Properties Limited
(In Receivership) & (In Liquidation)
List of Creditors**

Appendix 3

Bank of New Zealand	PO Box 995		Auckland 1010
Easy Factors International Ltd	PO Box 47062	Ponsonby	Auckland
Inland Revenue Department	PO Box 432	Albany	Hamilton
PGG Wrightson Finance Ltd	PO Box 292		Christchurch
Genesis Energy	Private Bag 3131		Hamilton