

Auckland City Endowments and Reserves Act 1875

Public Act 1875 No 34
Date of assent 12 October 1875

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An Act to vest in the Mayor, Councillors, and Citizens of the City of Auckland certain Endowments and Reserves in the said City.

Preamble

[Repealed]

The Preamble was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same as follows:

1 Short Title

The Short Title of this Act shall be The Auckland City Endowments and Reserves Act 1875.

2 Land in Schedules vested in Corporation

All the land described in Schedules 1 and 2 to this Act are hereby vested for an estate in fee simple in “The Mayor, Councillors, and Citizens of the City of Auckland, and their successors, as an endowment for the improvement and benefit of the said city”.

3 Powers of Corporation in respect of lands in Schedule 1

The Mayor, Councillors, and Citizens, in respect of the lands described in Schedule 1, and any other lands for the time being held by them under the provisions of this Act, may from time to time exercise all or any of the powers following—

- (1) May raise money by mortgage or debenture, without power of sale, and subject to and with such powers covenants and stipulations as they may think fit.
- (2) May demise or lease for any term not exceeding ninety-nine years, without fine or foregift, or let from year to year or otherwise, and with or without special conditions.
- (3) May lay out roads through the said lands.
- (4) May dedicate any part or parts of such lands for public or for recreation purposes.
- (5) Provided that no person shall be liable to see to the application of any money paid by him, or accountable for the mis-application or non-application thereof.

4 Powers of Mayor, &c in respect of land described in Schedule 2

The said Mayor, Councillors, and Citizens may from time to time, at their discretion, in respect of the land described in Schedule 2, exercise all or any of the powers following, but none other—

- (1) May enclose lay out and plant the same or any part thereof.
- (2) May erect any buildings for ornamental purposes, but not for making a profit therefrom.

5 Nothing to affect prior lease, &c

Nothing in this Act contained shall prejudicially affect any lease, mortgage, or other encumbrance heretofore made and now subsisting in respect of the said lands or any of them, nor shall impair or prejudicially affect the provisions of an Act of the Provincial Council of Auckland intituled The City of Auckland Loan Empowering Act 1874, whereby the said Corporation is authorized to borrow the sum of one hundred thousand dollars, nor any thing whatever done or authorized to be done under the said Act or under the powers thereby conferred.

The words “one hundred thousand dollars” were substituted, as from 10 July 1967, for the words “fifty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Schedule 1

1

A portion of Allotment No 1 of Section No 3, containing by admeasurement one rood and twelve perches (more or less); being bounded on the North by Fore Street one hundred and sixty-eight links; on the East by other portions of said Allotment No 1, two hundred and eight links; on the South by Shortland Street, one hundred and forty-six links; and on the West by Queen Street, two hundred and four links.

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Section No 31, containing by admeasurement six acres and ten perches (more or less); being bounded on the North by Wellesley Street, seven hundred and sixteen links; on the East by Queen Street, four hundred and seventy links; on the South-east by Grey Street, five hundred links; on the South by Cook Street, four hundred and ninety-five links; and on the West by Albert Street, nine hundred and twenty-five links.