

[AS REPORTED FROM THE LANDS COMMITTEE]

House of Representatives, 18th October, 1949.

Hon. Mr. Skinner

RESERVES AND OTHER LANDS DISPOSAL

ANALYSIS

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| Title.
1. Short Title.
2. Adjusting the boundary between portion of the Waikato-Thames Railway and certain freehold land, and validating certain certificates of title.
3. Validating a certain payment made by the Moana Domain Board.
4. Amending the description of the land referred to in section 22 of the Reserves and Other Lands Disposal Act, 1948.
5. Declaring part Section 226, Town of Wellington, to be Crown land available for disposal under the Land Act, 1948.
6. Amending the description of the land referred to in section 34 of the Reserves and Other Lands Disposal Act, 1948.
7. Cancelling the reservation over a recreation reserve in the Waikomiti Parish and declaring the land to be a scenic reserve.
8. Declaring certain land in Taramarama Survey District, Hawke's Bay Land District, to be Crown land.
9. Repealing certain Acts affecting the Little River Domain and reconstituting the said Domain. Repeals. | 10. Declaring certain closed streets in the Borough of Rotorua to be vested in His Majesty the King, and constituting the areas recreation reserves and bringing them under the provisions of the Tourist and Health Resorts Control Act, 1908.
11. Cancelling the reservation over the Parnassus Domain, and constituting other land as a domain in lieu thereof.
12. Providing for registration of an easement affecting certain railway land near Otaki.
13. Revoking the reservation for cemetery purposes over Allotment 96c, Mahurangi Parish, and making special provision for the application of the proceeds of the sale thereof.
14. Amending section 18 of the Reserves and Other Lands Disposal Act, 1940.
15. Repeal of Pahiatua County Council Empowering Act, 1902.
16. Changing the purpose of the reservation over land vested in the Ngaruawahia Library Trustees to a reserve as an endowment in aid of the Library funds and provisions incidental thereto. |
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| <p>17. Cancelling the vesting in the Foxton Borough Council of certain land held upon trust for a public park and other purposes and vesting the said land in the Manawatu Racecourse Board of Trustees in trust for racecourse purposes.</p> <p>18. Cancelling the vesting of certain endowment reserves in the Havelock Athenæum and declaring the said reserves to be Crown land.</p> <p>19. Amending provisions as to disposal of income of Auckland Education Reserves.</p> <p>20. Making provision in respect of certain reserves vested in the Patea Borough Council.</p> <p>21. Changing the purpose of the trust on which certain land is vested in the Whangaroa County Council.</p> <p>22. Authorizing burial of Mother Mary Aubert in land of Home of Compassion, Island Bay.</p> <p>23. Changing the purpose of the trusts on which certain land is vested in the Wanganui City Council.</p> <p>24. Authorizing the Governor-General to proclaim certain lands in the Coromandel County to be Crown land.</p> <p>25. Cancelling the vesting of certain lands in the Mayor, Councilors, and Burgesses of the Borough of Gore and declaring them to be vested in His Majesty the King and to form part of the Gore Domain.</p> | <p>26. Cancelling the reservations over an endowment in aid of borough funds and over certain recreation reserves vested in the Hampden Borough Council and declaring the lands concerned to be Crown land.</p> <p>27. Amending section 14 of Hauraki Plains Act, 1926.</p> <p>28. Authorizing the Timaru City Council to sell certain land as a site for a kindergarten.</p> <p>29. Declaring portion of a public domain to be a street and another portion of the said domain to be vested in the Corporation of the City of Wellington as a pleasure-ground.</p> <p>30. Amending section 35 of the Reserves and Other Lands Disposal Act, 1948.</p> <p>31. Provision with respect to dissolution of Milton Athenæum and vesting of real and personal property in Corporation of the Borough of Milton. Repeals.</p> <p>32. Vesting part of the Albany Agricultural and Pastoral Showgrounds in the Crown as a public domain.</p> <p>33. Amending section 27 of the Reserves and Other Lands Disposal Act, 1946.</p> <p>34. Cancelling the reservation over a recreation reserve and parts of the Hutt Valley Domain, and declaring the said lands to be set apart under Part I of the Housing Act, 1919.</p> <p>35. Authorizing Hurunui Rabbit Board to dispose of certain land.</p> |
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A BILL INTITULED

Title. AN Act to Provide for the Sale, Reservation, and Other Disposition of Certain Reserves, Crown Lands, Endowments, and Other Lands, to Validate Certain Transactions, and to Make Provision in Respect of Certain Other Matters. 5

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

Short Title. 1. This Act may be cited as the Reserves and Other Lands Disposal Act, 1949. 10

2. Whereas by a Proclamation dated the seventeenth day of December, eighteen hundred and eighty-one, and registered in the Land Registry office at Auckland as number 607 (in this section referred to as the Proclamation), certain land in the City of Hamilton was taken for the purpose of the Waikato-Thames Railway: And whereas in January, nineteen hundred and four, certain adjoining land was subdivided, and the subdivisional plan thereof deposited in the said Land Registry office as number 3198: And whereas the various lots on the said plan have been sold and certificates of title over them have been issued to various purchasers in accordance with the plan: And whereas it has subsequently been discovered that the common boundary between the land included in the Proclamation and that shown on the plan is not correct and that certain land shown on the plan as freehold land is also included in the Proclamation as railway land and certain freehold land not included in the plan but shown as adjoining railway land was not included in the Proclamation and is not in fact railway land: And whereas to rectify the position it is desirable and expedient to amend the boundary of the land taken by the Proclamation so that the said boundary coincides with the boundary of the land included in the plan: Be it therefore enacted as follows:—

(1) The south-eastern boundary of the land taken by the Proclamation, commencing from the point of intersection of the said boundary with River Road in the City of Hamilton and continuing in a north-easterly direction to its point of intersection with Heaphy Terrace in the same city, shall be deemed to be and to have always been that shown as the north-western boundary on the said plan as re-defined by later surveys and shown on plans deposited in the Land Registry Office at Auckland under Numbers 3978, 7000, 13040, 14251, and 28995.

(2) The certificates of title issued in accordance with the said plan are hereby validated and declared to have been properly issued.

Adjusting the boundary between portion of the Waikato-Thames Railway and certain freehold land, and validating certain certificates of title.

(3) The District Land Registrar of the Land Registration District of Auckland is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section. 5

Validating a certain payment made by the Moana Domain Board. 1934, No. 17

3. Notwithstanding anything to the contrary in the Local Authorities (Members' Contracts) Act, 1934, or in any other Act, the payment of sixty-five pounds made during the financial year ending on the thirty-first day of March, nineteen hundred and fifty, by the Moana Domain Board to William Williams, of Moana, in respect of a contract carried out by him while a member of the Board is hereby validated and declared to have been lawfully made by the Board and to have been lawfully received by the said William Williams, who shall not be deemed to have been disqualified for continuing to hold office as a member of the Board by reason of his being concerned or interested in the contract in respect of which the said sum of sixty-five pounds was paid, nor shall he be deemed to have committed any offence by reason of having done any act as a member of the Board while concerned or interested in the said contract. 10 15 20

Amending the description of the land referred to in section 22 of the Reserves and Other Lands Disposal Act, 1948. 1948, No. 72

4. Section twenty-two of the Reserves and Other Lands Disposal Act, 1948, is hereby amended by repealing subsection three thereof, and substituting the following subsection:— 25

“(3) The land to which this section relates is more particularly described as follows:—

“All that area in the Otago Land District, containing by admeasurement two roods nine perches and sixty-six one-hundredths of a perch, more or less, being all the land on the plan numbered 6436 deposited in the Land Registry Office at Dunedin, and the land bordered green on the plan numbered W. 176 deposited in the office of the Chief Surveyor at Dunedin, being part of Section 52, Block VIII, Waipori Survey District, and being part of the land comprised and described in certificate of title, Volume 204, folio 155, Otago Registry: as the same is more particularly delineated on the plan marked L. and S. 13/26, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.” 30 35 40

5. Whereas the land described in subsection *two* of this section is vested in the Governor-General of the Dominion of New Zealand in fee-simple for public purposes of the said Dominion, but is not Crown land within the meaning of the Land Act, 1948: And whereas a school has been erected upon the said land and it is desirable and expedient that it should be reserved for a site for a public school: And whereas it is first necessary to declare the said land to be Crown land subject to the Land Act, 1948: Be it therefore enacted as follows:—

Declaring part Section 226, Town of Wellington, to be Crown land available for disposal under the Land Act, 1948.

1948, No. 64

(1) The land described in subsection *two* of this section is hereby declared to be Crown land subject to the Land Act, 1948.

(2) The land to which this section relates is more particularly described as follows:—

All that area in the City of Wellington, in the Wellington Land District, containing by admeasurement one rood seven perches and twelve one-hundredths of a perch, more or less, being part Section 226, Town of Wellington, bounded as follows: commencing at a point on the northern side of Buckle Street, being the westernmost corner of Section 233, Town of Wellington; thence westerly along the northern side of Buckle Street for a distance of 153·53 links; thence along right lines bearing 23° 16' 10", distance 135·12 links, bearing 117° 24', distance 1·54 links, bearing 23° 56', distance 58·17 links, and bearing 113° 12' 10", distance 150·23 links, to the western boundary of Section 233, Town of Wellington; and thence southerly along that boundary 193·26 links to the point of commencement, be all the aforesaid linkages a little more or less: As the same is more particularly delineated on the plan marked L. and S. 48623, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

6. Section 34 of the Reserves and Other Lands Disposal Act, 1948, is hereby amended by repealing subsection four thereof, and substituting the following subsection:—

Amending the description of the land referred to in section 34 of the Reserves and Other Lands Disposal Act, 1948.

“(4) The land to which this section relates is particularly described as follows:—

All that area in the City of Wellington, in the Wellington Land District, containing one rood thirty perches and seventy-nine hundredths of a perch, more or

1948, No. 72

less, being part of Reserve 13 of the Town of Wellington, and being part of the land comprised and described in certificate of title, Volume 492, folio 47, Wellington Registry: as the same is more particularly delineated on the plan marked L. and S. 13/151, deposited in the Head Office of the Department of Lands and Survey at Wellington, and thereon bordered yellow." 5

Canceling the reservation over a recreation reserve in the Waikomiti Parish and declaring the land to be a scenic reserve.

See Reprint of Statutes, Vol. VI, p. 1134
Ibid., Vol. VIII, p. 613

7. Whereas the land described in subsection *two* of this section is a recreation reserve subject to Part I of the Public Reserves, Domains, and National Parks Act, 1928, and is vested as such in His Majesty the King: And whereas it is unsuitable and has never been used for the purpose of public recreation, but it is desirable that the said land should be declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908: Be it therefore enacted as follows:— 10 15

(1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, the reservation for recreation purposes over the land described in subsection two of this section is hereby cancelled and the said land is hereby declared to be a scenic reserve subject to the provisions of the Scenery Preservation Act, 1908. 20

(2) The land to which this section relates is more particularly described as follows:— 25

All that area in the North Auckland Land District, Waitemata County, containing by admeasurement three acres one rood thirty-three perches and three-tenths of a perch, more or less, being Lot 28 on a plan deposited in the Land Registry Office at Auckland under Number 33024, and being part of Allotment 26, Waikomiti Parish, and being part of the land comprised and described in certificate of title, Volume 766, folio 232, Auckland Registry. 30

Declaring certain land in Taramarama Survey District, Hawke's Bay Land District, to be Crown land.

8. Whereas the certificate of title to the land described in subsection *four* of this section (in this section referred to as the said land) cannot be traced, and the ownership of the said land cannot definitely be ascertained: And whereas the said land is at present unoccupied: And whereas the Crown is desirous of acquiring the said land for the purpose of adding it to the holding of the adjoining Crown tenant: 35 40

And whereas diligent search has been made by public advertisement and private inquiry for the purpose of ascertaining the rightful owner of the said land, but without result: And whereas it is desirable and expedient to

5 vest the said land in the Crown and to make provision for payment of compensation for it in the event of a valid claim being made: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary contained in the Land Transfer Act, 1915, or in any other

10 Act or in any rule of law, the land described in subsection *four* of this section is hereby declared to be Crown land subject to the provisions of the Land Act, 1948.

See Reprint
of Statutes,
Vol. VII,
p 1161
1948, No. 64

(2) In the event of any claim to the ownership of the said land being proved to the satisfaction of the District

15 Land Registrar for the Land Registration District of Hawke's Bay, the Minister of Lands shall, on receipt of advice from the District Land Registrar, accordingly and without further appropriation than this section, pay to the claimant from the Land Settlement Account a sum

20 not exceeding thirty-five pounds in full compensation for the said land, and it is hereby further declared that no action at law for possession or for rent or for trespass or for mesne profits or for any other cause whatever shall, after the passing of this Act, be available to the

25 claimant or to any other person in respect of ownership, before the passing of this Act, of the said land.

(3) The District Land Registrar for the Land Registration District of Hawke's Bay is hereby empowered and directed to accept such documents for registration,

30 to make such entries in the register-book, and to do all such other things as may be necessary to give effect to the provisions of this section.

(4) The land to which this section relates is more particularly described as follows:—

35 All that area in the Hawke's Bay Land District, in the County of Wairoa, containing by admeasurement seven acres one rood and thirty-four perches, more or less, being Aranui 1A Block, situated in Block XVI, Taramarama Survey District, and being all the land in

40 file R. 8873, Hawke's Bay Registry: as the same is more particularly delineated on the plan marked L. and S. 21/149/1074, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Repealing
certain Acts
affecting the
Little River
Domain and
reconstituting
the said
Domain.

1911 (Local),
No. 35

1913, No. 67

1898 (Local),
No. 14

Repeals.

See Reprint
of Statutes,
Vol. VI,
p. 1148

9. Whereas by an Order in Council dated the thirtieth day of April, nineteen hundred and forty-seven, and published in the *Gazette* of the eighth day of May of that year a Domain Board was appointed to control the land comprising the Little River Domain, more particularly described in subsection *four* of this section: And whereas pursuant to the provisions of the Little River Domain Board Act, 1911, as amended by section seventy-six of the Reserves and other Lands Disposal and Public Bodies Empowering Act, 1913, the land described in subsection *five* of this section was vested in His Majesty upon trust for a recreation reserve and the Little River Domain Board was appointed trustee of the said reserve and was also constituted trustee of the land it already controlled as a Domain Board: And whereas the said Board is desirous of expending money from its Domain Account on the recreation reserve which it controls only as trustee, but has no statutory power to do so: And whereas the said recreation reserve is contiguous to the said Little River Domain and it is desirable and expedient to add the said reserve to the said domain: And whereas by the provisions of the Little River Domain Board Empowering Act, 1898, the Little River Domain Board was authorized and empowered to sell certain portions of the said domain, and it is now no longer necessary that the said provision should remain in force: Be it therefore enacted as follows:—

(1) The Little River Domain Board Empowering Act, 1898, the Little River Domain Board Act, 1911, and section seventy-six of the Reserves and Other Lands Disposal and Public Bodies Empowering Act, 1913 are hereby repealed.

(2) The lands described in subsections *four* and *five* of this section are hereby declared to be recreation reserves subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and are hereby constituted as the Little River Domain under the control of the Little River Domain Board.

(3) The District Land Registrar of the Land Registration District of Canterbury is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.

(4) The lands referred to in the Order in Council of the thirtieth day of April, nineteen hundred and forty-seven, and published in the *Gazette* of the eighth day of May of that year appointing the Little River Domain

5 Board are particularly described as follows:—

All those areas in the Canterbury Land District, being—

10 Firstly, part of Lot 4, Block III of Maori Reserve 887, Wairewa, situated in Block XIII, Pigeon Bay Survey District, and Block II, Akaroa Survey District; area, six acres three roods twelve perches and four-tenths of a perch, more or less. (S.O. 1332L):

15 Secondly, Reserve 3729, situated in Block XIII, Pigeon Bay Survey District; area, three acres two roods six perches, more or less. (S.O. 1542L):

Thirdly, Reserve 1649, situated in Block XIII, Pigeon Bay Survey District; area, sixty-two acres two roods, more or less. (S.O. 2754L):

20 Fourthly, Reserve 4128, situated in Block II, Akaroa Survey District; area, one rood two perches and seven-tenths of a perch, more or less. (S.O. 5994):

Fifthly, Reserve 4280, situated in Block II, Akaroa Survey District; area, eight perches and two-tenths of a perch, more or less. (S.O. 8147):

25 Sixthly, Reserve 4430, situated in Block II, Akaroa Survey District; area, three perches and four-tenths of a perch, more or less. (S.O. 8147):

30 As the same are more particularly delineated on the plan marked L. and S. 1/204A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

(5) The land vested in His Majesty upon trust for a recreation reserve and referred to in subsection *two* of this section is particularly described as follows:—

35 All that area in the Canterbury Land District, being Lot 3B, Block III, of Maori Reserve 887, Wairewa, situated in Block XIII, Pigeon Bay Survey District; area, four acres one rood thirteen perches, more or less. (S.O. 8146.) As the same is more particularly delineated
40 on the plan marked L. and S. 1/204B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered green.

Declaring certain closed streets in the Borough of Rotorua to be vested in His Majesty the King, and constituting the areas recreation reserves and bringing them under the provisions of the Tourist and Health Resorts Control Act, 1908.

See Reprint of Statutes, Vol. VIII, p. 605

Ibid., Vol. VI, p. 1136

Cancelling the reservation over the Parnassus Domain, and constituting other land as a domain in lieu thereof.

See Reprint of Statutes, Vol. VI, p. 1148

1948, No. 64

10. Whereas the lands described in subsection *two* of this section are closed streets situated in the Borough of Rotorua and were closed by the Rotorua Borough Council (in this section referred to as the Council) under the provisions in that behalf contained in the Municipal Corporations Act, 1920: And whereas the said lands are vested in fee-simple in the Corporation of the Borough of Rotorua: And whereas it is desired by the said Council that the said lands should be vested in His Majesty the King as recreation reserves subject to the provisions of the Tourist and Health Resorts Control Act, 1908, and included in a lease to the Rotorua Golf Club: Be it therefore enacted as follows:—

(1) The lands described in subsection *two* of this section, being the closed streets hereinbefore referred to, are hereby declared to be vested in His Majesty the King as recreation reserves subject to Part I of the Public Reserves, Domains, and National Parks Act, 1928, and to be subject to the provisions of the Tourist and Health Resorts Control Act, 1908.

(2) The parcels of land to which this section relates are more particularly described as follows:—

All those areas in the South Auckland Land District, Borough of Rotorua, containing by admeasurement two acres one rood, more or less, being Sections 123 and 124, Suburbs of Rotorua: as the same are more particularly delineated on the plan marked L. and S. 22/2657 A, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

11. Whereas the land firstly described in subsection *three* of this section is a recreation reserve subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and is known as the Parnassus Domain and is under the control of the Parnassus Domain Board appointed by Order in Council dated the ninth day of March, nineteen hundred and forty-nine, and published in the *Gazette* of the tenth day of that month: And whereas the land has never been used for recreation purposes: And whereas it is desirable that the reservation over the said land should be cancelled and the land declared Crown land subject to the provisions of the Land Act, 1948: And whereas it is desirable that certain Crown land, secondly described in subsection *three* of this

section, should be provided for the recreational needs of the district in lieu of the existing domain and constituted as a public domain: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the
5 Public Reserves, Domains, and National Parks Act, 1928, the reservation for the purpose of public recreation and the setting apart under Part II of the said Act over the land firstly described in subsection *three* of this section, being the Parnassus Domain, are hereby cancelled, and
10 the said land is hereby declared to be Crown land available for disposal under the Land Act, 1948, and the District Land Registrar for the Land Registration District of Canterbury is hereby authorized and directed to cancel the certificate of title for the said land.

(2) The land secondly described in subsection *three*
15 of this section is hereby declared to be reserved for recreation purposes and set apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, under the name of the Parnassus Domain, subject
20 to the control of the Parnassus Domain Board appointed by Order in Council as aforesaid.

(3) The lands to which this section relates are particularly described as follows:—

Firstly, all that area in the Canterbury Land District,
25 situated in Block I, Cheviot Survey District, containing by admeasurement five acres three roods and seventeen perches, more or less, being Reserve 4439, and being also described as Lot 1 on a plan deposited in the Land Registry Office at Christchurch under Number 12043,
30 being part of Section 1, Square 88, Amuri, and being all the land comprised and described in certificate of title, Volume 471, folio 45, Canterbury Registry: as the same is more particularly delineated on the plan marked L. and S. 1/429B, deposited in the Head Office, Department
35 of Lands and Survey, at Wellington, and thereon bordered green.

Secondly, all that area in the Canterbury Land District, situated in Block I, Cheviot Survey District, containing by admeasurement five acres two roods and
40 thirty-three perches, more or less, being Reserve 4560, formerly Part Lot 6 on a plan deposited in the Land

Registry Office at Christchurch under Number 2160, being Part Section 1, Square 88, Amuri: as the same is more particularly delineated on the plan marked L. and S. 1/429c, deposited in the Head office, Department of Lands and Survey, at Wellington, and thereon bordered red. 5
(S.O. plan 8124.)

Providing for registration of an easement affecting certain railway land near Otaki.

12. Whereas by Proclamation dated the twenty-ninth day of October, nineteen hundred and twenty-nine, and registered in the Land Registry Office at Wellington as number 1969, His Majesty the King took part of Lot 2, 10
Deposited Plan 3527, of Waopukatia 1A East No. 7 and part of Section 13, Kaingaraki No. 2 and No. 3, containing in all two acres three roods one perch and eighty-three hundredths of a perch, more or less, for railway purposes: And whereas by Proclamation dated the 15
twenty-sixth day of March, nineteen hundred and forty-three, and registered in the Land Registry Office at Wellington as Number 3320, His Majesty the King took parts of Kaingaraki No. 2 (Section 13) and of Kaingaraki No. 3, containing ten acres two roods and twenty-eight perches, more or less, for railway purposes: 20
And whereas the Mayor, Councillors, and Citizens of the City of Wellington (in this section referred to as the Council) are the owners of Lot 1 on Deposited Plan No. 4014, being part of the Maititikura 25
Block and all the land in certificate of title, Volume 254, folio 208, Wellington Registry: And whereas the Council had, appurtenant to the said land, a drainage easement over the land contained in the aforesaid Proclamations: And whereas it has been agreed between the Crown and 30
the Council that the Crown grant to the Council, in satisfaction of its claim for compensation, a drainage easement over the lands taken by the said Proclamations: And whereas there is no certificate of title issued for the lands against which an easement can be registered as the 35
servient tenement under the Land Transfer Act, 1915: Be it therefore enacted as follows:—

See Reprint of Statutes, Vol. VII, p. 1161

(1) The Crown may grant a drainage easement to the Council over the lands taken by the said Proclamations. 40

(2) The District Land Registrar of the Land Registration District of Wellington is hereby authorized and empowered to register the said easement upon certificate

of title, Volume 254, folio 208, Wellington Registry, and make such entries in the Register Book as shall be necessary to give effect to the provisions of this section.

5 **13.** Whereas the land referred to in subsection *three* of this section is reserved for a site for a cemetery: And
 10 whereas the said land is not suitable for the purposes for which it is reserved and no interments have ever been made therein: And whereas the Rodney County Council (in this section referred to as the Council) has requested
 15 that the area be sold and the proceeds of sale applied towards the purchase of land more suitable for cemetery purposes: And whereas it is desirable that provision should be made accordingly: Be it therefore enacted as follows:—

Revoking the reservation for cemetery purposes over Allotment 96c, Mahurangi Parish, and making special provision for the application of the proceeds of the sale thereof.

15 (1) Notwithstanding anything to the contrary in any Act, the Reservation for cemetery purposes over the land described in subsection *three* of this section is hereby revoked and the said land is hereby declared to be Crown land subject to the Land Act, 1948.

1945, No. 64

20 (2) The moneys received from the sale of the said land shall, without further appropriation than this section, be paid out of the Land Settlement Account and applied towards the purchase of other land in the Rodney County more suitable for cemetery purposes, and any
 25 land so purchased shall be deemed to vest in His Majesty the King in trust as a site for a cemetery.

(3) The land to which this section relates is more particularly described as follows:—

30 All that area in the North Auckland Land District, County of Rodney, situated in Block VI, Mahurangi Survey District, containing by admeasurement nine acres three roods and four perches, more or less, being Allotment 96c of the Parish of Mahurangi: as the same is more particularly delineated on the plan marked L. and
 35 S. 2/400, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

40 **14.** Whereas by section eighteen of the Reserves and Other Lands Disposal Act, 1940, His Majesty the King was authorized to lease the Ngahina Wharf to the Paeroa Borough Council, subject to the terms and conditions therein specified, at an annual rental of two hundred and sixty pounds: And whereas, on account of changing

Amending section 18 of the Reserves and Other Lands Disposal Act, 1940.
 1940, No. 13

conditions of water transport, the revenue derived from the wharf does not justify the annual rental hereinbefore referred to: Be it therefore enacted as follows:—

(1) Section eighteen of the Reserves and Other Lands Disposal Act, 1940, is hereby amended as follows:— 5

(a) By omitting from subsection two the words “ at a rental of two hundred and sixty pounds per annum, and ”:

(b) By adding the following subsection:—

“(4) The rent payable under any lease 10 granted under subsection two of this section shall be such sum or sums as may from time to time be agreed upon between the Minister and the Council:

Provided that the Minister may accept the 15 maintenance of the wharf by the Council and the free use thereof for all purposes by His Majesty in lieu of rental to such extent as may be agreed.”

(2) This section shall be deemed to have come into 20 force on the first day of June, nineteen hundred and forty-seven.

15. The Pahiatua County Council Empowering Act, 1902, is hereby repealed.

Repeal of
Pahiatua
County Council
Empowering
Act 1902.
1902 (Local),
No. 11

Changing the
purpose of
the reservation
over land
vested in the
Ngaruawahia
Library
Trustees to a
reserve as an
endowment in
aid of the
Library funds
and provisions
incidental
thereto.
1930, No. 39

16. Whereas the land described in subsection *five* of 25 this section is vested in the trustees for the Ngaruawahia Public Library, Incorporated (in this section referred to as the trustees), in trust as a site for a public library: And whereas the reserve has never been used as a site for a library, but has been leased and the moneys derived 30 therefrom applied towards maintenance of a library erected on other land: And whereas, by the provisions of section sixty-nine of the Local Legislation Act, 1930, the trustees were authorized to lease the land for a period of fifty years on the terms and conditions specified 35 therein: And whereas, pursuant to the provisions of the said section, the trustees granted a lease dated the first day of May, nineteen hundred and thirty-one, over the said reserve in favour of Eliza Grant for a term of fifty

years from the twenty-second day of September, nineteen hundred and twenty-five, the said lease being registered in the Land Registry Office at Auckland under Number 14632: And whereas a substantial building was erected
5 on the said land by the said Eliza Grant: And whereas the said Eliza Grant died on or about the twenty-eighth day of October, nineteen hundred and thirty-six, and her estate and interest in the said memorandum of lease is now vested in the executors of her last will (in
10 this section referred to as the lessee): And whereas a public library has been erected on an area of land owned by the Ngaruawahia Borough Council, but is managed and controlled by the trustees: And whereas the funds derived from the leasing of the reserve vested in the
15 trustees have been expended by them upon the library erected on the land owned by the Ngaruawahia Borough Council: And whereas it is desirable and expedient to make more adequate provision for the management of the library by changing the purpose of the reservation
20 over the reserve to a reserve as an endowment in aid of the funds of the Ngaruawahia Public Library and to authorize the application of the moneys derived from the leasing of the endowment reserve to the upkeep and development of the Ngaruawahia Public Library erected
25 on the land owned by the Borough Council: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in any Act or rule of law, the vesting in the trustees of the land described in subsection *five* of this section in trust
30 as a site for a public library is hereby cancelled and the purpose of the reservation over the said reserve is hereby changed to a reserve as an endowment in aid of the funds of the Ngaruawahia Public Library, and the said reserve is hereby vested in the trustees upon trust
35 for that purpose.

(2) The trustees are hereby authorized and empowered to accept the surrender of the lease existing over the said reserve at the date of the passing of this Act and to grant to the lessee, their successors or assigns,
40 a lease of the said land for a term of twenty-six years commencing from the twenty-second day of September, nineteen hundred and forty-nine, at such annual rental as may be approved by the trustees with a perpetual right of renewal for successive terms not exceeding

See Reprint
of Statutes,
Vol. IV, p. 1039
1943, No. 16

twenty-one years at a rent to be determined by a valuation made in accordance with the provisions of the Second Schedule to the Public Bodies' Leases Act, 1908:

Provided that nothing in this subsection shall derogate from the provisions of the Servicemen's Settlement and Land Sales Act, 1943. 5

(3) The expenditure of the moneys received by the trustees prior to the passing of this Act on the maintenance of the existing library is hereby validated and declared to have been lawfully made, and the trustees are hereby authorized to expend the income derived from the leasing of the endowment reserve hereby created in maintaining the library erected on the land owned by the Ngaruawahia Borough Council or in paying the wages of any library employees or in maintaining the said endowment reserve. 10 15

(4) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to register such instruments and to make such entries in his register book as may be necessary to give effect to the provisions of this section. 20

(5) The land to which this section relates is particularly described as follows:—

All that area in the South Auckland Land District, situated in Block VII, Newcastle Survey District, containing by admeasurement twenty-five perches, more or less, being Allotment 48 of the Town of Newcastle, and being the whole of the land comprised and described in certificate of title, Volume 20, folio 299, Auckland Registry. 25 30

Cancelling the vesting in the Foxton Borough Council of certain land held upon trust for a public park and other purposes and vesting the said land in the Manawatu Racecourse Board of Trustees in trust for racecourse purposes.
1878 (Local),
No. 41

17. Whereas, pursuant to the provisions of the Foxton Reserves Act, 1878, the land described in subsection *three* of this section (in this section referred to as the said land) was vested in the Foxton Borough Council upon trust for a public park and recreation ground and rifle range for the inhabitants of Foxton and its vicinity: And whereas the said land adjoins land vested in the Manawatu Racecourse Board of Trustees in trust as a racecourse and for purposes connected therewith and leased to the Foxton Racing Club, Incorporated: And whereas the said land has for many years been used for a parking-place on race days: And whereas the Foxton Borough Council wishes to make the said land available to the racing club to permit it to be developed as a car park and to allow stables to be erected on it, but has no power 35 40 4

to do so: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:—

(1) The vesting upon trust for a public park, 5 recreation ground, and rifle range for the inhabitants of Foxton and its vicinity in the Foxton Borough Council of the land described in subsection *three* of this section is hereby cancelled and the said land is hereby declared to be vested in the Manawatu Racecourse Board of 10 Trustees incorporated under the Wellington Provincial Ordinance intituled the Manawatu Racecourse Act, 1869, upon trust as a reserve for a racecourse and for purposes connected therewith.

(2) The District Land Registrar for the Land 15 Registration District of Wellington is hereby authorized and directed to make such entries in the register books, to deposit such plans, to accept such documents for registration, and to do all such other things as may be necessary to give effect to the provisions of this section.

(3) The land to which this section relates is particularly described as follows:—

All that area in the Wellington Land District, Borough of Foxton, situated in Block I, Mount Robinson Survey District, containing by admeasurement thirteen 25 acres three roods fourteen perches and three-tenths of a perch, more or less, being Lot 1 on a plan deposited lodged for deposit in the Land Registry Office at Wellington under Number ~~14263~~14623, being part of Section 410, Township of Foxton, and being part of the land 30 comprised and described in certificate of title, Volume 314, folio 66, Wellington Registry.

18. Whereas the land described in subsection *three* of this section was reserved as an endowment for an athenæum at Havelock: And whereas by the provisions 35 of the Havelock Athenæum and Mechanics Institute Incorporation Act, 1877, the said land was vested in a body corporate constituted as the Havelock Athenæum: And whereas certificates of title for the said land have been issued in the name of the Crown in trust as a 40 reserve for an endowment for an athenæum at Havelock: And whereas the Havelock Athenæum has ceased to function and there are no surviving trustees: And

Cancelling the vesting of certain endowment reserves in the Havelock Athenæum and declaring the said reserves to be Crown land.
1877 (Local),
No. 30

whereas the purpose for which the endowment was created has come to an end and the land is now required for other purposes: Be it therefore enacted as follows:—

(1) The vesting of the land described in subsection *three* of this section in the Havelock Athenæum is hereby cancelled and the reservation as an endowment for an athenæum at Havelock over the said land is hereby revoked and the said land is hereby declared to be Crown land subject to the provisions of the Land Act, 1948.

1948, No. 64

(2) The District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to cancel the certificates of title in the name of the Crown for the said land and to do all such other things as may be necessary to give effect to the provisions of this section.

(3) The land to which this section relate is particularly described as follows:—

All those areas in the Otago Land District, Tuapeka County, containing by admeasurement one acre two roods and four perches, more or less, being Sections 3, 4, and 5, Block XXVII, and Sections 4, 5, 6, and 7, Block XIX, Town of Havelock, and being the whole of the land comprised and described in certificates of title, Volume 46, folios 29 and 101, Otago Registry.

Amending provisions as to disposal of income of Auckland Education Reserves.
1912, No. 5 (Local)
1940, No. 13

19. Section four of the Auckland Education Reserves Act, 1912, is hereby repealed, and the following section substituted:—

“ 4. Subject to the provisions of subsection three of section sixteen of the Reserves and Other Lands Disposal Act, 1940, the Public Trustee shall each quarter pay over the rents and profits of the lands described in the First Schedule hereto to the Auckland University College Council, and the Council shall apply the amount so paid as follows:—

“(a) One-third shall be expended on the maintenance of any hostel for students established by the Council or for such other purpose in connection with the said College as the Council from time to time decides;

“(b) Two-thirds shall be paid into a fund for the establishment of a hostel for students of the said College and expended on capital works in connection with that hostel or may be expended for such other purpose in connection with the said College as shall from time to time be determined by the Council and approved by the Minister of Education.”

- 5
20. Whereas pursuant to the provisions of the Patea Borough Council Empowering Act, 1930, the Patea Borough Council (in this section referred to as the Council) was authorized and empowered to lease the reserves firstly and secondly described in subsection *three* of this section: And whereas the land firstly described
- 15 in the said subsection *three* is suitable for recreation purposes and it is desirable to add the land to the Patea Domain and the Council is willing to make the land available free of cost for that purpose but has no power to do so: And whereas there is a shortage of suitable building
- 20 sites in the Borough of Patea and the Council is desirous of making the reserve secondly described in the said subsection *three* available for subdivision and sale for building sites but has no statutory authority in that behalf: And whereas the reserves thirdly described in
- 25 the said subsection *three* have been sold by the Council and certificates of title have been issued in the names of the various purchasers but the Council had no power of sale over the said reserves, and it is desirable and expedient to ratify the sales and validate the certificates
- 30 of title already issued: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary in the Patea Borough Council Empowering Act, 1930, or in any other Act, the following provisions shall apply:—

- 35 (a) The land firstly described in subsection *three* of this section is hereby declared to be a recreation reserve, to be subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to be added to and form part of the Patea Domain under the control of the Patea Domain Board but otherwise freed and discharged from the trusts and
- 40 restrictions heretofore affecting the same:

Making provision in respect of certain reserves vested in the Patea Borough Council.

1930 (Local), No. 14

See Reprint of Statutes, Vol. VI, p. 1148

(b) The Council is hereby authorized and empowered to sell the lands secondly described in subsection *three* of this section as if they were included in the Second Schedule to the said Patea Borough Council Empowering Act, 1930, and for the purposes of any such sales the said lands shall be deemed to be included in the said Second Schedule: 5

(c) The sale by the Council of the lands thirdly described in subsection *three* of this section is hereby confirmed and validated and declared to have been lawfully made and the certificates of title issued in the names of the purchasers thereof are hereby validated. 10

(2) The District Land Registrar of the Land Registration District of Taranaki is hereby authorized and directed to deposit such plans, accept such instruments for registration, and to do all such other things as may be necessary to give effect to the provisions of this section. 15 20

(3) The lands to which this section relate are more particularly described as follows:—

All those areas in the Taranaki Land District, Borough of Patea, being:

Firstly, six acres one rood eight perches and four-tenths of a perch, more or less, being Sections 8 to 25 inclusive, and part Sections 4, 6, and 7, Block XXXIX, Town of Patea, and being the balance of the land comprised and described in certificate of title, Volume 1, folio 248, Taranaki Registry: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor at New Plymouth under Number S.O. 8365, and thereon bordered red. 25 30

Secondly, three acres, more or less, being Sections 1 to 12 inclusive, Block XLI, Town of Patea, and being the whole of the land comprised and described in certificate of title, Volume 1, folio 258, Taranaki Registry: as the same are more particularly delineated on the plan lodged in the office of the Chief Surveyor at New Plymouth under Number S.O. 7722, and thereon coloured red. 35 40

Thirdly, one acre one rood three perches and one-tenth of a perch, more or less, being Lots 1, 2, 3, 5, and 6 on a plan deposited in the Land Registry Office at New Plymouth under Number 3361, and being Sections 1 and 5 and part Sections 2, 3, 4, 6, and 7, Block XXXIX, Town of Patea: as the same are also shown on a plan lodged in the office of the Chief Surveyor at New Plymouth under Number 8365, and thereon bordered green.

21. Whereas by a Deed of Trust dated the second day of April, eighteen hundred and eighty-one (in this section referred to as the principal Deed) the land described in subsection *four* of this section was vested in certain trustees to be used as a site for a church for the accommodation of all persons residing in the Whangaroa district: And whereas by a further Deed of Trust dated the twentieth day of December, nineteen hundred and fifteen the principal Deed was varied so that the land became vested in the Chairman, Councillors, and Inhabitants of the County of Whangaroa (in this section referred to as the Council) on the same trusts as in the principal Deed: And whereas the property is not now being used for church purposes nor will it be required for those purposes in the future and has fallen into disrepair and there is no money available to repair it: And whereas the Council is desirous of having the area vested in it in trust as a site for a public hall and has given adequate public notice of its intention to seek legislative provision accordingly and no objections have been received: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:—

(1) Notwithstanding anything to the contrary contained in any Act or rule of law the Deeds of Trust dated the second day of April, eighteen hundred and eighty-one and the twentieth day of December, nineteen hundred and fifteen respectively are hereby rescinded and declared to be null and void.

(2) The land described in subsection *four* of this section is hereby declared to be set apart as a site for a public hall subject to Part I of the Public Reserves, Domains, and National Parks Act, 1928, and to be vested in trust in the Council for that purpose.

Changing the purpose of the trust on which certain land is vested in the Whangaroa County Council.

See Reprint of Statutes, Vol. VI, p. 1136

(3) The District Land Registrar for the Land Registration District of Auckland is hereby authorized and directed to accept such documents for registration, to make such entries in the Register books, and to do all such other things as may be necessary to give effect to the provisions of this section. 5

(4) The land to which this section relates is more particularly described as follows:—

All that area in the North Auckland Land District situated in Block VII, Whangaroa Survey District, containing by admeasurement thirty-eight perches and four-tenths of a perch, more or less, being part of Allotment 52, Parish of Kaeo, and being the whole of the land comprised and described in certificate of title, Volume 764, folio 252, Auckland Registry, limited as to parcels. 10 15

Authorizing
burial of
Mother Mary
Aubert in land
of Home of
Compassion,
Island Bay
See Reprint
of Statutes,
Vol. I, p. 731

22. (1) Notwithstanding anything to the contrary in the Cemeteries Act, 1908, or in any other Act, the burial of the body of Suzanne Aubert, known as Mother Mary Joseph Aubert, formerly Superior-General of an Order in the Holy Roman Catholic Church known as the Sisters of Compassion, may be lawfully made in the land described in subsection *five* of this section. 20

(2) The body of the said Suzanne Aubert may, after due notice to the authorities of the Karori Cemetery, be exhumed and reburied in the said land. 25

(3) The body of no other person shall be buried in the said land.

(4) Sections eighty-three to eighty-nine and section ninety-one of the Cemeteries Act, 1908, shall apply to the said land as if it were a burial-ground under that Act, and as if the Wellington City Council were the managers thereof. 30

(5) The said land is particularly described as follows:—

All that land the property of the Mother Aubert Home of Compassion Trust Board situated at Island Bay, in the City of Wellington, containing by admeasurement sixty-four one-hundredths of a perch, more or less, being part of Lot 580 on a plan deposited in the Land Registry Office at Wellington under Number 817, being part of Section 5, Town District, and being part of the land comprised and described in certificate of title, Volume 148, folio 115, Wellington Registry: as the same 35 40

is more particularly delineated on the plan marked L. and S. 13/244/1, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red. (S.O. plan 21959.)

- 5 **23.** Whereas by a deed of trust dated the eighth day of February, nineteen hundred and eleven, a copy of which is deposited in the Land Registry Office at Wellington as No. 222, made between David Peat, of Wanganui, farmer, of the one part, and the Mayor, Councillors, and Burgesses of the Borough of Wanganui of the other part, the land described in subsection *three* of this section (in this section referred to as Peat Park) was declared to be vested in the Corporation of the Borough of Wanganui upon trust as a place for the recreation and enjoyment of the children attending primary schools in the Borough of Wanganui: And whereas by the Wanganui City Council Vesting and Empowering Act, 1924, the trust affecting the land described in subsection *four* of this section, being part of Peat Park, was cancelled and the said land was declared to be vested in the Corporation of the City of Wanganui (in this section referred to as the Corporation), upon trust for the purposes of public recreation and instruction: And whereas by section six of the Wanganui City Council Vesting and Empowering Act, 1924, it was provided that the five parcels of land described in subsection *five* of this section, being at that time municipal reserves vested in the Corporation, should be held by the Corporation as places for the recreation, enjoyment, pleasure, and instruction of the children of the inhabitants of the City of Wanganui: And whereas representations were made to the Corporation to restore to Peat Park the land described in subsection *four* of this section, and the said land was so restored under the provisions of section two of the Wanganui City Council Vesting and Empowering Amendment Act, 1942: And whereas, under the provisions of the said Act the land firstly described in subsection *five* of this section was re-vested in the Corporation for the purposes for which it was held prior to the passing of the Wanganui City Council Vesting and Empowering Act, 1924: And whereas it is now desired to re-vest the lands secondly,
- Changing the purpose of the trusts on which certain land is vested in the Wanganui City Council.
- 1924 (Local),
No. 20
- 1942 (Local),
No. 7

thirdly, fourthly, and fifthly described in subsection *five* of this section in the Corporation as endowments in aid of the city funds: Be it therefore enacted as follows:—

(1) The lands secondly, thirdly, fourthly, and fifthly described in subsection *five* of this section are hereby declared to be revested in the Corporation as endowments in aid of the city funds. 5

(2) The District Land Registrar for the Land Registration District of Wellington is hereby authorized and empowered to make such entries in the register books and to register such instruments and to do all such other things as may be necessary to give effect to the provisions of this section. 10

(3) The land originally comprising Peat Park is more particularly described as follows:— 15

All that area in the Wellington Land District, City of Wanganui, containing by admeasurement thirteen acres two roods twenty-nine perches and five-tenths of a perch, more or less, being part of Sections 17 and 18, on the plan of the Right Bank of the Wanganui River and comprising Lots 19 to 28, 43 to 52, 83 to 93, 101 to 104, and 108, and parts of Lots 82, 105, and 107, all on a plan deposited in the Land Registry Office at Wellington under Number 260; and also other part of the said Section 17 on the plan of the Right Bank of the Wanganui River, bounded by the said Lots 19 and 52 and two public streets, and being the whole of the land comprised and described in certificate of title, Volume 202, folio 174, Wellington Registry. 20 25

(4) The portion of Peat Park over which the original trust was cancelled and which was vested in the Corporation of the Borough of Wanganui upon trust for public recreation by the Wanganui City Council Vesting and Empowering Act, 1924, is more particularly described as follows:— 30 35

All that area in the Wellington Land District, City of Wanganui, containing by admeasurement seven acres one rood thirty-eight perches and two-tenths of a perch, more or less, being part of Sections 17 and 18 on the plan of the Right Bank of the Wanganui River and being Lots 43 to 52, 83 to 93 and Lot 108 and parts of Lots 82 and 107, on the plan deposited in the Land Registry Office at Wellington under Number 260; and also other part of the said Section 17 on the plan of the Right Bank of 40

the Wanganui River bounded by Lots 19 and 52 on the said deposited plan and by two public streets, and being part of the land comprised and described in certificate of title, Volume 202, folio 174, Wellington Registry.

- 5 (5) The five parcels of land which by section six of the Wanganui City Council Vesting and Empowering Act, 1924, were declared to be held by the Corporation as places for the recreation, enjoyment, pleasure, and instruction of the children of the inhabitants of the City
10 of Wanganui are more particularly described as follows:—

All those areas in the Wellington Land District, City of Wanganui, being—

- 15 Firstly, that area containing by admeasurement one acre three roods ten perches, more or less, being Lots 2, 3, and 4 and parts of Lots 1, 5, and 6 on a plan deposited in the Land Registry Office at Wellington under Number 1120, being part of Reserve J, Town of Wanganui, and being part of the land comprised and described in certificate of title, Volume 21, folio 111, Wellington
20 Registry: Bounded on the north-west by Dublin Street, commencing at a distance of 21·21 links from the junction of Dublin and Pitt Streets, 370 links; on the north by other part of the said Lot No. 5, 100 links; on the north-
25 east by Somme Parade, commencing at a distance of 90 links from the junction of Dublin Street and Somme Parade, 765 links; on the south-east by other part of the said Lot 1, 28 links; on the south-west by Pitt Street, commencing at a distance of 45 links from the junction
30 of Somme Parade and Pitt Street, 676 links; and on the west by other part of the said Lot No. 6, 30 links.

- Secondly, that area containing by admeasurement two acres one rood, more or less, being Lots 12 to 21 of Block XXI on the plan of the Town Belt Reserve: Bounded
35 on the north-west by Handley Street, 427 links; on the north-east by the Wanganui Racecourse, 502 links; on the south-east by Anson Street, 472 links; and on the south-west by Carlton Avenue, 500 links.

- Thirdly, that area containing by admeasurement two
40 roods fourteen perches and five-tenths of a perch, more or less, being Lot 56 of Block XXII on the plan of the Town Belt Reserve: Bounded on the south-east by Queen's Drive, 267·4 links; on the north-east by the Wanganui Racecourse, 320·9 links; on the west by other
45 part of the said Block XXII, 260 links; and on the south by Liffiton Street, 164·5 links.

Fourthly, that area containing by admeasurement one acre and twenty perches, more or less, being part of Sections E and F of Block XII, on the plan of the Town Belt Reserve: Bounded, commencing at a point on the south-eastern side of Parsons Street in line with the south-western side of Kent Street, on the north-east by other part of the said Section F, 194 links; on the south-east by other portions of the said Block XII, 542 links; on the south-west by other part of the said Section E, 220 links; and on the north-west by Parsons Street, 541 links.

Fifthly, that area containing by admeasurement two acres, more or less, being Lots B and G of Block XVI, on a plan of the Town Belt Reserve.

Authorizing the Governor-General to proclaim certain lands in the Coromandel County to be Crown land.

See Reprint of Statutes, Vol. V, p. 943

24. Whereas certain lands in the Coromandel County, South Auckland Land District, in the seven townships of Kingstone, Kapanga, Wynyardton, Wynyardton North, Bay View, Belleville, and Buffalo, and in the area of Crown land adjacent to Coromandel Township known as the Kauri Block have been either granted in fee-simple or have been taken up under residence-site or business-site or special-claim licences issued in terms of the Mining Act, 1926: And whereas many of the owners and licensees cannot be traced and their lands have been abandoned: And whereas certain of the said lands are occupied and it is not possible to perfect the titles of the occupiers: And whereas for the better planning of the district it is desirable that the said lands or portions thereof should be resumed by His Majesty and disposed of as Crown land, but subject to the rights of the owners or licensees thereof to claim compensation as hereinafter provided: And whereas when the said seven townships were subdivided various strips of land were laid off as roads: And whereas some of these roads are legal and others have never been legalized: And whereas most of them have never been used as roads and will not be required as roads in the future: And whereas it is expedient that special provision be made to enable them to be vested in His Majesty as Crown land: Be it therefore enacted as follows:—

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(1) The Governor-General may by Proclamation from time to time declare that the lands (inclusive of roads, legal or otherwise), or any portion of the lands to which this section relates, shall, as from a date to be specified in that behalf in any such Proclamation, be deemed to be vested in His Majesty as Crown land subject to the provisions of the Land Act, 1948, and every such Proclamation shall have effect according to its tenor:

1948, No. 64

10 Provided that the Land Settlement Board established under the provisions of the Land Act, 1948, may in disposing of any lands vested in His Majesty under this section give preference to the application of any person who may be in *bona fide* occupation of any such land at the date specified in the Proclamation affecting the same.

15 (2) Before exercising any of the powers conferred on him by this section the Governor-General shall cause not less than three months' notice of his intention so to do to be given in the *Gazette* and such newspaper or newspapers as he thinks fit.

20 (3) If at any time within five years after the date specified in any Proclamation issued under this section the registered proprietor or licensee or any other person having any estate or interest in any land to which the Proclamation relates adduces satisfactory evidence of
25 his title to or interest in that land he shall be entitled to claim compensation for his interest therein. The amount of any such compensation shall in every case be determined by the Land Settlement Board, and on any such determination shall, without further appropriation than
30 this section, be paid out of the Land Settlement Account established under the provisions of the Land Act, 1948:

35 Provided that in no case shall the amount of compensation awarded under this section exceed the unimproved value, as determined by the said Board, of the land as at the date specified in the Proclamation affecting the same, together with the value as at that date and as determined by the said Board of any improvements then existing on the land and effected by the claimant or at his expense.

40 (4) This section relates to all land laid off as roads, whether or not the same have been legalized, and to all land in respect of which residence-site or business-site

or special-claim licences under the Mining Act, 1926, or Crown grants, have heretofore been issued, and which are situated in the townships of Kingstone, Kapanga, Wynyardton, Wynyardton North, Bay View, Belleville, or Buffalo, or in that area of land known as the Kauri Block, which block is more particularly described as follows:—

All that parcel of land in the South Auckland Land District, Coromandel County, situated in Block V, Coromandel Survey District, containing by admeasurement ninety-eight acres, approximately, being part Kauri Block: as the same is more particularly delineated on the plan marked L. and S. 22/2614/3, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

Cancelling the vesting of certain lands in the Mayor, Councillors, and Burgesses of the Borough of Gore and declaring them to be vested in His Majesty the King and to form part of the Gore Domain.

See Reprint of Statutes, Vol. VI, p. 1148

25. Whereas the lands described in subsection *three* of this section are vested in the Mayor, Councillors, and Burgesses of the Borough of Gore (in this section referred to as the Corporation) in trust without power of sale as a municipal endowment: And whereas the said lands are no longer required by the Corporation for the purpose for which it holds them, and it is desirable that they should be vested in His Majesty as an addition to the Gore Domain, being a public domain subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and controlled by the Gore Borough Council acting as the Gore Domain Board: And whereas the Corporation is agreeable to the vesting, but has no power to transfer the said lands to the Crown: And whereas it is desirable that provision should be made for the vesting in the Crown for the purposes aforesaid: Be it therefore enacted as follows:—

(1) The vesting of the lands described in subsection *three* of this section in the Corporation in trust without power of sale as a municipal endowment is hereby cancelled and the said lands are hereby declared to be vested in His Majesty as recreation reserves, to be subject to Part II of the Public Reserves, Domains, and National Parks Act, 1928, and to form part of the Gore Domain under the control of the Gore Borough Council, but otherwise freed and discharged from all trusts, reservations, and restrictions heretofore affecting the said lands.

(2) The District Land Registrar of the Land Registration District of Southland is hereby authorized and directed to make such entries in the register books and to do all such other things as may be necessary to give effect to the provisions of this section.

(3) The lands to which this section relates are more particularly described as follows:—

All those areas in the Southland Land District, situated in the Borough of Gore, and containing by admeasurement three acres one rood five perches and nine-tenths of a perch, more or less, being Lots 3 to 15 on a plan deposited in the Land Registry Office at Invercargill under Number 2971, being part of Block F, Town Belt Reserve, Town of Gore, and being part of the land comprised and described in certificate of title, Volume 137, folio 30, Southland Registry: as the same are more particularly delineated on the plan marked L. and S. 1/393, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

26. Whereas the land firstly described in subsection three of this section is vested in the Mayor, Councillors, and Burgesses of the Borough of Hampden (in this section referred to as the Corporation) for an endowment in aid of the borough funds: And whereas the lands secondly described in the said subsection three are vested in the Corporation in trust as reserves for recreation purposes: And whereas the land firstly described is no longer required for the purpose for which it is held by the Corporation: And whereas the land secondly described has never been used for recreation purposes and is not required for those purposes: And whereas the Corporation is agreeable to the revocation of the vesting of the said lands in it and to their being declared Crown land, subject to the provisions of the Land Act, 1948: Be it therefore enacted as follows:—

cancelling the reservations over an endowment in aid of borough funds and over certain recreation reserves vested in the Hampden Borough Council and declaring the lands concerned to be Crown land.

1948, No. 64

(1) Notwithstanding anything to the contrary in the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act or in any rule of law, the vesting of the lands firstly and secondly described in subsection three of this section in the Corporation is hereby cancelled and the said lands are hereby declared to be Crown land subject to the provisions of the Land Act, 1948, freed and discharged from all reservations, trusts, and restrictions heretofore affecting the said lands.

See Reprint of Statutes, Vol. VI, p. 1134

(2) The District Land Registrar of the Land Registration District of Otago is hereby authorized and directed to make such entries in the register books, to cancel such certificates of title, and to do all such other things as may be necessary to give effect to the provisions of this section. 5

(3) The lands to which this section relates are particularly described as follows:—

Firstly, all that area in the Otago Land District, situated in the Borough of Hampden, containing one rood, more or less, being Section 18, Block LIV, Town of Hampden, and being part of the land comprised and described in certificate of title, Volume 147, folio 21, Otago Registry. 10

Secondly, all that area in the Otago Land District, situated in the Borough of Hampden, containing by admeasurement two acres two roods, more or less, being Sections 1, 2, 3, 4, 17, and 20, Block LIV, and Sections 12, 13, 14, and 15, Block LX, Town of Hampden (S.O. Plan 299 T.N.). 15 20

Amending section 14 of Hauraki Plains Act, 1926.
See Reprint of Statutes, Vol. IV, p. 608

27. Section fourteen of the Hauraki Plains Act, 1926, is hereby amended by omitting from paragraph (b) of subsection two the words “ for a period of not less than five years ”. 20

Authorizing the Timaru City Council to sell certain land as a site for a kindergarten.
1933, No. 30

28. Whereas the land described in subsection *four* of this section is vested in the Mayor, Councillors, and Citizens of the City of Timaru (in this section referred to as the Council) for the purposes of Part XXVII of the Municipal Corporations Act, 1933: And whereas it is desirable that the said land should be used as a site for a free kindergarten, but the Council has no power to dispose of it for that purpose: Be it therefore enacted as follows:— 25 30

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act, 1933, or in any other Act, the Council is hereby authorized and empowered to sell the land described in subsection *four* of this section either to His Majesty or, with the consent of the Minister of Education, to the Timaru Free Kindergarten Association, Incorporated, as and for a site for a kindergarten and freed and discharged from the provisions of the said Part XXVII of the Municipal Corporations Act, 1933. 35 40

(2) Any sale authorized by the *last preceding* subsection may be for cash, or upon such terms and conditions as the Council may in its discretion decide, and the net proceeds from any such sale shall be applied
5 by the Council towards repayment to the Housing Loan out of which funds were provided for the purchase of the said land.

(3) The District Land Registrar of the Land Registration District of Christchurch is hereby authorized and
10 directed to deposit such plans, to accept such documents for registration, and to do all such other things as may be necessary to give effect to the provisions of this section.

(4) The land to which this section relates is
15 particularly described as follows:—

All that area in the Canterbury Land District, situated in the City of Timaru, containing by admeasurement one rood one perch and three-tenths of a perch, more or less, being Lots 33 and 34 on a plan lodged for
20 deposit in the Land Registry Office at Christchurch under Number 14008, and being part of Rural Section 1730, and being part of the land comprised and described in certificates of title, Volume 477, folio 234, and Volume 480, folio 14, Canterbury Registry: as the same is more
25 particularly delineated on the plan marked L. and S. 6/6/926, deposited in the Head Office of the Department of Lands and Survey, at Wellington, and thereon bordered red.

29. Whereas the lands firstly and secondly described
30 in subsection *three* of this section together form a public domain vested in the Crown subject to the provisions of Part II of the Public Reserves, Domains, and National Parks Act, 1928: And whereas it is desirable that the portion of the said domain firstly described in the said
35 subsection should be vested in the Corporation of the City of Wellington (in this section referred to as the Corporation) as a pleasure-ground subject to the Municipal Corporations Act, 1933: And whereas the portion of the said domain secondly described in the said subsection
40 *three* is used as a street and it is desirable to declare the said portion to be a street: Be it therefore enacted as follows:—

(1) The reservation as a public domain over the lands
45 firstly and secondly described in subsection *three* of this section is hereby cancelled.

Declaring
portion of a
public domain
to be a street
and another
portion of the
said domain to
be vested in the
Corporation of
the City of
Wellington as a
pleasure-
ground.

See Reprint
of Statutes,
Vol. VI,
p. 1148
1933, No. 30

(2) The land firstly described in the said subsection is hereby declared to be vested in the Corporation as a pleasure-ground subject to the provisions of the Municipal Corporations Act, 1933, and the land secondly described in the said subsection is hereby declared to be a street. 5

(3) The lands to which this section relates are more particularly described as follows:—

All those areas in the Wellington Land District, City of Wellington, being— 10

Firstly, that area containing thirty perches and forty one hundredths of a perch, more or less, being part of Reserve 3, Town of Wellington: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor at Wellington under Number 21963, and thereon bordered orange. 15

Secondly, that area containing two perches and thirty-five hundredths of a perch, more or less, being part of Reserve 3, Town of Wellington: as the same is more particularly delineated on the plan lodged in the office of the Chief Surveyor at Wellington under Number 21963, and thereon bordered blue. 20

Amending section 35 of the Reserves and Other Lands Disposal Act, 1948. 1948, No. 72

30. Section thirty-five of the Reserves and Other Lands Disposal Act, 1948, is hereby amended by adding to subsection two the words, “, or for the improvement of existing recreation reserves, or for either or both of the said purposes as the Council may decide”. 25

Provision with respect to dissolution of Milton Athenæum and vesting of real and personal property in Corporation of the Borough of Milton. 1876, No. 81 1895, No. 65

31. Whereas the Trustees of the Milton Athenæum were incorporated by the Milton Athenæum Reserve Act, 1876: And whereas the land firstly described in subsection *seven* of this section is held by the Trustees for the purposes of the Milton Athenæum: And whereas the land secondly described in subsection *seven* of this section is held by the Trustees in trust as an endowment for the said Athenæum by virtue of the provisions of the said Act, and of section twenty-two of the Reserves Disposal and Exchange Act, 1895: And whereas the Athenæum has not functioned fully for some considerable time and there are no surviving Trustees resident in the locality: And whereas the Corporation of the Borough of Milton (in this section referred to as the Corporation) is willing to undertake the future control and management of the Athenæum for the purposes of a public 30 35 40

library provided the property and assets of the said Athenæum are vested in it: And whereas it is desirable and expedient to make provision accordingly: Be it therefore enacted as follows:—

5 (1) The land firstly described in subsection *seven* of this section is hereby vested in the Corporation for an estate in fee-simple and shall be held by the Corporation as a public reserve for a public library in the said borough freed and discharged from the trusts heretofore
10 affecting the same.

(2) The land secondly described in subsection *seven* of this section is hereby vested in the Corporation for an estate in fee-simple as an endowment without power of sale subject to all existing leases and tenancies affecting
15 the said land, provided that all monies received therefrom shall be expended by the Corporation for library purposes.

(3) All personal property of whatsoever nature, including all choses in action and the benefit of all contracts and agreements and all rights and powers exercisable thereunder or pertaining thereto belonging to the Trustees, are hereby vested in the Corporation freed
20 from all trusts and reservations heretofore affecting the same, and all debts and other liabilities lawfully incurred
25 by the Trustees and existing on the passing of this section shall hereafter be debts and liabilities of the Corporation, and the Corporation is hereby authorized and empowered to meet the said debts and liabilities out of its general fund.

(4) The solicitor for the Athenæum, or any other person holding any personal property on behalf of the Athenæum, is hereby authorized and directed to deliver such personal property to the Corporation, and a receipt therefor under the hand of the Town Clerk of the
30 Borough of Milton shall be sufficient discharge from all liability for the said personal property and shall indemnify the said solicitor or other person from any action at law.

(5) The District Land Registrar for the Land Registration District of Otago is hereby authorized and empowered to register such documents, make such entries in the register books, and to do all such other things as may be necessary to give effect to the provisions of this
40 section.

Repeals.

(6) The Milton Athenæum Reserve Act, 1876, and section twenty-two of the Reserves Disposal and Exchange Act, 1895, are hereby repealed, and the Athenæum and body corporate are hereby dissolved.

(7) The land to which this section relates is more particularly described as follows:— 5

All those areas in the Otago Land District, being—

Firstly, that area in the Borough of Milton containing four perches and forty-four hundredths of a perch, more or less, being part Allotment 93, Block X, on a plan deposited in the Deeds Registry Office at Dunedin under Number 11, being part of Section 132, Block XVI, Tokomairiro Survey District, and being the whole of the land comprised and described in certificate of title, Volume 248, folio 288, Otago Registry, limited as to parcels and title. 15

Secondly, that area containing two hundred and fourteen acres, more or less, being Sections 1, 2, and 3, Block XVII, Coast Survey District, and being the whole of the land comprised and described in certificate of title, Volume 112, folio 201, Otago Registry. 20

32. Whereas the land described in subsection *three* of this section is vested in the Albany Fruitgrowers' Association in trust for the purposes of agricultural showgrounds: And whereas the association holds the said land and adjoining land subject to the duties and with the powers of a society under the Agricultural and Pastoral Societies Act, 1908, pursuant to section sixty-eight of the Reserves and Other Lands Disposal and Public Bodies' Empowering Act, 1912: And whereas the adjoining area of land is still used by the association for the purposes for which it is vested, and will continue to be so used: And whereas the land described in the said subsection *three* is no longer required for the said purposes, but is suitable for a public domain: And whereas the association has agreed to vest it in the Crown for that purpose, but has no power to do so: And whereas it is desirable that the land should be vested in the Crown: Be it therefore enacted as follows:— 35

(1) The vesting of the land described in subsection *three* of this section in the Albany Fruitgrowers' Association is hereby cancelled and the said land is hereby declared to be vested in His Majesty the King as a recreation reserve and to be a public domain subject to 40

Vesting part
of the Albany
Agricultural
and
Pastoral
Showgrounds in
the Crown as a
public domain.
See Reprint
of Statutes,
Vol. I, p. 47
1912, No. 46

Part II of the Public Reserves, Domains, and National Parks Act, 1928, freed and discharged from the trusts, reservations, and restrictions heretofore affecting the said land.

See Reprint of Statutes, Vol. VI, p. 1148

5 (2) The District Land Registrar of the Land Registration District of Auckland is hereby authorized and directed to deposit such plans, to accept such documents for registration, and to do all such other things as may be necessary to give effect to the provisions of this
10 section.

(3) The land to which this section relates is particularly described as follows:—

All that area in the North Auckland Land District, situated in Block III, Waitemata Survey District, containing by admeasurement nine acres one rood four
15 perches and four-tenths of a perch, more or less, being portion of Lot 14 on a plan deposited in the Land Registry Office at Auckland under Number 17618, being portion of Allotment 76, Parish of Paremoremo, and
20 being part of the land comprised and described in certificate of title, Volume 206, folio 231, Auckland Registry, the said land being more particularly shown bordered red on the plan numbered 35703, lodged in the office of the Chief Surveyor at Auckland.

25 **33.** Whereas by section twenty-seven of the Reserves and Other Lands Disposal Act, 1946, the Auckland Hospital Board (in this section referred to as the Board) was authorized to sell certain endowment land or any part thereof in the manner specified in the said section
30 on condition that, before any of the said land should be disposed of, the Board would set aside and reserve for public purposes a strip of land adjoining the Onepoto Stream of such width as might be agreed upon between the Minister of Lands and the Board: And
35 whereas agreement has now been reached between the said Minister and the Board as to the location and width of the said reserve: And whereas on a scheme plan of the proposed subdivision of the said land one of the lots in the subdivision was shown as a proposed access way and one
40 of the lots was shown as a proposed right of way, and no power was conferred on the Board by the said section to sell the said lots: And whereas the Northcote Borough Council has now approved of the plan of the subdivision of the said endowment land and there is sufficient legal
45 access to the reserve for public purposes set aside by the

Amending section 27 of the Reserves and Other Lands Disposal Act, 1946. 1946, No. 34

Board without requiring the said two lots to be used as an access way and a right of way respectively, and it is desirable and expedient to authorize and empower the Board to dispose of the said two lots: And whereas certain other land situated in the subdivision and forming part of the said endowment is held by the Board without power of sale, and it is desirable and expedient to authorize the Board to sell the said land. Be it therefore enacted as follows:—

Subsection four of section twenty-seven of the Reserves and Other Lands Disposal Act, 1946, is hereby repealed and the following subsection substituted:—

“(4) The land to which this section relates is particularly described as follows:—

“All those areas in the North Auckland Land District, Block XII, Waitemata Survey District, being—

“Firstly, nine acres two roods seventeen perches and three-tenths of a perch, more or less, being Lots 1 to 24, Lots 26 to 31, and right-of-way on a plan deposited in the Land Registry Office at Auckland under Number 20403, and being portions of Allotments 14 and 15, Parish of Takapuna, and being the balance of the land comprised and described in certificate of title, Volume 531, folio 12, Auckland Registry.

“Secondly, seventeen perches and seven-tenths of a perch, more or less, being Lot 25 on a plan deposited in the Land Registry Office at Auckland under Number 20403, being portion of Allotment 14, Parish of Takapuna, and being the whole of the land comprised and described in certificate of title, Volume 698, folio 134, Auckland Registry.”

34. Whereas the land firstly described in subsection *three* of this section is a recreation reserve vested in His Majesty the King under and subject to the provisions of Part I of the Public Reserves, Domains, and National Parks Act, 1928: And whereas the lands secondly and thirdly described in the said subsection *three* are portions of the Hutt Valley Domain under and subject to the provisions of Part II of the said Act: And whereas all of the said lands are not required for recreation purposes and have never been used for those purposes: And whereas the said lands are situated in residential areas and are all suitable building sites: And whereas it is

Cancelling the reservation over a recreation reserve and parts of the Hutt Valley Domain and declaring the said lands to be set apart under Part I of the Housing Act, 1919.

See Reprint of Statutes, Vol. VI, p. 1136

desirable that the said lands be set apart for housing purposes subject to the provisions of Part I of the Housing Act, 1919: Be it therefore enacted as follows:—

See Reprint
of Statutes,
Vol. III, p. 798

5 (1) The reservation for recreation purposes of the land firstly described in subsection *three* of this section is hereby cancelled, and the said land is hereby declared to be vested in His Majesty the King for the purposes of Part I of the Housing Act, 1919.

10 (2) The reservation for recreation purposes and the setting apart under Part II of the Public Reserves, Domains, and National Parks Act, 1928, as portions of the Hutt Valley Domain in respect of the lands secondly and thirdly described in subsection *three* of this section
15 are hereby cancelled and the said lands are declared to be vested in His Majesty the King for the purposes of Part I of the Housing Act, 1919.

(3) The lands to which this section relates are particularly described as follows:—

20 All those areas in the Wellington Land District, City of Lower Hutt, being—

Firstly, that area containing one rood, more or less, being Lot 4 on a plan deposited in the Land Registry Office at Wellington under Number 8861, being part of Section 39, Hutt Registration District, Block IX,
25 Belmont Survey District, and being formerly part of the land comprised and described in certificate of title, Volume 102, folio 131, Wellington Registry.

Secondly, that area containing by admeasurement one rood sixteen perches and ninety-four hundredths of a
30 perch, more or less, being Lots 35 and 36 on a plan deposited in the Land Registry Office at Wellington under Number 9890, Town of Fairfield, being Part Section 33, Hutt Registration District, Block XIV, Belmont Survey District, and being formerly part of the
35 land comprised and described in certificate of title, Volume 409, folio 152, Wellington Registry.

Thirdly, that area containing thirty perches and eighty-three hundredths of a perch, more or less, being Lot 13 on a plan deposited in the Land Registry Office at
40 Wellington under Number 9391, Town of Thornycroft, being part of Section 39, Hutt Registration District, Block IX, Belmont Survey District, and being formerly part of the land comprised and described in certificate of title, Volume 348, folio 39, Wellington Registry.

Authorizing
Hurunui
Rabbit Board
to dispose of
certain land.

35. Whereas for the purpose of more adequately controlling the extermination of rabbits in the area formerly comprising the Hurunui Rabbit District (in this section referred to as the said district) seven additional rabbit districts have been constituted within the boundaries of the land formerly comprising the said district: And whereas in connection with the establishment of the new Boards it is desirable that the parcels of land described in subsection *two* of this section, being lands now held by the Hurunui Rabbit Board, should be made available to the said new Boards: And whereas the Hurunui Rabbit Board has no power ~~to sell~~ *of disposal in respect of* the said land, and it is desirable and expedient to make provision in that behalf: Be it therefore enacted as follows:—

See Reprint
of Statutes,
Vol. I, p. 243

(1) Notwithstanding anything to the contrary in the Rabbit Nuisance Act, 1928, or in any other Act, the Hurunui Rabbit Board is hereby authorized and empowered to sell the parcels of land firstly, secondly, thirdly, and fourthly described in subsection *two* of this section, and its leasehold interest in the land fifthly described in the said subsection, to the new Rabbit Boards constituted within the boundaries of the land formerly comprising the said district.

(2) The parcels of land to which this section relates are more particularly described as follows:—

All those areas in the Canterbury Land District, being—

Firstly, that area situated in Block VII, Waipara Survey District, containing four acres three roods thirty-nine perches and twenty-five hundredths of a perch, more or less, being part of Rural section 7540, and being the whole of the land comprised and described in certificate of title, Volume 203, folio 35, Canterbury Registry.

Secondly, that area situated in Block VII, Waipara Survey District, containing two roods, more or less, being Lot 3 on a plan deposited in the Land Registry Office at Christchurch under Number 4691, and part of Lot 2 on a plan deposited as aforesaid under Number 4567, being part of Rural Section 7540, and being the whole of the land comprised and described in certificate of title, Volume 486, folio 140, Canterbury Registry.

Thirdly, that area containing two acres, more or less, being Sections 36 and 37, Township of Domett, and being the whole of the land comprised and described in certificate of title, Volume 229, folio 203, Canterbury Registry.

5
10 Fourthly, that area situated in Block VI, Culverden Survey District, containing five acres, more or less, being Section 46 (Culverden Settlement), Culverden Township, and being the whole of the land comprised and described in certificate of title, Volume 427, folio 170, Canterbury Registry.

15 Fifthly, an estate of leasehold in that land situated in Block I, Lyndon Survey District, containing twenty-two acres three roods and twenty-three perches, more or less, being Sections 17 and 18, Hanmer Town Area, and being the whole of the land in Hanmer Crown Lease 175, registered and recorded as Volume 457, folio 100, Canterbury Registry.