New Zealand

ANALYSIS

Title.
1. Short Title
2. Authorizing acceptance of transfer of land.
3. Access-way for foot-passengers.
4. Buildings to have other frontage.
5. Restriction on building.
6. Maintenance of way.
7. No fencing contribution.
8. Access-way not a street.

1946, No. 2—*Local and Personal*

AN ACT to empower the Tahunanui Town Board to accept a Transfer by way of Gift of certain Lands to be utilized and maintained by the Town Board as an Access-way for Foot-passengers only. Title.

[*30th August, 1946*

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

1. This Act may be cited as the Tahunanui Town Board Empowering Act, 1946. Short Title.

2. Notwithstanding anything contained in the Municipal Corporations Act, 1933, or in any other Act, the Tahunanui Town Board may for the purpose of providing more direct access from Rocks Road to Edward Street for foot-passengers accept a transfer by way of gift from Edward Austin Herbert Bisley, Ethel Lois Maxwell, and Doris Kathleen Houlker of all that parcel of land containing 30·1 perches, more or less, being the strips of land 15·15 links wide, being more particularly Authorizing acceptance of transfer of land.

shown as rights-of-way on the plan numbered 1413, deposited in the office of the District Land Registrar at Nelson, and being part of Section 1, Suburban South, in Block IV, Waimea Survey District, and being part of the land in Certificate of Title, Volume 53, folio 229, Nelson Registry; subject to an agreement as to fencing contained in Transfer No. 18883; and subject to Order in Council No. 605; and subject to grants of right-of-way appurtenant to the land in Certificate of Title, Volume 51, folio 299, Nelson Registry, granted by Transfer No. 20366; and subject to grant of right-of-way appurtenant to Lots 51 and 52 on the said plan numbered 1413 granted by Transfer 21321, such parcel of land being hereinafter referred to as "the said land" and being more particularly delineated on plan marked P.W.D. No. 123839 deposited in the office of Public Works Department at Wellington, and thereon coloured pink.

Access-way for foot-passengers.

3. The said land shall be used only as an access-way for foot-passengers and entrances thereto shall be so fenced or barricaded that horses, cattle, or motor-vehicles cannot enter the said land.

Buildings to have other frontage.

4. The said Town Board shall not authorize any person to erect a building on any site adjoining the said land unless such site has a frontage to some street, private street, or duly authorized private way as defined by the Municipal Corporations Act, 1933.

Restriction on building.

5. No person shall acquire any right to erect a building by reason of the existence of the said land as an access-way for foot-passengers.

Maintenance of way.

6. The said Town Board may construct, grade, and maintain the said land so that the same shall be suitable for foot-passengers only.

No fencing contribution.

7. No person shall be entitled to require from the said Town Board any contribution under the provisions of the Fencing Act, 1908, by reason of the ownership of the said land by the said Town Board.

Access-way not a street.

8. Nothing in this Act shall be deemed to constitute the said land a street.