

## New Zealand.



### ANALYSIS.

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| <p>Title.<br/>Preamble.<br/>1. Short Title.<br/>2. Board empowered to convey land to Corporation.<br/>8. Corporation empowered to convey land to Board.</p> | <p>4. Public road.<br/>5. Land deemed vested in Roman Catholic Bishop of Auckland.<br/>6. Land deemed vested in Auckland Harbour Board.<br/>Schedules.</p> |
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### 1905, No. 8.—*Local.*

**Title.** AN ACT to enable the Auckland Harbour Board to exchange certain Lands with the Corporation of the Mayor, Councillors, and Citizens of the City of Auckland; and to enable the vesting in the Roman Catholic Bishop of Auckland of Portions of Fanshawe Street in Exchange for Land to be given up by the said Roman Catholic Bishop of Auckland for the Purposes of a Public Road; and for vesting in the Board certain Land the Property of the Roman Catholic Bishop of Auckland.

*[7th September, 1905.]*

**Preamble.** WHEREAS the lands described in the First Schedule hereto are vested in the Auckland Harbour Board (hereinafter termed "the Board") subject to a certain deed of lease granted to the Mayor, Councillors, and Citizens of the City of Auckland (hereinafter termed "the Corporation") in pursuance of "The Auckland Harbour Board Act, 1879": And whereas the Board and the Corporation are also each beneficially entitled to an equal undivided one-third share or interest in all that piece of land described in the Second Schedule hereto, the legal estate in which is vested in the New Zealand Frozen Meat and Storage Company (Limited), now in liquidation: And whereas the Board has agreed with the Corporation for the exchange of the land described in the First Schedule hereto (subject as aforesaid) for the undivided share or interest of the Corporation in the land described in the Second Schedule hereto: And whereas the Board and the Roman Catholic Bishop of Auckland, with a view of straightening Fanshawe Street at Freeman's Bay, have agreed that that piece of land described in the Third Schedule hereto shall hereafter be a portion of Fanshawe Street, and that those parts of Fanshawe Street described in the Fourth Schedule hereto shall be vested in the Roman Catholic Bishop of Auckland, and that that

portion of the said property of the Roman Catholic Bishop of Auckland described in the Fifth Schedule hereto shall be vested in the Board :

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

1. The Short Title to this Act is “The Auckland Harbour Board Empowering Act, 1905.” Short Title.

2. The Board may and it is hereby empowered to convey to the Corporation all that piece of land described in the First Schedule hereto for an estate in fee-simple, subject to such lease as aforesaid, but with the intent that the term thereby created shall be merged in the inheritance thereof. Board empowered to convey land to Corporation.

3. The Corporation may and it is hereby empowered to convey to the Board its beneficial interest in the land described in the Second Schedule hereto, and thereupon the District Land Registrar of the Auckland Land Registration District shall issue to the Board a certificate of title for an estate in fee-simple under the provisions of “The Land Transfer Act, 1885,” for the undivided third share or interest of the Corporation and the undivided third share or interest of the Board in the land described in the Second Schedule hereto. Corporation empowered to convey land to Board.

4. The land described in the Third Schedule hereto shall hereafter be deemed to be a public road or highway. Public road.

5. The land described in the Fourth Schedule hereto is hereby vested in the Roman Catholic Bishop of Auckland, freed from all rights of way or other rights (if any) now vested in the Board or any corporation or person, and shall not be a street or highway ; and the said District Land Registrar shall issue to the said Roman Catholic Bishop of Auckland a certificate of title for an estate in fee-simple free from all encumbrances for the said land described in the Fourth Schedule hereto. Land deemed vested in Roman Catholic Bishop of Auckland.

6. The land described in the Fifth Schedule hereto is hereby vested in the Auckland Harbour Board, and the said District Land Registrar shall issue a certificate of title therefor to the Board. Land deemed vested in Auckland Harbour Board.

## SCHEDULES.

Schedules.

### FIRST SCHEDULE.

ALL that piece or parcel of land, being part of the foreshore of the Harbour of Auckland, and situated at Freeman's Bay, in the City of Auckland : bounded on the north by the road now constructed over the said foreshore connecting Drake Street with Franklin Road or Street ; on the south-west and east by the said Franklin Road, the northern portion of the road bounding Section 41 of the City of Auckland, and Drake Street aforesaid : and being the whole of the land comprised in deed of lease from the Auckland Harbour Board to the Mayor, Councillors, and Citizens of the City of Auckland, registered in the Deeds Register Office at Auckland under number 63660.

### SECOND SCHEDULE.

ALL that piece or parcel of land in the Provincial District of Auckland, containing 2 roods 7 perches, more or less, being Allotment 2 of Section 8 of the City of Auckland : bounded on the north-east by Jermyn Street, 150 links ; on the south-east by

Lot 3 of said section, 355 links ; on the south-west by Eden Crescent, 130 links and 60 links ; and on the north-west by Lot 1 of said section, 295 links : and being the whole of the land comprised in certificate of title, Volume 57, folio 270, of the Register of the Auckland Land Registration District.

#### THIRD SCHEDULE.

ALL that piece or parcel of land containing 1 rood 4·53 perches, being part of the foreshore of the Harbour of Auckland, situate in Freeman's Bay : bounded (commencing at the junction of Fanshawe Street and Beaumont Street) on the south by Fanshawe Street, in a line bearing  $104^{\circ} 51'$ , 200·1 links ; on the east by Fanshawe Street, in a line bearing  $14^{\circ} 51'$ , 151·5 links ; on the north by other portion of the land at present the property of the Roman Catholic Bishop of Auckland, in a line bearing  $104^{\circ} 51'$ , 167·5 links ; and on the west by Beaumont Street, in a line bearing  $26^{\circ} 59'$ , 155 links, to the point of commencement.

#### FOURTH SCHEDULE.

ALL that piece or parcel of land containing 2 roods 9·2 perches, being part of the foreshore of the Harbour of Auckland, situate in Freeman's Bay, at the north-west corner of Victoria Park, and at present being a portion of Fanshawe Street : bounded (commencing at the junction of the present southern boundary of Fanshawe Street with Beaumont Street) on the west by Beaumont Street, in a line bearing  $26^{\circ} 59'$ , 154·9 links ; on the north by the land described in the Third Schedule hereto and by Fanshawe Street, in a line bearing  $104^{\circ} 51'$ , 351·6 links ; on the east by Victoria Park, in a line bearing  $14^{\circ} 51'$ , 151·5 links ; and on the south by Victoria Park aforesaid and by land the property of the Roman Catholic Bishop of Auckland, in a line bearing  $104^{\circ} 51'$ , 384·2 links, to the point of commencement.

#### FIFTH SCHEDULE.

ALL that piece or parcel of land containing 9·17 perches, being part of the foreshore of the Harbour of Auckland, situate in Freeman's Bay, being at present portion of the land owned by the Roman Catholic Bishop of Auckland, and abutting on the north of the land described in the Third Schedule hereto : bounded on the south by the said land, in a line bearing  $104^{\circ} 51'$ , 167·5 links ; on the east by land the property of the Board, in a line bearing  $14^{\circ} 51'$ , 35 links ; on the north by the Waitemata Harbour, in a line bearing  $104^{\circ} 51'$ , 160 links ; and on the west by Beaumont Street, in a line bearing  $26^{\circ} 59'$ , 35·8 links, to the point of commencement.