

Timaru Borough Empowering Act 1928

Local Act 1928 No 10
Date of assent 19 September 1928

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An Act to alter the Purposes for which certain Reserves in the Borough of Timaru are held, and authorizing Application of Rents already received and to be received in respect of the said Reserves.

Preamble

WHEREAS the lands described in Schedules 1 and 2 of the Timaru Market Reserve Act 1884 [*Repealed*], were, by Order in Council dated the eleventh day of October, eighteen hundred and eighty-one, set out in the New Zealand Gazette, 1881, No 80, at page 1269,

vested in the Mayor, Councillors, and Burgesses of the Borough of Timaru in trust for a market: And whereas part of the land in the said Schedule 1 and the whole of the land described in the said Schedule 2 has been beautified into a public garden and recreation-ground: And whereas it is no longer desirable that the balance of the said lands described in the said Schedules should be held in trust for a market in the Borough of Timaru: And whereas the rents already received from part of the land described in the said Schedule 1 cannot as required by the terms of the said Act be now applied in and towards the establishment of such market as aforesaid: And whereas it is desirable that the purpose for which such lands are held should be altered and that the rents already received or to be received from the said lands be now applied towards the developing, beautifying, and maintaining of any of the public recreation-grounds or public garden reserves belonging to the Corporation of the Borough of Timaru:

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

This Act may be cited as the Timaru Borough Empowering Act 1928.

2 Land mentioned in Schedule to the Timaru Market Reserve Act 1884 [*Repealed*], no longer to be held in trust for market

Notwithstanding anything contained in the said Order in Council the lands described in the Schedules to the Timaru Market Reserve Act 1884, shall no longer be held in trust for a market in the Borough of Timaru; and the reservation over the said land for the purpose of a market is hereby revoked.

3 Land in Schedule 1 to be held as reserve for municipal purposes

The land described in Schedule 1 hereto shall be held by the Corporation of the Borough of Timaru as a reserve for municipal purposes.

4 Land in Schedule 2 to be held as reserve for purposes of a public garden and for a public recreation-ground

The land described in Schedule 2 hereto shall be held by the Corporation of the Borough of Timaru as a reserve for the purposes of a public garden and for a public recreation-ground.

5 Power to lease land in Schedule 1

It shall be lawful for the Corporation of the Borough of Timaru from time to time to let, in accordance with the provisions of the Municipal Corporations Act 1920, or the Public Bodies' Leases Act 1908, the whole or any part or parts of the lands mentioned in Schedule 1 hereto and to apply the rents received therefrom as provided in the next succeeding section.

6 Application of rents

Any moneys already received by the Corporation of the Borough of Timaru under and by virtue of the provisions of the Timaru Market Reserve Act 1884 [Repealed], and all moneys hereafter received by the said Corporation for or in respect of the rents, profits, and issues of the said land described in Schedule 1 hereto shall, after deducting therefrom all necessary expenses incurred in the management thereof and including the costs of promoting this Act, be applied in and towards the developing, beautifying, and maintaining of any public recreation-grounds or public garden reserves vested in the said Corporation.

7 Repeal

The Timaru Market Reserve Act 1884, is hereby repealed.

Schedule 1

ALL that piece of land situate in the Town of Timaru containing 3 roods 22 perches, more or less: bounded eastward by High Street, southward by a line in line with the northern boundary of William Street, and north-westward by a line in line with the north-western

boundaries of Sections Nos 361 and 322, and numbered 2504C (in red).

Schedule 2

ALL those parcels of land situate in the Town of Timaru containing together 3 acres 38 perches, more or less, and being,—

Firstly, all that piece of land containing 2 roods 38 $\frac{6}{10}$ perches, more or less: bounded northward by the continuation of the southern boundary-line of Browne Street, westward by Alexandra Street, and south-eastward by a line in line with the south-eastern boundary of Section 205, and being part of reserve numbered 2504B (in red):

And secondly, all that piece of land containing 2 acres 2 roods, more or less, and numbered 2504A (in red) on the official map in the Survey Office, Christchurch: bounded eastward by High Street, northward by the continuation of Heaton Street, westward by Sections Nos 177 and 184, and southward by the continuation of the northern boundary-line of Browne Street.