

Hawke's Bay and Waipawa United District Charitable Aid Board Empowering Act 1904

Local Act 1904 No 19
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**An Act for empowering the Hawke's Bay and Waipawa United
District Charitable Aid Board to sell and convey certain Lands,
and to acquire a Site for an Institution.**

Preamble

WHEREAS the lands and hereditaments described in the Schedule hereunder written having been acquired by the Hawke's Bay and Waipawa United District Charitable Aid Board (hereinafter called **the said Board**) for an estate in fee-simple for particular purposes connected with the functions of the said Board, and, it having become impossible or inadvisable that the same should be devoted to or used for such purposes, it is expedient that provision should be made whereby such lands and hereditaments may be sold and disposed of by the said Board: And whereas it is also expedient

that provision should be made to enable the said Board to acquire a site for an Old Men's Home:

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

1 Short Title

The Short Title of this Act is The Hawke's Bay and Waipawa United District Charitable Aid Board Empowering Act 1904.

2 Board may sell and dispose of certain freehold property

It shall be lawful for the said Board to enter into any contract for the absolute sale and disposal of, or to carry out any contract or agreement already entered into for the absolute sale and disposal of, and to sell and absolutely dispose of the said lands and hereditaments, or any part or parts thereof, for such price or respective prices, to such person or persons, and upon such terms and conditions in all respects as the said Board may think fit; and, upon payment of all purchase-money therefor, to convey and transfer the property so sold to the purchaser or purchasers thereof; and, for all or any of the purposes aforesaid, to execute under the common seal of the said Board all such contracts, agreements, conveyances, and transfers of or relating to the property so sold or agreed to be sold as may be necessary or expedient.

3 Application of purchase-money

The purchase-money received by the said Board as the consideration for any such sale or sales as aforesaid shall belong to the Charitable Aid Fund of the said Board; but no purchaser shall be bound to see or inquire as to the application of his purchase-money, or be responsible for the misapplication thereof.

4 Remedies of Board on contracts

On the failure, neglect, or refusal of any purchaser to complete any contract or agreement for purchase, it shall be lawful for

the said Board to compel specific performance of the same, or to recover the unpaid purchase-money, in any Court of competent jurisdiction.

5 Power for Board to acquire site for Old Men's Home

It shall be lawful for the said Board to acquire by purchase in fee-simple a suitable site within its district for the purpose of an Old Men's Home, or institution for the reception or relief of aged persons, and to erect and maintain thereon any building or institution suitable for such purpose, with all necessary outhouses, enclosures, and accessories as an institution within the meaning of The Hospital and Charitable Institutions Act 1885, and the amendments thereof; and to exercise and have all powers, authorities, and discretions conferred by the said Act and amendments with reference to such institution.

Schedule

All that area in the Hawke's Bay Land District, containing by admeasurement 5 acres and 25 perches, more or less, known as part of Suburban Section No 1, Town of Napier, being all the land comprised in certificate of title, Volume xxxi, folio 143, deposited in the Hawke's Bay District Land Registry Office. Bounded towards the north generally by Town Section No 30 and Suburban Section No 2 respectively from the south-western corner of the first-mentioned section to the northernmost corner of Town Section No 38; thence towards the south-east generally by Town Sections Nos 38, 37, 36, 35, 34, 33, 32, and 31 respectively to Hyderabad Road; thence towards the south by Hyderabad Road, 5 links; thence towards the south-west by a right line, 720.3 links, to a point on the eastern side of Hyderabad Road 460 links distant in a south-westerly direction from the south-western corner of Town Section No 30 aforesaid, the said 460 links being measured along the eastern side of Hyderabad Road; and thence towards the north-west by the said Hyderabad Road to the south-western corner of Section No 30 aforesaid, the point of commencement.

Also all that area in the Hawke's Bay Land District, containing by admeasurement 2 roods, more or less, being Town Section No 38,

Town of Napier. Bounded towards the north-east by Suburban Section No 2, Town of Napier; towards the south-east by North Street; towards the south-west by Town Section No 37, Town of Napier; and towards the north-west by part of Suburban Section No 1, Town of Napier.