

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE, HOUSE OF REPRESENTATIVES, 18TH OCTOBER, 1901.]

Mr. Pirani.

PALMERSTON NORTH RESERVES ACT AMENDMENT.

[LOCAL BILL.]

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Land included in First Schedule may be leased.</p> | <p>3. Land included in Second Schedule vested in Wanganui Education Board. Proviso.
4. Land included in Third Schedule vested in Corporation.
5. Gravel-pit reserve may be sold. Schedules.</p> |
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A BILL INTITULED.

AN ACT for the more effectual Management of certain Reserves in the Borough of Palmerston North. Title.

WHEREAS under the provisions of "The Wellington Reserves Act 1876 Amendment Act, 1877," certain lands the boundaries whereof are set forth in the First Schedule of "The Palmerston North Reserves Act, 1890," were granted to the Mayor, Councillors, and Burgesses of the Borough of Palmerston North (hereinafter called "the Corporation") for an estate in fee-simple in trust for the use and benefit of the inhabitants of Palmerston North and the vicinity thereof as a public park and recreation-ground and botanical gardens: And whereas under the provisions of "The Palmerston North Reserves Act, 1890," the Council of the Corporation is empowered to lease all or any portion of the said land in manner provided and subject to the conditions and restrictions therein contained: And whereas by reason of sections one hundred and ninety-six and two hundred and one of "The Municipal Corporations Act, 1900," the said Council is precluded from letting such land in manner provided in Part XXI. (exclusive of sections one hundred and ninety-six and two hundred and one) of the last-mentioned Act: And whereas it is desirable to allow the said land to be leased by the said Council otherwise than in the manner provided by "The Palmerston North Reserves Act, 1890," and also to make certain provisions respecting other lands in the said borough:

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

1. The Short Title of this Act is "The Palmerston North Reserves Act Amendment Act, 1901." Short Title.

No. 127—2.

Land included in
First Schedule may
be leased.

2. Notwithstanding anything contained in "The Palmerston North Reserves Act, 1890," or elsewhere, the Council of the said Borough of Palmerston North may let the whole or any portion of the land the boundaries whereof are set forth in the First Schedule to "The Palmerston North Reserves Act, 1890" (other than the lands the boundaries whereof are set forth in the *First* Schedule hereto), in manner provided in and by Part XXI. of "The Municipal Corporations Act, 1900," as though the sections one hundred and ninety-six and two hundred and one of the Act were omitted therefrom. 5

Land included in
Second Schedule
vested in Wanganui
Education Board.

3. The piece of land the description whereof is specified in the *Second* Schedule of this Act shall, from and after the passing of this Act, cease to be vested in the Corporation, and shall be and remain vested in the Wanganui Education Board for an estate in fee-simple, to be used for the erection thereon and maintenance of a commercial college and technical school by such Board, but for no other purpose whatsoever : 10 15

Proviso.

Provided always that if at the expiration of two years from the passing of this Act the said Board has not erected, equipped, opened, and maintained a commercial college and technical school for the purpose of commercial and technical instruction on the said land, or some part thereof, or if at any time thereafter the said Board, having commenced to use the said land as aforesaid, shall cease to use the same and the buildings thereon for the purposes aforesaid, then and in either of such cases the said land shall immediately thereafter by force of this Act, and without any conveyance, revert in the Corporation for the estate, uses, and purposes as before the land became vested as aforesaid in the said Board : 20 25

Provided, further, that if any question or dispute arise as to whether the said land has or has not become re-vested in the Corporation as aforesaid, the same shall be determined by the Minister of Education, and his decision shall be final. 30

Land included in
Third Schedule
vested in
Corporation.

4. The piece of Crown land the boundaries and description whereof are specified in the *Third* Schedule of this Act is hereby vested in the Corporation for an estate in fee-simple, to be used as a public right-of-way by the general public. 35

Gravel-pit reserve
may be sold.

5. The piece of land described in the *Fourth* Schedule hereto, and now held by the Corporation as a gravel-pit reserve, may be sold by the Council of the Corporation at public auction, ~~or by private contract,~~ and the moneys to be derived from such sale shall be paid into the District Fund Account of the said borough. 40

Schedules.

SCHEDULES.

FIRST SCHEDULE.

ESPLANADE.

ALL that piece or parcel of land the boundaries and description whereof are specified in the Fifth Schedule of the "The Palmerston North Reserves Act, 1890."

Struck out.

Also all that piece or parcel of land containing by admeasurement 20 acres and 18 perches, more or less, being part of Rural Section No. 1536 on the plan of the Township of Palmerston North, in the Manawatu District. Bounded towards the north-west by a right line commencing at a point on the south-western boundary of

Fitzherbert Street, distant 2335 links in a south-easterly direction from the south-eastern corner of Park Road, at an angle of $57^{\circ} 32' 26''$, 1000·7 links; thence in a north-westerly direction parallel to Fitzherbert Street, 309 links; thence in a south-westerly direction $59^{\circ} 42' 53''$, 300 links; thence in a south-easterly direction parallel to Fitzherbert Street, 1143 links; thence in a south-easterly direction, at an angle of $87^{\circ} 16'$, 107 links; thence in a south-easterly direction, at an angle of $70^{\circ} 56' 46''$, 298·7 links; thence in a south-easterly direction parallel to Fitzherbert Street, 170 links; thence in a south-easterly direction, at an angle of $83^{\circ} 25' 07''$, 1250 links; thence in a north-westerly direction along the south-western boundary of Fitzherbert Street, 2050 links, to the commencing-point.

New.

Also all that parcel of land in the Borough of Palmerston North, containing by admeasurement 20 acres and 18 perches, more or less, being part of Rural Section No. 1536. Bounded by a line commencing at a point on the south-western side of Fitzherbert Street, distant 2335 links from Park Road, along the said south-western side of Fitzherbert Street, and proceeding thence along a right line bearing south $57^{\circ} 32' 26''$ west, 1000·7 links; thence by a right line, north-westerly, parallel to Fitzherbert Street, 309 links; thence by a right line bearing south $59^{\circ} 42' 53''$ west, 300 links; thence by a right line, south-easterly, parallel to Fitzherbert Street, 1143 links; thence by a right line bearing south $87^{\circ} 16'$ east, 107 links; thence by a right line bearing south $70^{\circ} 56' 46''$ east, 298·7 links; thence by a right line, south-easterly, parallel to Fitzherbert Street, 170 links; thence by a right line bearing south $83^{\circ} 25' 7''$ east, 1250 links, to Fitzherbert Street; thence by that street, 2050 links, to the place of commencement.

SECOND SCHEDULE.

ALL that piece or parcel of land containing by admeasurement 10 acres and 9 perches, and being Section No. 225 on the survey plan of the Township of Palmerston North.

THIRD SCHEDULE.

RIGHT-OF-WAY.

ALL that piece or parcel of land containing by admeasurement 8·9 perches, be the same a little more or less, being part of Section No. 662 on the survey plan of the Township of Palmerston North, commencing in the Square at the north-western corner of Section No. 663 on the said plan, and bounded on the south-east by the said Section 663, 250 links; on the south-west by the Square, 22·27 links; on the north-west by the remaining portion of Section 662, 250 links; and on the north-east by Section 660, 22·27 links.

FOURTH SCHEDULE.

GRAVEL-PIT RESERVE.

ALL that piece or parcel of land containing by admeasurement 2 acres, and being Section No. 134 on the survey plan of the Township of Palmerston North.